



**Kementerian Pekerjaan Umum dan Perumahan Rakyat  
Republik Indonesia**

**INDONESIA:  
Improvement of Solid Waste Management to Support Regional and Metropolitan  
Cities**

**ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK  
(ESMF)**

**April 2019**

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## DEFINITIONS

Terms	Meaning
Government	The Government of the Republic of Indonesia
Project	Improvement of Solid Waste Management to Support Regional and Metropolitan Cities (ISWMP)
Provincial government	The <i>provinsi</i> government, headed by a governor or <i>gubernur</i>
Local government	Municipal/City ( <i>kota</i> ) government (headed by a mayor or <i>walikota</i> ) or district or regency ( <i>kabupaten</i> ) government (headed by a district head/regent or <i>bupati</i> )
Sub-project	Project component implemented at the central, provincial and/or <i>kabupaten/kota</i> level
<i>Dinas</i>	Agency at provincial, city or district level that deals with specific sector, e.g. DLH( <i>Dinas Lingkungan Hidup</i> : Environmental Agency)
Citarum Harum Program	A comprehensive rehabilitation program for Citarum River Watershed with solid waste management possessing a prominent focus. It was launched by the Government of Indonesia in February 2018 through enacting Presidential Regulation no 12/2012.

## ACRONYMS

AMDAL	<i>Analisis Mengenai Dampak Lingkungan</i> – Process of environmental impact assessments that will produce ANDAL (ESIA: Environmental and Social Impact Assessment/Statement) and RKL-RPL (ESMPs: Environmental and Social Management Plans)
ANDAL	<i>Analisis Dampak Lingkungan</i> – environmental impact assessment/statement
APBN	<i>Anggaran Pendapatan dan Belanja Negara</i> – National Annual Budget
BLUD	<i>Badan Layanan Umum Daerah</i> - Local Government for Public Service Agency
BAPPENAS	<i>Badan Perencanaan Pembangunan Nasional</i> – National Development Planning Board
BAPPEDA	<i>Badan Perencanaan Pembangunan Daerah</i> – Regional Development Planning Board
BPLHD	<i>Badan Pengendalian Lingkungan Hidup Daerah</i> - Regional Environmental Management Agency (Now DLH)
BPN	<i>Badan Pertanahan Nasional</i> - National Land Agency
CTC	Core Team Consultant
CPMU	Central Project Management Unit
CPIU	Central Project Implementation Unit
DED	Detailed Engineering Design
DES	Directorate of Development for Environmental Sanitation (PPLP of MPWH)
DEH	Directorate of Environmental Health (MOH)
DGHS	Directorate General of Human Settlement - <i>Direktorat Jenderal Cipta Karya</i>
DLH	<i>Dinas Lingkungan Hidup</i> - Environmental Agency
DPU	<i>Dinas Pekerjaan Umum</i> - Public Work Agency
DKP	<i>Dinas Kebersihan dan Pemakaman</i> (now merged into DLH)
DWM	Directorate for Waste Management (MoEF)
EA	Environmental Assessment
EAP	Emergency Action Plan
ESIA	Environmental Social Impact Assessment

ESMPs	Environmental and Social Management Plans
ESMF	Environmental and Social Management Framework
GoI	Government of Indonesia
IPP	Indigenous Peoples Plan
ISWMP	Improvement of Solid Waste Management Project
KA-ANDAL	<i>Kerangka Acuan</i> – ANDAL (Term of Agreement of EIA)
LARPF	Land Acquisition and Resettlement Policy Framework
MENLHK	<i>Menteri Lingkungan Hidup dan Kehutanan</i> – Ministry of Environment and Forestry (MoEF)
MoEF	Ministry of Environment and Forestry
MoF	Ministry of Finance
MOHA	Ministry of Home Affairs
MOH	Ministry of Health
MPWH	Ministry of Public Works and Housing
NGOs	Non-Government Organizations
O&M	Operational and Maintenance
OP	Operational Policy
PAD	Project Appraisal Document
PAP	Project Affected Person
PDO	Project Development Objective
PI	Public Involvement
PIP	Project Implementation Plan
PIU	Project Implementation Unit
PMU	Project Management Unit
PP	<i>Peraturan Pemerintahan</i> – Government Regulation
PSC	Project Supervision Consultant
PPLP	Directorate of Development for Environmental Sanitation (DES)
RP	Resettlement Plan
RKL	<i>Rencana Pengelolaan Lingkungan</i> – Environmental Management Plan
RPF	Resettlement Policy Framework
RPL	<i>Rencana Pemantauan Lingkungan</i> – Environmental Monitoring Plan

Regional PIUs	Province, city/district Project Implementation Unit
SIA	Social Impact Assessment
SSK	<i>Strategi Sanitasi Kota</i> - City Sanitation Strategies
SUPDI	<i>Sinkronisasi Urusan Pemerintah Daerah I</i> - Synchronizing Local Government Affair I (MOHA)
TA	Technical Assistance
TD	Tender Document
TPA	<i>Tempat Pembuangan Akhir</i> - Final Disposal Site
TPS – 3R	<i>Tempat Pengolahan Sampah 3R</i> – Solid waste Treatment with 3R facility
UKL-UPL	<i>Upaya Pengelolaan dan Pemantauan Lingkungan</i> – Partial environmental impact management and monitoring plan



## EXECUTIVE SUMMARY

The Improvement of Solid Waste Management to Support Regional and Metropolitan Cities (ISWMP) is to support the implementation of the government's national program to improve solid waste management services for selected urban populations across Indonesia. The program will extend support for up to 15 cities/districts across Indonesia, to strengthen solid waste management planning and systems. Additional capital investment in solid waste management infrastructure will be available for cities that meet readiness criteria, including preparation of safeguards for the bio-physical and social environment. The ISWMP will be implemented through a Central Project Management Unit (CPMU) in Directorate General of Human Settlement (DG Cipta Karya) and city governments' Project Implementation Units linked to the Environment Agency.

The Environmental and Social Management Framework (ESMF) serves as the Project's umbrella for the management of the environmental and social impacts of the sub-projects under ISWMP. The ESMF will guide i) the preparation of environmental and social management plans (ESMPs) for the sub-projects under ISWMP for the first annual work plan, as well as for sub-projects identified in subsequent years; and ii) the preparation of social safeguards related documents (Land Acquisition and Resettlement Plans and Indigenous Peoples Plans, as needed for each sub-project).

Initial screening for sub-projects under ISWMP has reviewed the status of solid waste management in 50 cities/districts, outlined the likely activities and the impacts that are generally associated with such activities. This has determined that almost all of the sub-projects within ISWMP will require UKL-UPL (partial EA) or AMDAL (Full EA), as there is a moderate to high potential for significant environmental and social impacts as a result of activities under Component 3 which entails sub-projects investing in infrastructure and landfill

Program Perbaikan Pengelolaan Limbah Padat untuk Dukungan Daerah dan Kota Metropolitan (*Improvement of Solid Waste Management to Support Regional and Metropolitan Cities* atau disingkat ISWMP) dilaksanakan untuk mendukung implementasi program nasional pemerintah untuk memperbaiki pengelolaan persampahan untuk penduduk perkotaan di seluruh Indonesia. Program ini akan mencakup hingga 15 kota/kabupaten di Indonesia, untuk memperkuat perencanaan dan system pengelolaan persampahan. Tambahan dana investasi dalam penyediaan prasarana pengelolaan persampahan akan disediakan bagi kota-kota yang memenuhi kriteria kesiapan, antara lain penyusunan perlindungan lingkungan bio-fisik dan sosial. ISWMP akan diimplementasikan melalui Pusat Unit Pengelolaan Proyek di Direktorat Jenderal Cipta Karya dan Unit Pelaksana Proyek masing-masing pemerintah kota yaitu Dinas Lingkungan Hidup.

Kerangka Pengelolaan Lingkungan dan Sosial atau KPLS ini (*Environmental and Social Management Framework* atau disingkat ESMF) disusun sebagai acuan untuk pengelolaan dampak lingkungan dan sosial masing-masing sub proyek ISWMP. KPLS akan mengarahkan i) penyusunan rencana pengelolaan lingkungan dan sosial (*Environmental and Social Management Plans* atau disingkat ESMPs) masing-masing sub proyek di bawah ISWMP sebagai rencana kerja tahunan pertama juga masing-masing sub proyek yang diidentifikasi pada tahun selanjutnya; dan ii) penyusunan dokumen terkait dengan perlindungan sosial (Rencana Pengadaan Lahan dan Pemukiman Kembali dan Rencana Penanganan Masyarakat Adat yang diperlukan masing-masing sub proyek)

Penapisan awal untuk sub proyek di bawah ISWMP telah melakukan kajian kondisi pengelolaan limbah padat di 50 kota/kabupaten, yang mana memberikan gambaran prakiraan aktivitas dan dampak yang umumnya berhubungan dengan aktivitas-aktivitas tersebut. Adapun hasil penapisan awal menunjukkan hampir semua sub proyek akan memerlukan penyusunan UKL-UPL atau AMDAL, karena adanya potensi dampak lingkungan dan sosial yang dikategorikan sedang hingga signifikan dalam implementasi Komponen 3 (mencakup

rehabilitation, whereas for other components there are no or only negligible potential impacts. When UKL-UPL or AMDAL are prepared, detailed information on impacts and the mitigations planned for both environmental and social aspects are required, along with consultation with the affected peoples. Effort to minimize impacts and to create social value through the design of the project are required.

ISWMP sub-projects will be located throughout Indonesia, with the higher-impact activities under Component 3 likely in Java (i.e. city/district linked to Citarum Harum Program, a program launched the Government of Indonesia (GOI) in February 2018 (by enacting a Presidential Regulation (#12/2012) to comprehensively rehabilitate the river with improvement of solid waste management as a prominent focus), Kalimantan, Sulawesi and Sumatera islands initially, and later foreseeably also in NTT, NTB and possibly Maluku, Papua or West Papua.

Many existing landfill sites are in catchments that are prone to severe erosion because of steep slopes and soil structure. The landfills have been established for many years, often decades, and have become central to some local economies and human settlements. The downstream areas of the sites are often under cultivation and local small industries such as livestock feed are associated with the sites. While they are not located in forest areas, there may be downstream or adjacent protected forests or reserves, including marine reserves.

Some of the sub-projects will require acquisition of land or result in involuntary resettlement. While many of the sub-projects are associated with upgrading and remedial and rehabilitation of existing sites, there may be a requirement for additional or expanded facilities which require additional land, but would not significantly alter existing land use patterns. There will however, be impacts on waste pickers, local communities dependent on recycling sector and livestock

sub-poyek dengan investasi terhadap sarana fisik dan rehabilitasi TPA), sedangkan komponen-komponen lain hanya kecil atau tidak menimbulkan potensi dampak. Ketika UKL-UPL atau AMDAL disusun, informasi terperinci tentang dampak dan rencana pengelolaannya yang telah dikonsultasikan dengan masyarakat terkena dampak baik untuk aspek lingkungan maupun sosial. Upaya untuk minimalisasi dampak dan menciptakan nilai sosial melalui disain proyek dibutuhkan.

Sub-sub proyek ISWMP akan tersebar di seluruh Indonesia dengan dampak lebih besar akibat kegiatan Komponen 3 di Jawa (kota/kab terkait dengan Program Citarum Harum, sebuah program yang diluncurkan oleh pemerintah pada Februari 2018 (melalui Perpres 12/2018) untuk merehabilitasi secara komprehensif Sungai Citarum yang mana salah satu focus adalah peningkatan pengelolaan persampahan), Kalimantan, Sulawesi dan Sumatera dan juga di NTT, NTB dan kemungkinan Papua atau Papua Barat.

Banyak tempat pembuangan akhir (TPA) yang saat ini ada terletak di daerah tangkapan hujan yang cenderung mengalami erosi karena kemiringan lereng yang terjal dan struktur tanahnya. TPA-TPA tersebut telah ada selama bertahun-tahun bahkan puluhan tahun dan telah menjadi pusat ekonomi local dan hunian manusia. Daerah hilirnya sering kali terdapat lahan pertanian dan industry kecil local seperti pemerliharaan ternak yang terkait dengan tempat tersebut. Meskipun tempat-tempat tersebut tidak berada di areal hutan, tempat-tempat tersebut ada pula yang terletak di hilir atau berdekatan dengan hutan lindung atau taman nasional termasuk taman nasional laut.

Beberapa sub proyek akan memerlukan pengadaan lahan atau pemukiman penduduk. Namun kebanyakan sub proyek yang memerlukan pembenahan dan perbaikan serta rehabilitasi TPA yang telah ada mungkin memerlukan lahan tambahan, tetapi tidak mengubah pola penggunaan lahan. Aktivitas di atas akan berdampak pada para pemulung, penduduk setempat yang bergantung pada sektor daur ulang dan pemilik ternak yang

owners whose animals graze in the landfill sites. In-principle agreements to manage this impact include establishing grazing zones and feed lots. A Land Acquisition and Resettlement Policy Framework (LARPF) has been prepared to give more flexibility during ISWMP project implementation, as some proposed activities may require additional land, temporarily or permanently. The LARPF is presented in separate document as an integral part of this ESMF, and includes guidelines for preparing a Land Acquisition and Resettlement Action Plan (LARAP) for any of the sub-projects where land acquisition and resettlements may be required. Where land is not acquired, social and economic impacts are to be addressed through the UKL-UPL, AMDAL/RKL-RPL<sup>1</sup> and/or site-specific Social Management Plans.

The project will also provide urgent investment financing for a group of cities and districts linked to the “Citarum Harum” Program, currently projected as City of Bandung, City of Cimahi, Bandung District, West Bandung District, that have urgent solid waste management infrastructure needs. This Citarum River watershed is an urgent and high priority placed on this region by the national government, and thus warrants an exception to transform a region with an infamous reputation for poor municipal waste management. Under this Project, it is expected to finance a selection of collection infrastructure, transfer stations, mechanical-biological treatment facilities, recycling centers, sanitary landfills (new cells and/or expanding and remediating existing sites), and potentially a refuse-derived fuel plant.

From the available maps, data from the Ministry of Social Welfare and the World Bank on locations of Indigenous Peoples, it is possible that there are indigenous peoples living in the vicinity of the cities/districts where ISWMP project activities will be implemented.

menggunakan TPA untuk memelihara ternaknya. Dasar kesepakatan tentang mitigasi dampak ini termasuk dibentuknya zona khusus untuk ternak pada bagian TPA dan dukungan untuk system kandang diluar TPA. Kerangka Kebijakan Pengadaan Lahan dan Pemukiman Kembali (*Land Acquisition and Resettlement Policy Framework* atau disingkat LARPF) telah disusun sebagai acuan implementasi sub-proyek ISWMP yang memerlukan lahan, baik sementara ataupun permanen. LARPF disajikan dalam dokumen terpisah sebagai suatu bagian yang tak terpisahkan dari ESMF dan meliputi pedoman penyusunan Rencana Pengadaan Lahan dan Pemukiman Kembali (*Land Acquisition and Resettlement Action Plan* atau disingkat LARAP) untuk setiap sub proyek yang memerlukan pengadaan lahan dan pemukiman kembali. Ketika tidak dibutuhkan lahan, dampak sosial dan ekonomi dikelola dengan UKL-UPL, AMDAL/ RKL-RPL dan/atau Rencana Pengelolaan Sosial yang bersifat khusus sesuai dengan kondisi setempat.

Proyek ini juga akan menyediakan pendanaan untuk sejumlah kota dan kabupaten terkait Program Citarum Harum untuk pemenuhan terhadap sarana dan prasarana pengelolaan sampah padat, yaitu Kota Bandung, Cimahi, Kabupaten Bandung dan Bandung Barat. Kawasan Sungai Citarum ini adalah prioritas tinggi pemerintah pusat untuk memperbaiki system pengelolaan masalah sampah kawasan tersebut yang pada saat ini masih dibawah standard. Proyek ini diperkirakan akan dibiayai sejumlah sarana dan prasarana berkaitan dengan system pengumpulan sampah, pemindahan dan pengelolaan mekanik-biologik, daur ulang, TPA (sel baru dan/atau remediasi dan perluasan), serta pengelolaan sampah menjadi bahan-bakar alternatif (RDF).

Berdasarkan peta-peta yang tersedia, data dari Kementerian Kesejahteraan Sosial serta Bank Dunia tentang lokasi keberadaan Masyarakat Adat, kemungkinan adanya Masyarakat Adat yang tinggal di dekat kota/kabupaten dimana proyek ISWMP akan diimplementasikan. Oleh karena itu, Kerangka Rencana Penanganan

<sup>1</sup> RKL/RPL is part of AMDAL documents and contain environmental and social management plans (RKL) and environmental and social monitoring plans (RPL).

Therefore an Indigenous Peoples Planning Framework (IPPF) has been prepared and presented as a separate document, but an integral part of this ESMF. The IPPF provides guidance on preparing Indigenous Peoples Plans for sub-projects where impacts on indigenous people are identified during the screening process or subsequently.

Despite the fact that the proposed existing landfill site or proposed new landfill are not located in a recorded sensitive cultural heritage zones, as a preventive measure, it is recommended that the Tourism Agency (*Dinas Pariwisata*) be informed about the project and that the process described in the relevant section of the ESMF be followed for chance find procedure.

The ESMF specifies the appropriate roles and responsibility and outline the necessary reporting procedures for managing and monitoring environmental and social concerns related to the project-supported activities. It is also the basis of the project funding required to implement the ESMF requirements.

The ESMF requires each city/district through its Project Implementation Unit (PIU) to appoint safeguards specialists and environmental and social focal points to ensure implementation and monitoring of commitments including screening of sub-projects, assessments of impacts (AMDAL, UKL-UPL), consultations with affected people and wider stakeholders, and where necessary, additional studies, surveys and processes of consultation and follow-up, including preparation of documented plans for example related to land acquisition, resettlement, with provision of compensation and other assistance.

The draft ESMF was presented to national-level stakeholders, NGO as well as representatives from the regions where the sub-projects would be implemented, at a consultative workshop that

Masyarakat Adat (*Indigenous Peoples Planning Framework* atau disingkat IPPF) telah disusun dan disajikan dalam dokumen terpisah sebagai suatu bagian yang tak terpisahkan dari ESMF. IPPF menyediakan pedoman penyusunan Rencana Penanganan Masyarakat Adat (*Indigenous Peoples Plan* atau disingkat IPP) untuk sub-sub proyek dimana dampak terhadap Masyarakat Adat teridentifikasi selama proses penapisan ataupun tahap lanjutan persiapan sub-proyek.

Walaupun lokasi TPA baik yang baru ataupun yang telah beroperasi tidak terletak di daerah yang kemungkinan ditemukan nya peninggalan bersejarah. Sebagai bagian pencegahan, direkomendasikan pihak pengelola proyek dapat menginformasikan Dinas Pariwisata setempat dan juga prosedur jika dalam implementasi sub-proyek ditemukan peninggalan bersejarah

ESMF menjelaskan secara rinci peran dan tanggungjawab serta memperinci prosedur-prosedur pelaporan untuk pengelolaan dan pemantauan lingkungan dan sosial terkait dengan aktivitas-aktivitas yang terkait dengan proyek. Dokumen tersebut juga sebagai dasar pendanaan proyek yang diperlukan untuk melaksanakan persyaratan ESMF.

ESMF mewajibkan setiap kota/kabupaten untuk menyediakan tenaga khusus untuk menangani aspek social dan lingkungan melalui PIU (Project Implementation Unit). Pertanggungjawaban ini mencakup perencanaan dan pemantauan terhadap pelaksanaan dari perjanjian pengelolaan dampak termasuk tahap screening terhadap sub-proyek, kajian dampak (AMDAL, UKL-UPL), konsultasi dengan masyarakat yang terkena dampak dan pemangku kepentingan lain. Bila diperlukan, pelaksanaan kajian, survei, proses konsultasi dan tindak lanjut termasuk persiapan rencana dan dokumentasi perjanjian juga bertanggung, misalnya berkaitan dengan pengadaan lahan, pemindahan penduduk dan penyediaan bantuan termasuk ganti rugi.

Draft ESMF telah dipresentasikan kepada para pemangku kepentingan pada tingkat nasional, LSM juga para wakil daerah dimana sub-sub proyek ini akan diimplementasikan, dalam seminar konsultatif yang diadakan di Hotel

was conducted at the Grand Kemang Hotel, South Jakarta, in May 16, 2017; and at Public Works Ministry in South Jakarta in October 27, 2017. Participants at the workshop were presented with draft ESMF in the Bahasa Indonesian language. In addition, the ESIA and ESMPs for sites under preparation for first-year investments have involved 2 rounds of public consultation and have been disclosed specifically at the city level. As part of the ISWMP Grievance Mechanism, contact details for public access to the Project Implementation Unit and World Bank will be provided in each location.

Kemang, Jakarta Selatan, 16 Mei 2017; dan di Kantor Kementerian PU-PERA di Jakarta Selatan pada 27 Oktober 2017. Para peserta seminar menerima draft ESMF dalam Bahasa Indonesia. Selain itu, dokumen ESIA dan ESMPs setiap lokasi dalam penyusunan untuk investasi tahun pertama yang mencakup 2 putaran konsultasi publik dan telah diumumkan secara khusus di tingkat kota. Sebagai bagian dari Mekanisme Penanganan Keluhan ISWMP, rincian alamat kontak sebagai akses untuk umum kepada Unit Pelaksana Proyek dan Bank Dunia akan disediakan di tiap lokasi.

DRAFT

## 1. Introduction

### 1.1 Description of the Project

The Improvement of Solid Waste Management to Support Regional and Metropolitan Cities is to support the implementation of the government’s national program to improve solid waste management services for selected urban populations across Indonesia.

In Indonesia, the law defines solid waste management (SWM) as being “a systematic comprehensive and sustainable activity which covers waste reduction and handling” and identifies three types of solid waste: (i) “household waste”, defined as waste produced from household daily activities, (ii) “household-type waste” that is the same as household waste, but is generated by non-household agencies (e.g. commercial, industrial, government, markets, social) and (iii) “specific waste” such as hazardous, construction and disaster-produced waste. Metropolitan areas are defined as those with a population of over 1 million.

Indonesia’s Long-Term National Urban Development Plan 2015-2045 sets the targets of urban service standards and increasing capacity of city management. Solid waste management is high on the national agenda, as exemplified by the National Medium Term Development Plan’s (RPJMN) ambitious “100-0-100” targets of eliminating all slums and providing universal access to water and sanitation (including solid waste collection) by 2019<sup>2</sup>.

The Project is designed to address the needs of national and city governments for varying types of support, for incremental improvements to their systems, services and facilities for social waste management in at approximately 12-15 cities<sup>3</sup>. All metropolitan areas will be the primary targets of this program. Hence, possible cities for inclusion in the program include (but are not limited to): Bandung, Banjarmasin, Bogor, Denpasar, Depok, Jakarta, Madiun, Magelang, Makassar, Manado, Mataram, Medan, Padang, Palembang, Semarang, and Surabaya. The GOI however, has requested a large portion of IBRD investment funds to be channeled to the Upper Citarum River Watershed with targeted city and district include City of Bandung, City of Cimahi, District of Bandung and District of West Bandung.

### 1.2 Components of the Project

#### **Component 1: Institutional and Policy Development.**

This component will support institutional strengthening and capacity building of central government agencies responsible for various technical and administrative aspects of solid waste management services (e.g. MoEF, MPWH, Bappenas, Ministry of Energy and Mineral Resources

<sup>2</sup> The “100-0-100” target refers to 100% household access to water supply; zero slums; and 100% household access to sanitation (including waste water treatment and solid waste collection).

<sup>3</sup> As part of the preparation for the programmatic approach under ISWMP, the Government of Indonesia and World Bank have agreed on the need for a Program Implementation Roadmap to outline both the actions and investments needed for establishing an effective SWM Program. The Roadmap highlights required:

- Policy Reforms;
- Implementation Arrangements;
- Technical Sectoral Guidelines;
- Local Capacity Building Needs (planning, operational, and financing);
- Conditions for Mobilizing Additional Financing Sources (including private sector finance and climate change funding);
- Investment Plan for First \$1 Billion (USD) of Integrated Waste Management Infrastructure.

(MEMR)). This would include: (a) an institutional analysis at the national level, as well as a sample of provincial and district / municipal governments; and (b) strategic studies to facilitate the development of policy frameworks and regulations to better promote the improvement and sustainability of solid waste management services.

Strategic studies will focus on key impediments to enhancing the solid waste sector's overall performance. At this stage, some technical areas have already been identified for further discussion: (a) household waste reduction support (including 3Rs (reduce, reuse, recycle) and "Waste Bank"; (b) mechanisms for incorporating the informal waste workers and wider communities in formal waste collection and recycling systems; (c) a roadmap for transitioning *Dinas Kebersihan* (Now *Dinas Lingkungan Hidup*) to BLUD institutions; (d) policy and legal frameworks for promoting waste-to-energy investments; (e) strategies for leveraging additional private and public financing for solid waste management; and (f) development of policy measures to reduce land-based marine pollution.

### **Component 2: Integrated Planning Support and Capacity Building for Local Government and Communities.**

Local governments in the Upper Citarum River Watershed (i.e. City of Bandung, City of Cimahi, Bandung District, West Bandung District) and 8-10 additional local governments that meet certain readiness criteria and demonstrate commitment to improve waste management operations are eligible for technical support under Component 2. This component will finance the costs of experts and community facilitators throughout the project cycle to support capacity building (including training, workshops, and knowledge exchange events between cities as well as urban sub-districts) of local governments and communities to design and manage solid waste service improvements. This component seeks to establish a national program to address one of the primary constraints to improving sector performance: the technical and organizational capacity of local governments to efficiently operate complex and costly solid waste operations. Advisory services for designing local government regulations and tariffs will also be provided to local governments. In addition, funds in this component can also be used for public awareness campaigns for waste minimization and proper disposal of their waste, which is also a high government priority.

From the very beginning, there was strong consensus amongst government leaders that the project should be structured to focus resources on cities that possess the most promise to implement waste management systems that can be a role model for all other Indonesian cities. Accordingly, project preparation has completed a comprehensive evaluation of all cities and urban districts with populations over 100,000 people to identify the top performers where national resources would be more focused. These cities were then divided into three tiers depending on their current performance and commitment to solid waste management (see Annex 1 for further details). It is expected that the additional 8-10 cities will be selected from the highest tiers of performance (Tier 1 and Tier 2).

Currently, almost all cities have prepared City Sanitation Strategies (SSKs) that outline a five-year strategy for citywide solid waste management service improvements, required investments, and potential financing sources. For a large number of selected cities, this component would provide support for improving the design of these strategies and institutional strengthening to support their implementation. Special attention will be paid to community-based improvements in waste collection. On the one hand, much waste is 'leaking' already at the community level, never entering the formal waste management system. On the other hand, at community level much potential can be further developed to improve waste recycling through waste separation. Models will be developed, tested and implemented to improve waste collection rates and waste recycling at the community level.

This component would also provide technical assistance to cities for developing feasibility studies

and detailed engineering designs for priority investments. Technical assistance provided in this component would complement, but not be limited to all cities selected for physical infrastructure investments provided in Component 3.

Transactions advisory services for waste incineration investments might also be made available to cities to assist in the structuring of bidding documents, contracts, and environmental standards to ensure public benefits from these private sector investments are maximized. Climate change planning considerations, both mitigation (institutional strengthening to acquire carbon finance) and adaptation (climate vulnerability analysis) will also be supported through this component.

### **Component 3: Solid Waste Infrastructure in Selected Cities**

The immense challenges and shortages of financing necessitate a process to prioritize resources to the most urgent and impactful interventions. Every city or urban district receiving investment financing through Component 3, will also be supported with the required technical assistance package through Component 2. This is a key aspect of increasingly the quality and sustainability of investments made through the project and has been proven effective in other large Indonesian infrastructure projects assisted by the World Bank. Considering the national priority of the *Citarum Harum* and the marine plastic pollution targets, a large portion of this IBRD investment funds will be channeled to the Upper Citarum River Watershed cities and districts.

***Sub-Component 3.1: Support for Integrated Solid Waste Management Systems for Upper Citarum River Watershed Cities and Districts.*** This sub-component will provide investment financing for a group of cities and districts (currently projected as Bandung, Cimahi, Bandung District, West Bandung District) that have urgent solid waste management infrastructure needs. More local governments in this region could be included if funds are available. Under this sub-component it is expected to finance a selection of collection infrastructure, transfer stations, mechanical-biological treatment facilities, recycling centers, sanitary landfills (new and/or expanding and remediating existing sites), and potentially a refuse-derived fuel plant. Investments will need to be planned and designed during implementation. Cities and districts in this region have not demonstrated the considerable capacity and performance expected by “Tier 1” cities. However, the urgent and high priority placed on this region by the national government warrants this investment and it is expected that this sub-component will provide the financing required to achieve the solid waste management targets encapsulated under the *Citarum Harum*.

***Sub-Component 3.2: Integrated Solid Waste Management Systems Supported by Component 2.*** This sub-component will include all of investment financing through counterpart funding from ABPN, APBD or other sources included in Component 2 (8-10 cities and districts). These cities have demonstrated sufficient capacity, operational budgets and commitment in solid waste management to justify technical assistance to assist in these local governments in investing in complex systems and advanced treatment technologies. Cities selected under this component will receive support for investing from the national government (e.g. APBN) or will invest their local budgetary funds (e.g. APBD). All needed infrastructure aspects of solid waste management not currently in place, including collection, transfer, treatment, disposal, and waste recycling/composting, could be considered under this sub-component. This sub-component could also include financing for advanced treatment technologies, such as mechanical-biological treatment of mixed waste and refuse-derived fuel production. This sub-component is envisioned to facilitate the creation of model cities for solid waste management cities that can act as both inspirations and performance benchmarks for all other cities and districts in Indonesia.



Throughout all investments and solid waste sector planning, targeted gender-segregated consultations will be established to ensure sector planning adequately considers women female perspectives. Formal jobs in the rehabilitated landfills and in other (non-waste related) will be designed to be responsive to women's needs (e.g., flexible hours, location, and provision of child care services) and training/reskilling for waste-pickers will establish a quota of 50% women. When women have been provided an opportunity, they have performed well in solid waste sector jobs, so it is expected that acquiring the adequate skills with improved work conditions will reduce formal employment gender gaps (also valid for formal jobs created under Component 2).

#### **Component 4: Implementation Support and Technical Assistance.**

This component will provide technical support, advisory services and training of Central Program Management Units (CPMU) at national level, and for Program Implementation Units (PIUs) at provincial and city levels (approx. 12-14 cities and districts). Strengthening implementation and management capacity will involve support for monitoring and evaluation systems for the proposed program, enhancing stakeholder's collaboration at all levels, and training to make substantial use of participatory techniques for community engagement. Costs of national management consultants and oversight service providers will be financed under this component.

Improvement of the existing monitoring and evaluation system will reduce improper use of government funds and streamline the planning process in a coordinated manner. Use of transfer funds (e.g. HIBAH) must be monitored in a reliable and timely manner. For reliable monitoring could also be used for informing any incentive or disincentive mechanisms to be used for 100% collection, 30% waste reduction, and elimination of open dumping. HIBAH could be a significant source of funding to reach sector targets, especially at a time when most local governments state they do not have the adequate resources to meet their waste management responsibilities. There is currently a study ongoing at the city level to assess current procurement systems and needed support for using HIBAH effectively for the solid waste management sector.

**Table 1: Project Activities List**

<b>Type of Activity</b>	<b>Details</b>
<i>Technical Assistance</i>	<ul style="list-style-type: none"> <li>- Develop and refine City Sanitation Strategies and waste management plans</li> <li>- Advise on local government efficiency options, analysis of alternative systems and technology</li> <li>- Support capacity for preparation of feasibility studies, review of development of DED, preparation of ESIA and ESMPs for city level investments</li> <li>- Climate change planning including vulnerability analysis, mitigation and adaptation</li> <li>- Support for preparation of bidding documents, contracts and environmental standards including public consultation to maximize public benefits</li> <li>- Public awareness campaigns on separation and disposal practices</li> </ul>
<i>Improving community based collection systems</i>	<ul style="list-style-type: none"> <li>- Local level systems mapping and piloting of alternative models to increase collection coverage</li> <li>- Increasing facilities and equipment for local collection systems</li> </ul>
<i>Investment in infrastructure aspects of solid waste management</i>	<ul style="list-style-type: none"> <li>- Procurement of vehicles and receptacles</li> <li>- Redevelopment and addition of temporary storage and sorting facilities (TPS, ITF)</li> <li>- Redevelopment and establishment of additional recycling and composting facilities</li> <li>- Development of mechanical biological treatment (MBT) facilities</li> </ul>
<i>Re-engineering works at existing landfills and construction of new landfills</i>	<ul style="list-style-type: none"> <li>- Construction of additional sanitary cells</li> <li>- Construction of new leachate treatment facilities</li> <li>- Construction of intermediate waste treatment facilities (e.g. material recovery or sorting facilities)</li> <li>- Installation of landfill gas collection systems</li> </ul>
<i>Construction of advanced treatment infrastructure</i>	<ul style="list-style-type: none"> <li>- Installation of anaerobic digesters and refuse-derived fuel facilities</li> </ul>
<i>Closure and rehabilitation of landfills and open dumps</i>	<ul style="list-style-type: none"> <li>- Capping and sanitary closure of open dump sites</li> <li>- Environmental rehabilitation</li> </ul>
<i>Re-employment and development of alternative livelihoods for waste-pickers</i>	<ul style="list-style-type: none"> <li>- Population census and inventory of skills</li> <li>- Redeployment with training for waste-pickers into landfill employment</li> <li>- Training and support for alternative income generating activities</li> </ul>

### 1.3 Purpose of the ESMF

The purpose of this Environmental and Social Management Framework (ESMF) is to ensure that each component of ISWMP is carried out in sustainable way by managing environmental

and social aspects of the project-supported activities. The ESMF will clarify the principles, rules, guidelines and procedures, and organizational arrangements to be applied to ensure appropriate environmental and social management in ISWMP sub-projects.

The ESMF serves as the Project's umbrella for the management of the environmental and social impacts of the sub-projects under ISWMP. The ESMF will guide i) the preparation of environmental and social management plans (ESMPs) for the sub-projects under ISWMP for the first annual work plan, as well as for sub-projects identified in subsequent years; and ii) the preparation of social safeguards related documents (Land Acquisition and Resettlement Plans and Indigenous Peoples Plans, as needed for each sub-project).

The ESMF is to specify the appropriate roles and responsibility and outline the necessary reporting procedures for managing and monitoring environmental and social concerns related to the activities, especially under components 2 and 3. Finally, the ESMF is to establish the project funding required to implement the ESSF requirements.

Any sub-project that cannot be implemented according to the ESMF will not be funded under the Project.

## 2. Legal Framework and Safeguard Policy Objectives

The following Government of Indonesia regulations serve as the basis for the overall approach in this ESMF:

- Law No. 32 Year 2009 on Environmental Protection and Management
- Government Regulation (PP) No. 27 Year 2012 on The Environmental Permit
- Minister of Environment Regulation (Permen LH) No. 13 Year 2010 on Environmental Management Efforts and Environmental Monitoring Effort (UKL-UPL) and Statement Letter of Assurance for Implementation of Environmental management and Monitoring (SPPL)
- Minister of Environment Regulation (Permen LH) No. 05 Year 2012 on Type of Activities Requiring AMDAL
- Minister of Environment Regulation (Permen LH) No. 16 Year 2012 on Guidelines for Preparation of Environmental Documents
- Minister of Environment Regulation (Permen LH) No. 17 Year 2012 on Guidelines for Public Participation in Environmental Assessment Process and Environmental Permit
- Minister of Environment Regulation (Permen LH) No. 08 Year 2013 on Procedure of Assessment and Examination of Environmental Documents and Environmental Permit Issued Process
- Minister of Public Work Regulation No. 10/PRT/M/2008 on Type of Business Plan and/or Activities under Public Works that Required Environmental Management Efforts and Environmental Monitoring Efforts (UKL-UPL) document.
- Law No.2 Year 2012 on Land Acquisition for Public Need Development
- Presidential Regulation No.71 Year 2012 on Land Acquisition for Public Interest
- Presidential Regulation No. 40 Year 2014 on Changes to The Presidential Regulation
- Law No. 7 Year 2012 on Social Conflict Handling

- Presidential Regulation No. 56 Year 2017 on Community Social Impact Handling
- Minister of Social Regulation No.10 Year 2014 On Social Counseling
- Government Regulation No. 2 Year 2015 On Social Conflict Handling

For environmental issues, the main relevant laws are: *Law No. 32/2009 on Environmental Protection and Management* and *Government Regulation (PP) No. 27/2012 on Environmental Permit*, which outline environmental assessment process (and instruments) required for activities potentially generating adverse environmental and social impacts<sup>4</sup>. Outlines of the processes required for environmental and social assessment and impact mitigation, including AMDAL, RKL-RPL, UKL-UPL and SPPL are all provided in Annexes 6-10.

For social issues, the main relevant laws in addition to those noted above are: *Law No. 2/2012* and Presidential Regulation No. 71/2012 on Land Acquisition for Public Interest, and Presidential Regulations No. 40/2014 on Changes to Presidential Regulation No. 71/2012 on Land Acquisition for Public Interest.

Processes under this ESMF follow the directions of both government regulations and the World Bank policies as set out below.

**Table 2: World Bank Policies for Environmental and Social Safeguards**

Safeguard Policy	Policy Summary and Work Required
Environmental Assessment (OP/BP 4.01)	The OP requires assessing projects potential environmental risks and impacts, the breadth, depth, and type of analysis depending on the nature, scale, and potential environmental impact of the proposed project. EA also examines project alternatives, identifies ways of improving project selection, siting, planning, design, and implementation by preventing, minimizing, mitigating, or compensating for adverse environmental impacts and enhancing positive impacts, and includes the process of mitigating and managing adverse environmental impacts throughout project implementation.
Involuntary Resettlement and Land Acquisition (OP/BP 4.12)	The OP requires assessing the likely social impacts of projects, particularly as they entail acquisition of land, relocation of people, loss of productive assets or access to services, both during the implementation and operational phases of project activities. The policy is intended to ensure that resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons affected to share in project benefits, ensure that affected persons are meaningfully consulted and are provided, where possible, opportunities to participate in planning and implementation of resettlement and project activities. The basic objective is to ensure that affected persons are provided the means and

<sup>4</sup> To streamline the implementation of PP No. 27/2012, the State Ministers enacted Minister of Environment Regulations (PERMEN LH) No. 05/2012 on Type of Activities requiring AMDAL, PERMEN LH No.16/2012 on Guidelines for Preparation of Environmental Documents, PERMEN LH No. 17/2012 on Guidelines for Public Participation in Environmental Assessment Process and Environmental Permit, Minister of Public Works Regulation No. 10/PRT/M/2008 on Types of Business Plan and/or Activities under Public Works Require Environmental Management and Monitoring Efforts (UKL-UPL) documents.

Safeguard Policy	Policy Summary and Work Required
	resources to improve their livelihoods and standards of living, or at least to restore them in real terms, to pre-project levels.
Indigenous Peoples (OP/BP 4.10)	The OP goal is to (a) ensure that Indigenous Peoples benefit from development projects, and (b) avoid or mitigate potentially adverse effects on Indigenous Peoples caused by Bank-assisted activities. Special action is required where Bank investments affect IP whose social and economic status restricts their capacity to assert their interests and rights in land and other productive resources.
Physical Cultural Resources (OP. 4.11)	OP requires process to identify and protect movable or immovable property of great importance to the cultural heritage of any people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest.
Natural Habitat (OP 4.0.4)	OP requires identifying and avoiding land and water areas where the ecosystems biological communities are formed largely by native plant and animal species and where human activity has not essentially modified the area's primary ecological functions, critical habitats, declared forest, wildlife reserves and protected areas.
Pest Management (OP 4.09)	The OP goal is to minimize and manage the environmental and health risks associated with pesticide use and promote and support safe, effective, and environmentally sound pest management.
Safety of Dams (OP 4.37)	The OP goal is to assure quality and safety in the design and construction of new dams and the rehabilitation of existing dams, and in carrying out activities that may be affected by an existing dam.
Disclosure Policy (OP/BP 17.50)	All projects must disclose key information in country and through the Bank's Infoshop.

### 3. Environmental and Social Screening and Assessments

This section of the ESMF sets out the approach to screening the ISWMP for activities with environmental and social impacts, the triggering of World Bank safeguard policies and the categorization of the project for safeguard purposes. This categorization determines the level of attention and resources required to ensure proper and compliant planning and implementation of safeguard measures for this Project.

The screening process will:

- (i) Screen project components and sub-projects for potential environment and social impacts;
- (ii) identify which Bank policies are triggered by a sub-project based on the potential impacts;

- (iii) determine sub-project environment category based on screening; and
- (iv) identify the specific environment and social safeguard instruments/documents that need to be prepared based on the potential impacts and environmental category.

Screening results of the main project components is presented below, followed by a description of screening procedures for selection of cities to participate under Components 2 and 3, and screening for the environmental and social impacts and risks associated with sub-projects to be developed under Component 3.

### 3.1 Screening of Components under ISWMP

The general activities under all Project components have been screened for environmental and social impacts, with an emphasis on the activities under Component 3, where there will be major physical works. The Operational Policies outlined in Table 2 have been consulted, and guidelines for technical assistance projects have been accessed, as Components 1 and 2 involve substantial provision of TA leading to Bank-financed activities/investments in sub-projects. This ESMF also refers to the WBG General EHS Guidelines and Industry Sector Guidelines for Waste Management Facilities.

The ISWMP is structured in such a way to provide phased support to multiple cities, recognizing that the cities have different capacities, conditions and needs for technical, institutional and financial support. In particular, the cities are at various stages of readiness to receive substantial investment in advanced treatment technologies, such as anaerobic digesters, refuse-derived fuel production and other large and complex infrastructure.

Component 1 is primarily studies and analyses to support institutional strengthening and entails no material social or environmental impacts. The activities do not entail feasibility studies or activities that will give rise to negative impacts. Component 2 entails technical capacity support for up to 50 cities. Of those 50 cities, a maximum of 10 cities will construct large physical investments, possibly including advanced treatment technologies, while 20 to 30 cities will receive funds for smaller and simpler investments to improve performance (Component 3). The technical assistance under Component 2 will include feasibility studies and technical design work that will be subject to safeguard processes, including the preparation of impact assessments and mitigation planning. Under Component 3, the activities that will be financed in some locations include: reengineering to optimize disposal and/or rehabilitation and/or closure of existing landfill/disposal sites, construction of sanitary landfill cells within the existing landfill areas, leachate collection and treatment, landfill gas capture, construction of mechanical biological treatment facilities (MBTs) and transfer stations, construction of new landfills and construction of new waste banks. Based on the analysis of impacts arising from these kinds of activities, set out in Annex 6, the activities under Components 2 and 3 will generate potentially major environmental or social impacts in selected locations. Description of a selection of the key potential impacts is provided below.

### 3.2 Potential environmental and social impacts and risks

The majority of existing landfill sites in Indonesia are located in less than ideal locations, including poorly drained swampy areas, built-up urban areas, sensitive river basins, coastal zones, and in catchments that are prone to severe erosion because of steep slopes and unstable soil structures. ISWMP sub-projects will be located throughout Indonesia, with the higher-impact activities under Component 3 likely in Java, Kalimantan, Sulawesi and Sumatera islands initially, and later foreseeably also in Nusa Tenggara Timur, Nusa Tenggara Barat and possibly Maluku, Papua or West Papua.

#### *Environmental Assessment (OP/BP 4.01)*

Many existing landfill sites are in catchments that are prone to severe erosion because of steep

slopes and soil structure. The landfills have been established for many years, often decades, and have become central to some local economies and human settlements. The downstream areas of the sites are often under cultivation and local small industries such as livestock feed are associated with the sites. While they are not located in forest areas, there may be downstream or adjacent protected forests or reserves, including marine reserves.

Water pollution is possibly generated from activities of transportation of materials, construction civil works, dewatering activities, spill from rehabilitation of leachate treatment pond. Transportation of materials may result potential additional sediment load within water system from material spillage during transportation, construction, rehabilitation and remedial civil works may result run-off to water bodies, while dewatering activities may result lower water quality due to additional load of sediment. In case such potentially nefarious industrial effluents would be detected, water quality analysis will be adjusted to assess the impact on the reservoir. Baseline water quality parameters that should be also examined include: turbidity, biochemical oxygen demand (BOD), total suspended solids (TSS), dissolved oxygen (DO), and temperature in water.

Mobilization of heavy equipment and materials may have impacts on the air quality (dust) and generate noises pollution, which could disturb the community in the residential area (near/direct border with the mobilization route). It may also create temporary traffic disturbance on access road at the surrounding of the landfill sites or other locations with cities, and will impact the community that utilizing the road.

Works associated with ISWMP have the potential to affect social relations around landfills and within city neighborhoods more generally. The balance of relations between actors in the informal sector in particular may be affected as the access to landfill, and the ‘ownership’ of recyclable materials shifts, for example with the introduction of mechanized waste handling facilities within landfills.

Mobilization of labor from external areas for physical works may create social jealousy between the workers and other local member of communities. Also improper implementation of community consultation and engagement may also create social jealousy between program’s participants with other members of the community. The main area of potential impact relates to the integration of waste-pickers into more formal labor arrangements at landfill sites. Competition amongst waste-pickers can be anticipated and incorporated in the mitigation and monitoring plans.

The economic and social circumstances of waste-pickers working in or near landfill sites, as well as livestock owners and other small business actors in the neighboring areas may be impacted by changes to landfill management, or by land acquisition for new landfills if feasible. Consultation and design activities aim to incorporate these considerations and ensure appropriate mitigation that targets the most affected peoples as a priority. The mitigation efforts will require close coordination with the landfill operators and local government including informal leaders in the affected communities.

#### ***Involuntary Resettlement and Land Acquisition (OP/BP 4.12)***

Some of the sub-projects will require acquisition of land though less likely result in involuntary resettlement. While many of the sub-projects will be associated with upgrading, remediation and rehabilitation of existing sites, there may be a requirement for additional or expanded facilities which require additional land, but would not significantly alter existing land use patterns.

#### ***Indigenous Peoples (OP/BP 4.10)***

From the available maps, data from the Ministry of Social Welfare and the World Bank on

locations of Indigenous Peoples, it is possible that there are indigenous peoples living in the vicinity of the cities where ISWMP project activities will be implemented. Land acquisition for new sites may affect the ownership or use of indigenous peoples' lands and livelihoods, restricting access to sources of income and affecting local identities and relations.

Given the large number and diversity of sub-project sites, it is not feasible to determine future external activities which may potentially impact the sites, although from the reviews of the sites already under preparation, these risks are also considered to be low.

#### ***Natural Habitat (OP 4.0.4)***

ISWMP will not fund any activity within critical natural habitats, declared forest and wildlife reserves and protected areas<sup>5</sup>. The works and activities of ISWMP are restricted to the urban contexts and landfills which are typically located on peri-urban areas. As such, they are not expected to have major negative downstream impacts, or have any adverse impact on environmentally and socially sensitive areas. In some cases, for example Manado in North Sulawesi, the rehabilitation or improvement of the city landfill would have significant positive impacts on downstream, sensitive and environmentally significant areas such as the Bunaken Marine Park.

In summary, the potential sub-projects under Component 3 (See following section) entail potentially adverse environmental and social impacts associated with both construction and ongoing operation of landfills, as well as with post-operation/closure activities. Some impacts are potentially major and complex, requiring careful implementation of known and readily available mitigation measures. There is also a high probability of land access and acquisition requirement for some sub-projects, as well as involuntary resettlement implications in some locations where the Project will be implemented. Considering these aspects, the ISWMP is considered **Category A Project** by the World Bank.

### **3.3 Identification of cities for participation in ISWMP activities (city selection reviews)**

In order to specifically screen the proposed sub-projects' for environmental and social impacts, the cities and their proposed sub-projects must be identified. The ISWMP takes a programmatic approach, offering technical assistance to up to 45 cities/districts, to support their waste management planning and development incrementally, with options for capital investment for those that meet tighter readiness criteria. Screening against these criteria is a first step towards more thorough screening which focuses on the more comprehensive suite of potential issues that are the focus of the World Bank policies (see Table2).

The preliminary readiness criteria to help identify cities for participation in the early years of the ISWMP are:

- Feasibility study
- Environmental and social impact assessment (ESIA or AMDAL) study
- Land acquisition plan and / or resettlement, if needed
- Sanitation strategy for the city (SSK)/sector master plan
- The completion of performance indicators of project implementation for monitoring purposes

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<sup>5</sup> For determination of these areas, three steps approach will be applied based on IFC Guidance Note 6 (Para 66): Biodiversity Conservation and Sustainable Management of Living Natural Resources



- Commitment to allocate ‘matching funds’ from local government for waste collection and transportation to landfill, in accordance with the division of roles
- The guarantee of the availability of land
- The setting up of a Central Project Management Unit (CPMU) and Central Project Implementing Unit (CPIU), and local Project Implementing Unit (PIU)
- The completion of project management plan (Project Management Manual)
- The preparation of the organization that will operate the landfill / proposed treatment plant
- The signing of MoU (Memorandum of Understanding) between Director General of Human Settlement (Ministry of Public Works) and Head of Local Government

Using these criteria, candidate cities have been ranked and assessed as:

- incomplete/the city does not have the document/ on going
- adequate / documents exist but have not been reviewed
- excellent/complete/documents have been reviewed

The results of this review do not preclude cities from participating, but indicate the degree of readiness in each city, and helps focus the CPMU/CPIU on which component activities will be carried out in which cities. For each year of Project implementation, the CPMU will prepare its Annual Work Plan and Budget for the subsequent year, including the plans for city-level activities under each component. The status of land ownership and environmental assessment are key information from this process, helping define what further safeguard preparations are required in each city seeking funds for infrastructure investments under Component 3.

### **3.4 Screening of potential environmental and social impacts of sub-projects**

Based on the review process outlined above, cities or provinces with proposed sub-projects will undertake Feasibility Studies as part of Component 3. The scope of the sub-projects will vary by city; and the environmental and social impacts of the sub-projects vary depending on the type of activities.

Each proposed sub-project will be subject to screening and supervision, throughout the course of the Project, to identify any significant impact concerns and to determine the necessary level of environmental assessment to be carried out and type of management plans required. The screening entails analysis with reference to the safeguard policies and national regulations to determine the required appropriate level of environmental and social assessment.

Specific screening steps for ISWMP sub-projects, and key related information for these steps, are as follows:

- 1) Analysis of impact and risks relevant to safeguard policies;
  - Refer to Table 2, key policies triggered and to Annex 6, typical impacts of sub-projects in solid waste sector to identify probably impacts based on the proposed activities described in the subproject proposal.
- 2) Analysis with reference to national and local regulations;
  - In Indonesia, there are three types of environmental assessment and management measures in regards to decision-making process on approval to carry out business plan and/or activities Full environmental assessment (AMDAL); Environmental Management

and Monitoring Efforts (UKL-UPL) as partial AMDAL; Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL).

Implementation of these vary for each administrative region; there are variations in the requirements for some types of activities between regions. As such, in the screening of sub-projects through the ISWMP implementation period, it will be important to refer to local regulations on environmental assessment.

As regards project activities that are not included in the government’s list of types of business and/or activities as requiring AMDAL (as stipulated in Minister of Environmental Regulation (*Permen*) 05/2012 on type of activities requiring AMDAL), there is a requirement to conduct environmental management and monitoring effort (UKL-UPL) according to the relevant local government regulation, or to have a Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL). A diagram of this process is provided in Figure 1 below.

- 3) Determine the sub-project environment category based on screening; and
  - Refer to Table 3 below to identify and assess requirements for the sub-project category
- 4) Identify the specify the safeguard instruments/documents that need to be prepared based on the potential impacts and environmental category.

The World Bank will require review of the ESIA (AMDALs) / safeguard documents for all Category A sub-projects.

**Table 3: World Bank screening categories and key decision criteria**

Category A (Full Assessment)	<ul style="list-style-type: none"> <li>• significant adverse impacts that are sensitive, diverse, or unprecedented, or that affect an area broader than the sites or facilities subject to physical works</li> <li>• conversion/alteration of natural habitats</li> <li>• significant quantities of hazardous materials</li> <li>• major resettlement</li> </ul>
Category B (Partial Assessment)	(Compared with Category A): <ul style="list-style-type: none"> <li>• potential impacts less adverse &amp; more limited, fewer, site-specific, likely reversible</li> <li>• mitigation measures can be more easily designed/implemented</li> </ul>
Category C	<ul style="list-style-type: none"> <li>• expected to have no adverse environmental impacts, or only minimal impacts easily and fully mitigated through routine measures</li> </ul>

**Table 4: World Bank and Government of Indonesia Project Classification and EA Requirements**

Category	World Bank	GoI
A	A full EA is needed in accordance with the specific requirements of the Bank’s EA	Indonesia’s Environment Law provides that a full environmental impact

	policy and procedure for Category A projects, including in areas such as public disclosure, public consultation, and the timing for submitting the EA report to the Bank—see Operational Policy/Bank Procedure/ Good Practice (OP/BP/GP) 4.01.	assessment (Analisis Mengenai Dampak Lingkungan – AMDAL) is required for those businesses and/or activities which have a significant, lasting impact on the environment.
B	EA is required, but its scope corresponds to the limited environmental impacts of the project (again, the Bank’s EA policy and procedure provide specific guidance).	A UKL-UPL is required for certain business activities which have a lesser, or no significant, impact on the environment, but which still require environmental approval.
C	Limited or no environmental impacts related to the project, therefore, no EA required.	Where limited or no environmental impacts are expected, the project is still required to have a Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL).

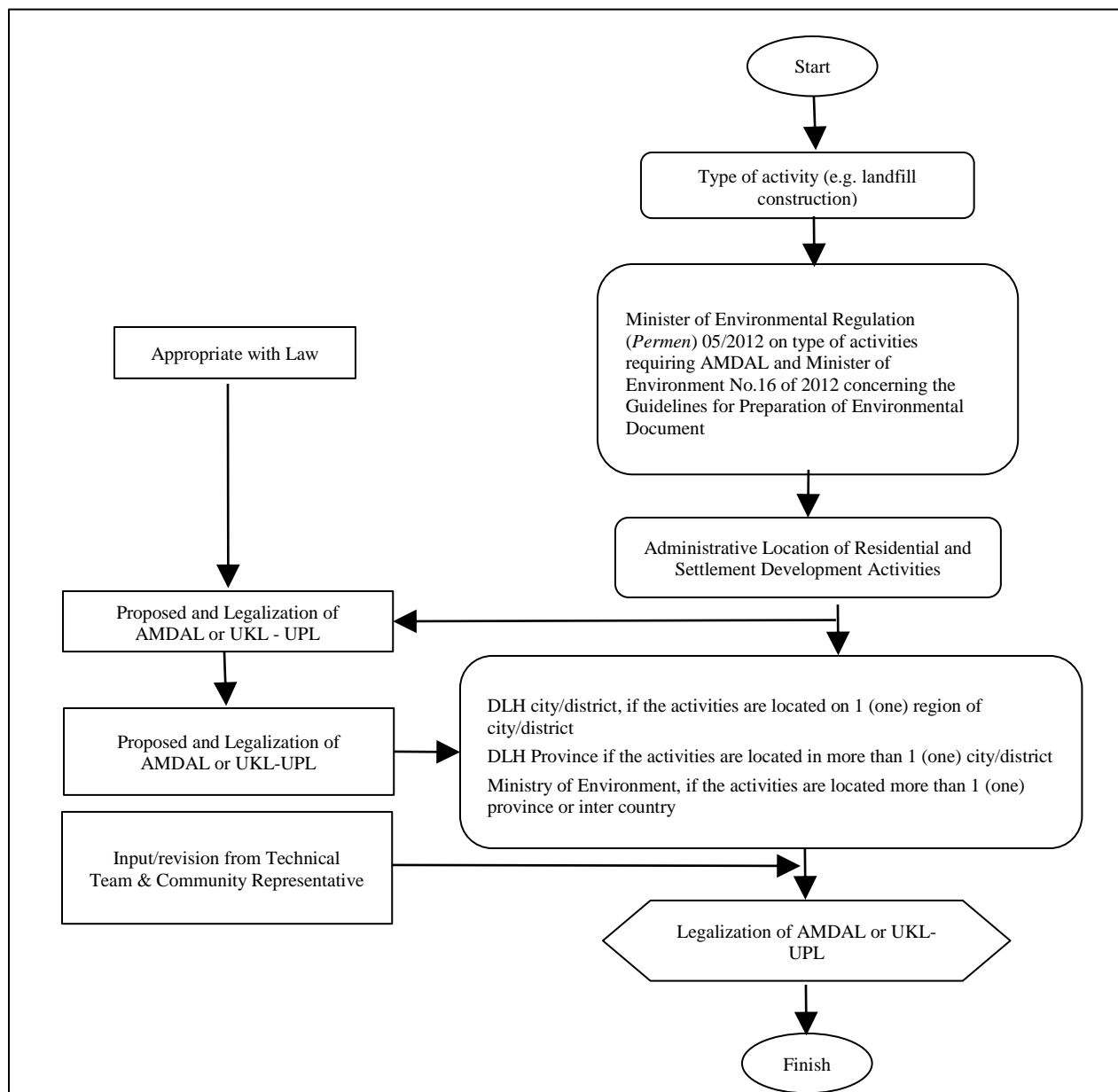
### 3.5 Bridging between national requirements and Bank policy requirements

The purpose of the “city selection reviews” includes to verify the scope of impact assessments (AMDAL) already undertaken and their compliance with World Bank policies. Identification of gaps between the AMDALs and the safeguard policies will determine what, if any, additional analysis and preparation may be required.

Where there are gaps, steps must be taken to ensure the World Bank policy requirements are met. Additional focused studies, supplementary ESIA, ESMPs, and further documentation of land acquisition processes, resettlement planning and planning with indigenous peoples, or additional public consultation may be required. Documentation of consultation processes, grievance mechanisms and its implementation are other possible additional steps required to fill gaps and meet Bank safeguard requirements.

If there is no existing AMDAL or UKL-UPL, the screening process follows government regulations. Once the required level of assessment is determined and Terms of Reference are approved, any need for additional measures to meet Bank policy requirements is to be made by the PIU with Bank safeguard specialist advice. It is recommended, for the sake of efficiency, that when scoping and preparing the Terms of Reference for AMDAL, reference to World Bank policies is made and appropriate study boundaries, methods and consultations are planned for. In this way, the need for additional studies including supplementary ESIA can be minimized or avoided.

In the case of sub-projects where no environmental assessment is required, the CPMU and PIUs safeguard personnel will propose necessary consultation measures and grievance handling processes to meet World Bank safeguard policy requirements. The focal points in each city will be responsible for implementing agreed measures (refer also to Section 5 on Institutional Arrangements, roles and responsibilities). Similarly, in the case of sub-projects requiring or possessing UKL-UPL level permits, for which there is no requirement for public consultation with this level of assessment in Indonesia, the CPMU and PIUs safeguard personnel will propose a level of consultation commensurate with the anticipated impacts, and monitor its implementation, with documentation of stakeholder engagement activities.

**Figure 1: Indonesian Government Policies for Environmental Safeguards**

#### 4. Environmental and Social Management

##### 4.1 Environmental Management

Detailed mitigation measures for each city/sub-project will be outlined in the site specific AMDAL (AMDAL/RKL/RPL: Environmental Impact Statement, Environmental Management Plan/Environmental Monitoring Plan) or UKL-UPL documentation, or in specific Environmental and Social Management Plans (ESMPs) developed for the sub-projects and subject to review by World Bank safeguards and technical specialists in waste management. Examples of generic mitigation measures are detailed for reference in [Annex 5 – Typical Environmental Impacts and](#)

**Mitigation Measures.** Where the RKL or IKL documents do not specific measures required to address World Bank policy requirements, additional documentation of mitigation is required in form of supplementary EA documents.

## 4.2 Public Consultation & Stakeholder Engagement

**Consultation in the ESMF Development Process.** The draft ESMF was presented to national-level stakeholders as well as representatives from the regions where the sub-projects would be implemented, at a consultative workshop that was conducted at the Grand Kemang Hotel, South Jakarta, in May 16, 2017; and at Ministry of Public Works in October 27, 2017. Participants at the workshop were presented with draft ESMF in the Bahasa Indonesian language. Discussions focused on:

1. Brief summary presentations on the overall ISWMP project development objectives;
2. Institutional arrangements for project implementation;
3. A review of the list of potential-sub projects in ISWMP;
4. The list and brief description of the activities being proposed for sub-projects;
5. Status of project preparation;
6. Key environmental and social challenges for the ISWMP project as a whole and for individual subjects identified for implementation in Year 1;
7. A review of the Indonesian environmental management system and instruments that would apply to this project;
8. A brief review of the World Bank’s Environmental Assessment OP4.01 and Involuntary Resettlement OP 4.12 on how it would apply to this project;
9. The key provisions of the ESMF in terms of screening requirements, processes and responsibilities, sub-project environmental assessment categorizations, preparation of Environmental and Social Management Plan (ESMPs) documentation, their review and approval process, etc.;
10. Implementation of the ESMPs as part of the sub-project implementation;
11. Standard proposed mitigation measures to manage the environmental and social impacts (ESMP, IPP, RP); and
12. Grievance mechanism for potentially Affected Communities to receive and facilitate resolution of Affected Communities’ concerns and grievances about the sub-project’s environmental and social management performance.

The public consultation participants included representatives of the key agencies and city government for the two sub-projects planned in Year 1, as well as members of non-government organizations and social enterprises in the solid waste management sector. The participants discussed the processes in the ESMF and their relationship to AMDAL in particular. Minutes of the discussions are shown in [Annex 12 – Minutes of Public Consultation for ISWMP Draft Environmental and Social Management Framework \(ESMF\)](#) . Key items of interest to the participants were the institutional arrangements and timing for project approval and implementation. There were no substantive recommendations made that could be integrated into the ESMF, however revision of the implementation arrangements have been made to provide more clarity about responsibilities within each level of project management.

**Consultation in the AMDAL/ UKL-UPL or ESMPs Development Process.** In terms of involving the public in the ESMPs process, ISWMP will consult project-affected groups and local

non-governmental organizations (NGOs) about the project's environmental and social aspects, and where feasible, take their views into account as part of the sub-project design and/or impact mitigation plans (site-specific ESMPs). The Project proponent will ensure that this phase of consultations is initiated as early as possible. Ensuring a level of broad community support for the proposed activities is an ongoing process that commences with initial consultations and the AMDAL/ESIA and is continued through stakeholder engagement processes and monitoring. Community opinion and preferences may be elicited by direct consultation, surveys, feedback forms, hotlines and so forth. Appropriate mechanisms are discussed locally with the landfill operators, DLH, PIU and communities/PAP.

Public consultation and stakeholder involvement is invited during the preparation of the AMDAL at the Terms of Reference (scoping) stage and at the approval process through consultation with the AMDAL Commission or the UKL-UPL technical team. There is no requirement for consultation for UKL-UPL and SPPL. Input and suggestions from the related stakeholders will be used to improve the documents for approval. The UKL-UPL Technical Team consists of permanent and temporary members. Permanent members are representatives from government institutions appointed to manage the environment such as Environmental Agency, Forestry Agency, Health Agency, BPN, Social Affairs Agency and Human Resources Agency. The temporary members are representatives from institutions related to the project activities, such as Public Works Agencies, Industry Agency, and Farming Agency, for example. Representatives from the communities, NGOs and independent environment experts are formally involved. AMDAL Commissions usually comprise a combination of representatives from central government ministries as well as from city or district government and key agencies, as well as other stakeholders from academia and sometimes from NGOs.

Ideally stakeholder consultation and grievance handling processes should be specified in the sub-project impact management and monitoring plans (ESMPs) and if not, then specific additional documentation of commitment, processes and results (such as grievance logs) is to be developed and reviewed by World Bank safeguards specialists.

#### **4.3 Disclosure**

Draft of ESMF has been disclosed World Bank Nov 13, 2017 and in country Dec 1, 2017. The final version, that is after revision and accepted by the World Bank, will be disclosed locally in on the MPWH website. The ESMF will also be disclosed by the World Bank. Further ESIA (AMDAL and or UKL-UPLs) pertaining to the other sub-projects will be disclosed in due course, each time they have been accepted for inclusion in the successive Annual Work Plans of ISWMP. Disclosure at city-level is also carried out via local news media, landfill site offices and local office of the Environment Agency.

#### **4.4 Environmental Approvals**

Approvals associated with all stages of preparation and works will be undertaken by MPWH or city governments, as the Project Implementation Unit in coordination with Central Project Management Unit of MPWH (and, at no-objection level, the World Bank). As such, AMDAL and other additional safeguard requirements such as broader public consultation, land acquisition planning and resettlement management are the responsibility city administration sponsoring a sub-project

## 5. Institutional Arrangements for ESMF Implementation and Supervision

The overall implementation arrangements for the project is depicted in Figure 2. Within these institutional arrangements are measures that ensure the ESMF will be effectively implemented as follows:

The **Central Program Implementation Unit (CPIU)** will be composed of four program implementation units lead by Echelon-3 staff: (i) Directorate for Waste Management (DWM) in MOEF; (ii) the Directorate SUPD I in MOHA; (iii) the Directorate Development for Environmental Sanitation (DES) in MPWH; and the Directorate of Environmental Health (DEH) Ministry of Health (MOH). CPIU responsibilities per component are:

- a) Component 1: MOEF and MOHA;
- b) Component 2: MPWH, MOHA and MOH;
- c) Component 3: MPWH;
- d) Component 4: MPWH and MOHA.

CPIUs will perform the following tasks: timely execution of selected activities; establishing sound procurement, contract management and financial administration; and carrying out supervision and monitoring. CPIUs will report to CPMU. CPIUs have responsibility for environmental and social safeguards, with the main positions being embedded in the CPIUs for Components 2 and 3 (2 **safeguard manager positions**).

A **Program Implementing Unit (PIU)** will be established at every selected province and city/district, and will perform the tasks similar to CPIUs. Provincial PIUs will only be established for provinces with regional subproject investments (e.g. regional landfills involving multiple cities and/or districts). City and District PIUs will be established in each participating city and district. Heads of each PIU will be the Public Work (*Pekerjaan Umum/PU*) or the Housing and Settlements Agencies (or *Dinas Perumahan dan Kawasan Permukiman/PKP*), with a representative from the Environmental Unit (or *Dinas Lingkungan Hidup/LH*) as its members. Both Provincial and City PIUs will report to CPMU and each will have an appointed **safeguards focal point**.

**The national CMU/CPIU safeguard management positions** are dedicated full-time professionals to:

- Ensure ESMF dissemination and enforcement across all activities and city administration stakeholders under ISWMP;
- Ensure that environmental and social mitigation measures outlined in the ESMF are developed and tailored as part of the sub-projects planning and implementation;
- Carry out physical verification of the activities reported against ESMF requirements, including for projects that require neither AMDAL nor UKL-UPLs;
- Prepare quarterly ESMF compliance report and Annual Environmental and Social Report.
- Maintain environmental database and integrate it with existing GIS.
- Coordinate with all city project units for the effective compliance of ESMF.
- Coordinate with an external party for monitoring and evaluation purposes.

**The city/provincial Environmental and Social Management Focal Points** are specially recruited or specially nominated existing staff in province/city level PIUs and/or participating agencies including landfill site offices to:

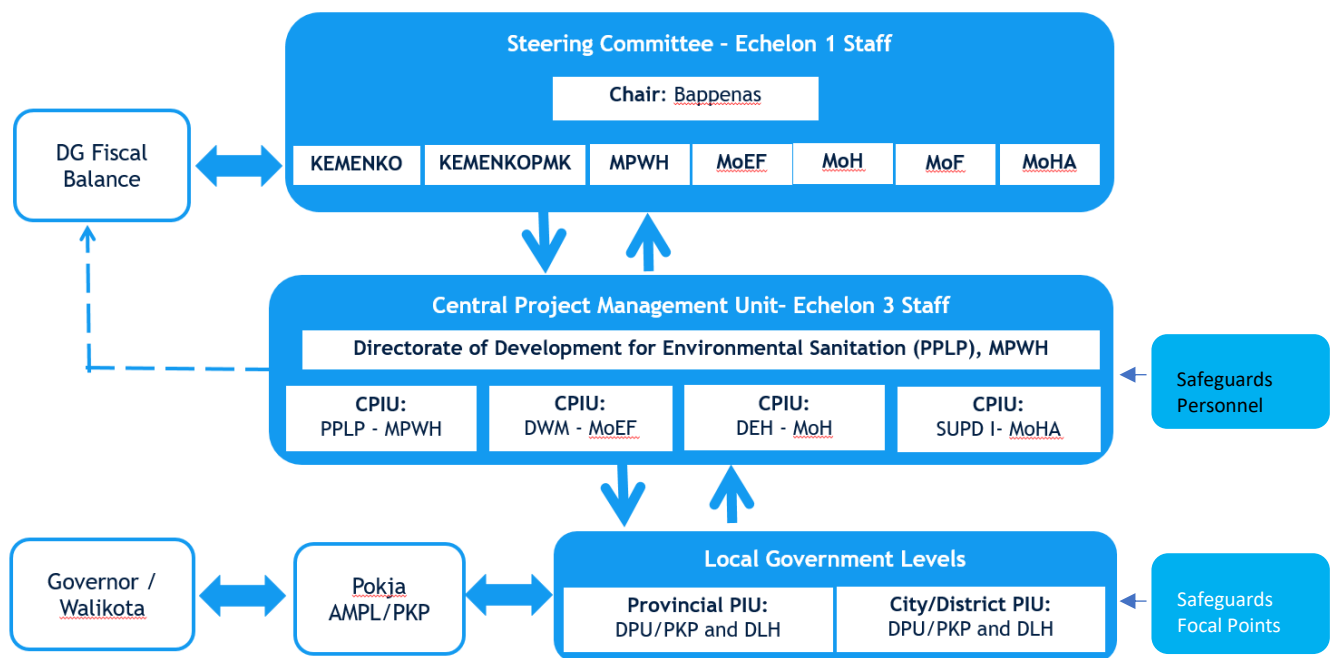
- Communicate, socialize and lead the coordination ensuring ESMF requirements in the city-level project development processes.
- Coordinating information and activities that agreed environmental mitigation plans (RKL/RPL = ESMPs) are implemented, carrying out periodic environmental and social impact monitoring, and coordinating data and reporting to the regional or national CMU/PIU.

The focal points will mostly be appointed from within the Environmental Agencies, under which the sections on cleaning and waste management are found.

The focal points form an integral part of landfill management teams, bringing the ESMF and ESMPs commitments into daily construction and operation activities. They are responsible for complaints handling and reporting, to comply with the requirements for a project Grievance Redress Mechanism.

**Sub-Project Contractor Environmental Officers.** Up to 10 sub-projects under Component 3 will entail major physical works that will be implemented by contractors. Contractor's must comply with the environmental and social management and mitigation plans (AMDAL, ESMPs or ECOPs) established for the ISWMP sub-project. For this purpose, the major contractors will employ a full-time, qualified environmental officer with responsibility for implementation of impact management actions, monitoring and reporting during the construction period for the sub-projects.

**Figure 2: Project Institutional Arrangement**





**Table 5: Roles and Responsibilities**

<p><b>Box – 1</b></p> <p><b>Summary of ISWMP Environmental and Social Management and Monitoring Roles and Responsibilities</b></p> <p><b>Overall Environmental Objective of the Project:</b></p> <ul style="list-style-type: none"> <li>• Project will be implemented in accordance with the Environmental and Social Management Framework (ESMF) and Loan Agreements</li> </ul> <p><b>Central Project Management Unit (CPMU, serves under Directorate Environmental Sanitation Development (PPLP), DGHS, MPWH):</b></p> <ul style="list-style-type: none"> <li>• Prepare the guidance and supervision of the project’s environmental and social aspects.</li> <li>• Ensure close coordination with <i>Kabupaten/Kota/Provincial/Central</i> governments and the World Bank, and other national and local government agencies.</li> </ul> <p><b>PPLP Central Project Implementation Units (PPLP-CPIU):</b></p> <ul style="list-style-type: none"> <li>• Lead role for project planning and supervision at the provincial level.</li> <li>• Serve as the official point of project coordination and communication with the respective DLH and other government institutions.</li> </ul> <p><b>Core Team Consultant of Central Project Implementation Units (CTC, PPLP-CPIU):</b></p> <ul style="list-style-type: none"> <li>• Assist PPLP-CPIU in project coordination and planning</li> <li>• Assist the PPLP-CPIU in ensuring the quality of AMDAL and UKL/UPL submitted by Provincial and City/District PIU meets the requirement as stipulated in ESMF</li> </ul> <p><b>Project Supervision Consultants (PSC, Serves under PPLP-CPIU of Component 4):</b></p> <ul style="list-style-type: none"> <li>• Lead role during sub-project design reviews, monitoring and reporting on implementation in coordination with the provincial/city/district and Central Project Management Unit Consultants.</li> <li>• Provide needed environmental guidance and field support during sub-project implementation.</li> <li>• Support transport and other funding requirements of CPMU/CPIU’s sub-project monitoring visits and local consultation meetings.</li> </ul> <p><b>Provincial and City/District Project Implementation Unit (Regional PIUs):</b></p> <ul style="list-style-type: none"> <li>• Assisted by the environmental and social consultant (when needed) will prepare the AMDAL or UKL-UPL for the sub-projects</li> <li>• Ensure compliance with the ESMF requirements, particularly during sub-project planning and assessment.</li> <li>• Ensure close coordination with CPIUs including annual consultation and coordination workshops; needed training support and information dissemination.</li> </ul> <p><b>DLH (Environmental Agency; serves under local government at the provincial and/or city/district level):</b></p> <ul style="list-style-type: none"> <li>• Monitor the implementation of sub-project’s Environmental and Social Management Plans..</li> <li>• Lead project socialization and related consultation activities including management and reporting of grievances.</li> </ul>
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## 5.1 Document Review and Amendments

The Provincial/regional and City/District PIUs are responsible for preparing the AMDAL or UKL-UPLs for the sub-projects<sup>6</sup>. These will be reviewed by the Safeguards Specialists at regional and national level (PPLP-CPIU), prior to formal submission to the local environmental authority (DLH) or agreed agencies at city level, and to the World Bank for approval. This approval process with the World Bank will take place on an as-needed basis, as sub-project preparation will be a continuous process throughout project implementation. The review of the Annual Work Plan and Budget submitted by the CPMU will take place annually, and budget for the AMDAL or UKL-UPL implementation costs should be included in the annual local government budgets. The World Bank will comment on draft AMDAL or UKL-UPL and provide guidance on sub-project preparation and implementation for all Category A sub-projects. An example of the AMDAL and UKL-UPL formats for ISWMP sub-projects is provided in [Annex 8 – Guidelines of Preparation of Environmental Management and Monitoring Plan \(UKL-UPL or RKL-RPL\)](#).

The World Bank will require review of the ESIA/safeguard documents for all Category A sub-projects. Review and final approval of all required environmental documents will be a precondition for completion of detailed designs (DDs) and preparation of tender documents (TDs) by Directorate of PPLP, MPWH. The Provincial and City/District PIUs will have to demonstrate how environmental mitigation has been handled, and when required, integrated into detailed sub-project designs and bill of quantities with support from Safeguard Specialist of the CTC. The Provincial and City/District PIU team will review and sign off on all completed DDs and TDs, including further safeguards review to ensure key impacts identified have been adequately addressed. This could include one or a mix of the following: structural measures to be incorporated into detailed engineering design; non-structural measures to be listed in specific conditions of contract; and Standard Operating Procedures on environmental impact management integrated into bid documents and contracts. The World Bank will review a sample of completed DD/TDs, at least one for each participating cities/districts.

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<sup>6</sup> In case that neither AMDAL nor UKL-UPL is required because potential negative environmental and social impacts is low, the project proponent (i.e. Provincial/regional and City/District PIUs) will still need to submit the SPPL.

Table 6: Overview of Review and Approval Mechanism

<b><u>Subproject preparation and eligibility</u></b>	<b><u>Environmental Procedures</u></b>	<b><u>Formal Review and Approval Requirements</u></b>
<b>Sub-project eligibility</b>	Application of criteria to screen out high risk sub-projects	---
<b>Selection of sub-projects</b>	Environmental and social screening of selected sub-projects	Screening results sent to local environmental authority and World Bank
<b>Preparation of selected subprojects</b>	Implementation of AMDAL or UKL-UPL as required	Province DLH reviews and approves AMDAL or UKL-UPL World Bank reviews all AMDAL or UKL-UPL
<b>Sub-project approval</b>	Integration of study results into DD/TDs	World Bank reviews a sample of DD/TD packages
<b>Construction and management supervision subproject</b>	Social and environmental monitoring	Submission of bi-annual monitoring reports to GOI and World Bank

## 5.2 Monitoring and Evaluating Performance

It is essential that during the project, the performance of works be kept in line with the requirements of the AMDAL (ESIA and ESMPs), UKL-UPLs and if applicable. As a result, there is a need to monitor and evaluate project performance.

Internal monitoring on the implementation of the sub-components will be undertaken annually by the PPLP-CPIU with the support of Consultant Teams.

A comprehensive process will be implemented for reporting on, and auditing the activities to meet the GOI and the World Bank requirements based on the Annual Work Plans for each sub-project. The AMDAL or UKL-UPL regulations require bi-annual work reporting, to ensure that the environment and social management and monitoring are being adhered to as per the AMDAL or UKL-UPL. This is prepared by the city administration with support from CTC, and will include:

- A summary of activities undertaken over the past 6 months;
- The effectiveness of the mitigation measures to address impacts and potential impacts as detailed in the AMDAL, UKL-UPL for each of the sub-project sites;
- Any incidents and non-compliances with the AMDAL, UKL-UPL or ESMF;
- The corrective actions undertaken to address non-conformances and the effectiveness;
- Community complaints and handling progress;
- Community consultation;
- Any changes to works and the approvals granted for the changes; and
- Any other issues relevant to environmental and social impacts and specific issues covered in the AMDAL, UKL-UPL or ESMPs.

The results of environmental monitoring will be collated on a six-monthly basis by Safeguards Specialist and submitted to the PPLP-CPIU on a biannual basis. Significant non-compliances will be noted in these reports, whether issues raised have been resolved and what corrective actions were taken. Six-monthly monitoring reports will be submitted by the PPLP-CPIU to the WBOJ as an input to supervision missions.

External monitoring and evaluation will be divided into two types. First as a mid-term review, and second by project closure. This activity will be based on TORs approved by the World Bank and conducted by an independent consultant/NGO/university to assess whether the process of participatory steps was implemented as per the technical guidelines, whether the empowerment, capacity building and the incentives have been effective, what benefit emerged for the community and for the project, and whether implementation still faces problems that require further assistance.

## 5.3 Environmental and Social Input into the Design Process

For the safeguard process to be effective, it is essential that at various stages in the process there are opportunities for a review of the design to include measures to reduce or eliminate any potential environmental and social issues. It will therefore be essential for the CPMU and CPIU's Consultant Team (CTC and PSC) to be actively involved in the design review and checking process through close liaison with the engineering personnel of the various consultant teams and members of the DGHS and provincial and city/district governments.

Some of the environmental matters that can be considered during the design review and checking process include reviewing proposed improvement and rehabilitation requirements in relationship to existing structures and/or sensitive environmental areas;

ensuring that existing water courses, drainage patterns and any coastal habitats are properly considered in proposed activities, and noise, odor and traffic impacts related to both construction/rehabilitation and ongoing operations at landfill sites. Some of the social matters that can be considered include: position and orientation of surrounding settlements; proximity to public facilities (for example landfill access roads relative to local schools); number of people deriving significant part of their income from landfill-related activities and opportunities to incorporate them in future labor or other activities; number of livestock and profile of owners, including alternative locations and feed sources (for example in relation to organic material and separation options).

It will be essential for the CTC Safeguard Specialists to visit all sub-projects that are identified as requiring detailed studies (e.g. AMDAL, UKL-UPL) to support their preparation of the Terms of Reference (TOR) based on actual conditions and local concerns. These site visits should be undertaken together with CPMU/PIU Safeguard Specialist and PSC Local Engineering Specialists who are familiar with the proposed sub-project to provide needed information and clarification of design features.

#### 5.4 Grievance Mechanism

A Grievance mechanism is being established for potentially affected communities to receive and facilitate resolution of affected communities' concerns and grievances about the project's environmental and social management performance.

The complaint system allows community members to raise issues or complaints at village to Padang city or national level. The project has designated contact numbers for complaints via phone-calls and short text message (SMS) systems. There are designated staff members at the local government (*Dinas*) responsible for following-up on complaints and ensuring that they are handled adequately.

Where Indigenous Peoples (IPs) are concerned, the facilitators under project will ensure that grievance redress mechanisms are developed in culturally appropriate ways in close collaboration with the relevant group(s).

At the national level a online 'hotline' system exists called *Lapor!* which allows the community to submit anonymous or with name complaints and suggestions online to the government. The complainant receives a tracking number with which the status of the complaint can be tracked. Note that the GM described below applies to the Landfill facility only.

##### 5.4.1 Purpose and Objectives

The project proponent seeks to minimize potential negative impacts arising from the Project and to operate strictly according to regional, national and international good practice guidelines. Nevertheless, it is inevitable that queries and grievances will arise throughout the different project phases. The World Bank and Government of Indonesia recognize that systematic, professional, rules-based procedures for handling grievances and appeals are essential to minimize and manage risks. The dual goals of properly managing grievances are to maintain accountability to stakeholders and risk reduction.

The objectives of the Grievance Mechanism are to:

- Provide Project affected people with straightforward and accessible avenues for making a complaint or resolving a dispute that may arise during the course of the Project;
- Ensure that appropriate and mutually acceptable corrective actions are identified and summarily implemented to address complaints;
- Verify that complainants are satisfied with the outcomes and corrective actions taken;
- Avoid the need to resort to judicial or pre-judicial proceedings; and

- Ensure that the needs of those most vulnerable within the project proponent Project vulnerable communities, such as the elderly, women and children, are also considered in the grievance procedure.

#### 5.4.2 Scope

This Grievance Mechanism guides the landfill authorities in regard to receiving and managing external grievances from landfill operation affected communities and other interested and concerned parties throughout the operational phase of the landfill.

#### 5.4.3 Guidelines, Standards and Relevant National Regulation

A number of national laws and regulations urge community participation and involvement in maintaining, managing, and monitoring the environment including affected communities and other stakeholders. The relevant laws and regulations are as follows:

- Head of BAPEDAL Decree No 8/2000 on Disclosure of Information on the AMDAL Process. This decree highlights the protection of community from the impacts of business operation, community participation and open communication in the preparation of environmental impact assessment.
- Law No 23/2009 on Environmental Protection and Management concerning community rights which includes: equal entitlement to a good and healthy environment; entitlement to information about potential impacts; and entitlement to play a role in the framework of environmental management.
- Minister of Environment Regulation No 09/2010 on Procedures of Complaint and Complaints Handling due to Allegations of Environmental Pollution and/or Damage. This decree outlines the procedures to raise complaints to related institutions and obligations and procedures in handling the complaints for related institutions.
- Government Regulation No 27/2012, Article 9 (paragraph 4) of Government Regulation of Republic of Indonesia Number 27/2012 regarding Environmental Impact Assessment, states that within ten working days of the date of the announcement of proposed activities, interested members of the community have the right to suggest, express opinions and provide input regarding the planned activities.
- Ministry of Environment Regulation No 17/2012 on Guidance of Community Engagement in the Environmental Impact Assessment and Environmental Permitting Process.

#### 5.4.4 International Guidelines

International guidelines, standards and best practices regarding to Grievance Mechanism are as follows:

- World Bank requirements for Grievance Redress Mechanism: OP 4.01 Environmental Assessment, OP 4.10 Indigenous Peoples and OP 4.12 Involuntary Resettlement all require the establishing of a mechanism that addresses grievances by affected groups and people. The World Bank defines the grievance redress mechanism as a process by which

*“...queries or clarifications about the project are responded to, problems that arise out of implementation are resolved and grievances are addressed efficiently and effectively. Both Indigenous Peoples and Involuntary Resettlement Policies have mandatory Grievance Redress requirements. Both policies require affordable and accessible procedures for third-party settlement of disputes arising from project implementation. Such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.”*

World Bank further stresses that affected people are not facing any barriers when expressing grievances.

- United Nations Human Rights Council, 2011, published a report in 2011 on the lessons learned on the principles relevant to effective company stakeholder grievance mechanisms, which are
  1. **Legitimate:** a mechanism must have clear, transparent and sufficiently independent governance structures to ensure that no party to a particular grievance process can interfere with the fair conduct of that process;
  2. **Accessible:** a mechanism must be publicized to those who may wish to access it and provide adequate assistance for aggrieved parties who may face barriers to access, including language, literacy, awareness, finance, distance or fear of reprisal;
  3. **Predictable:** a mechanism must provide a clear and known procedure with a timeframe for each stage and clarity on the types of process and outcome it can and cannot offer, as well as a means of monitoring the implementation of any outcome;
  4. **Equitable:** a mechanism must ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair and equitable terms;
  5. **Rights-compatible:** a mechanism must ensure that its outcomes and remedies accord with internationally recognized human rights standards;
  6. **Transparent:** a mechanism must provide sufficient transparency of process and outcome to meet the public interest concerns at stake and should presume transparency wherever possible; non-state mechanisms in particular should be transparent about the receipt of complaints and the key elements.

**Table 7: Definition of dispute, grievance, PAP, stakeholders, vulnerable group and resolution.**

Dispute	A disagreement or conflict between two parties, with respect to this document, a dispute between individuals or a group within project affected communities and the landfill authorities and its representatives. A dispute may be legal, in form of a claim/demand or assertion of rights. A dispute between the landfill authorities and external stakeholders including community members requires mediation. A grievance mechanism addresses such situation in helping to mediate and support resolution.
Grievance or Complaint	A concern or complaint raised by an individual or a group within project affected communities. Both concerns and complaints can result from either real or perceived impacts of the landfill operational activities, and may be filed in the same manner and handled with the same procedure. The difference between responses to a concern or to a complaint may be in the specific approaches and the amount of time needed to resolve it.

Project affected community	The communities who live within the project area of influence and who are affected directly or indirectly by Project activities.
Stakeholders (External)	Individuals or group(s) of people affected by the Project or those who have interests or/can influence the activities of the Project.
Vulnerable Groups of People	Key individuals and groups that may be differentially or disproportionately affected by the business activity because of their disadvantage or vulnerable status such as the youth, elders, minority ethnic group, women.
Resolution	The action of solving a problem, dispute, or contentious matter, or in this respect a grievance. Resolution is the act of addressing a problem.

#### 5.4.5 Grievance Management and Procedure

##### 1. Grievance Identification

Grievances concerning Project activities may arise from many different sources. Possible sources of grievance information may include:

- Individuals approaching landfill personnel on their own;
- Individuals voicing complaints during regular liaison visits to villages;
- Media outlets;
- Stakeholder requests;
- Community organizations;
- Waste-picker / recycling groups;
- Waste buyers and sellers
- Government officials;
- Contractors / Subcontractors;
- Jealousy of others if one does not receive a benefit.

Informal channels of communication such as personal conversation, hearsay, or community rumors may alert personnel to a possible grievance in the nearby communities. In these cases, the nearest Grievance Contact travels to the source of the information and investigates the validity of the possible grievance. If there is an actual grievance involved and the claim is deemed valid by the GRU Field Officer, he or she initiates the grievance procedure by filling out a Grievance Management Form and making an appropriate notation in the grievance log. If there is no actual grievance or the grievance can be solved on the spot, the GRU Field Officer records the investigation. This helps to keep the grievance mechanism transparent and accessible.

Although grievances cannot be generalized, some typical community grievances can occur in most cases. The table below illustrates typical grievances.



**Table 8: Types of Grievances Typically Encountered**

Examples	Complainant(s)	Type of Grievances
A landfill authority (or a contractor/subcontractor) truck damaging a community member's fence; a one-time disrespectful encounter between the project proponent employee and a community member	An individual or family	Relatively minor and one-time problems related to the project proponent operations
Livestock getting loose/injured or killed because the project construction contractors or <i>Dinas</i> landfill operators fail to close gates	An individual or family or small group of people	Relatively minor but repetitive problems related to the project proponent operations
Landfill construction and/or operation related road traffic raising dust and/or wind-blown waste that settles on clothes hung out to dry	Multiple individuals, families, or larger groups	Relatively minor but repetitive and widespread problems
Landfill rehabilitation/extension construction vibration allegedly causing structural and/or aesthetic damage to building	Community groups, nongovernmental or community-based organizations, or local governments	Significant and larger repetitive problems
Landfill operations adversely impacting a community's water supply (leachate), making it unsafe for drinking, livestock, and/or irrigation	Community groups, nongovernmental or community-based organizations, or local governments	Major claims that the project proponent activities have resulted in significant adverse impacts on larger populations of people
<i>Dinas</i> landfill operation noncompliance with its own policies; failure to follow guidelines for adequate consultation to achieve prior and informed consent; inadequate resettlement and compensation of affected populations	Nongovernmental organizations, community groups or community-based organizations, or local governments	Major claims over policy or procedural issues

Detailed steps for grievance handling are provided as an example in Annex 13, from which

cities/projects will develop and tailor their own structures and procedures.

**Training.** The landfill authorities provide training for personnel involved in documenting and managing external stakeholders' grievances.

**Table 9: Training for grievance resolution unit, DLH staffs, PAPs**

Position	Training	Timing
Grievance Resolution Unit (GRU) Field Officers and Manager	How to deal with Grievances and how to manage grievance mechanism and processes.  Training of Trainers (ToT) to provide training about grievance procedures to any staff at any facility, supply chain, contractors, as well as to community  Data entry to database	At the beginning of the position assignment or two months after assignment and first training has been attended.
All <i>Dinas Lingkungan Hidup</i> project staff including contractors	Learn about the grievance procedure	At induction and regularly
Project affected communities	Learn about the grievance procedure	When updated or new and then Yearly/half yearly

## 6. Capacity Building, Training and Technical Assistance

The Project organizational team will be responsible for ensuring that the level of expertise associated with the Project is sufficient to undertake the tasks at hand. The UKL-UPL will ensure that there is a requirement for training of staff and that all project staff working at sites will be inducted in an environmental and social awareness training process.

Under the overall coordination by the MPWH, each project implementing entity at the province and local government level is expected to take responsibility in ensuring that this framework is supported. The key tasks, responsibilities, related management actions required in supporting the framework are listed in the following table.

**Table 10: Tasks and Responsibilities for Environmental and Social Issues**

Tasks	Responsibility	Required actions
Development of training modules and materials, required standards and guidelines	Safeguard Specialist (CTC, PPLP CPIU)	<p>Training materials prepared in Indonesian for joint social and environmental training in three modules including:</p> <ul style="list-style-type: none"> <li>- General introduction to the safeguards framework (3 days)</li> <li>- Specialist training for project staff (2 days)</li> <li>- Specialist training for contractors (2 days)</li> </ul> <p>Guidelines and formats for screening (including basic information required when local governments submit their Annual Investment Plans), review, monitoring and reporting.</p>
General environmental safeguards orientation training for Project staff, and key local government counterparts ( <i>Bappeda</i> , PW Agency (DPU), and DLH)	Safeguard Specialist (CTC, PPLP-CPIU)	Delivery of 3x3-day training events
Specialist environmental training in screening, review and supervision procedures, for project staff and field PSC supervision engineers	CTC Safeguard Specialist (PPLP-CPIU)	<p>Year 1 delivery of 3x2-day training</p> <p>Year 2 delivery 1 or 2 training events for newly recruiting staff.</p>
Specialist environmental training for contractors/consultants focusing on implementation of ESMPs (RKL/RPL, UKL-UPL)	PSC Safeguard Specialist with guidance from the CTC Safeguard Specialist	<p>Rolling training program to be provided for all PIU's contractors and consultants. Contractors/consultants to be issued with a certificate for renewal every 3 years.</p>

<b>Tasks</b>	<b>Responsibility</b>	<b>Required actions</b>
Commission environmental and social studies (AMDAL, UKL-UPL) as necessary, including drafting of ToRs	CTC Safeguard Specialist on basis of formal requests from respective local governments.	Based on request by respective local governments
Review and approval of AMDAL, UKL-UPL	Local environmental authority. WBOJ to review at least one from each participating local government.	Formal review and approval of AMDAL/RKL, UKL-UPL by local environmental authority
Monitoring and reporting	For SOPs, field based supervising engineers, environmental and social focal points, supported by PSC Safeguard Specialist	
	For AMDAL/UKL-UPL, local environmental authorities supported by PSC Safeguard Specialist (CPIU Regional Consultant)	Supervising engineers complete field protocols, monitoring data compiled by local project team into 6 monthly reports for PIUs team and WBOJ

The main capacity needs and related budget items required to support implementation of this framework are provided in the following table.

## 7. Resources and Budget

The AMDAL or UKL-UPL will ensure that there is a requirement for training of staff and that all project staff working at sites will be inducted in an environmental and social awareness training process. The Project organizational team will be responsible for ensuring that the level of expertise associated with the Project is sufficient to undertake the tasks at hand. Among the ISMWP that will provide include but not limited to the following activities to support environmental management:

- (1) Environmental and Social Screening for ISWMP sub-projects;
- (2) Preparation of AMDAL or UKL-UPL for ISWMP sub-projects;
- (3) Input into the design process for all sub-projects, including stakeholder consultation;
- (4) Refinement of the Environmental and Social Management Plan (as part of RKL-RPL or UKL-UPL if appropriate, or as supplementary planning);
- (5) Liaison with Environmental Agency (DLH) and other relevant stakeholders for all sub-projects;
- (6) Liaison and guidance on environmental and social matters among sub-project's consultants and contractors;
- (7) Establishment of grievance mechanism for ISWMP sub-projects.

An indicative budget for these support functions particularly related to safeguard requirements is presented in Table 11 below, totaling @2,208,000. This indicative total excludes preparation of LARAPs, IPPs, implementation of ESMFs and other instruments, and salaries of safeguard specialists in the PIUs.

**Table 11: Indicative costs and overall estimate for ESMF implementation for ISWMP**

Item	Needs	Indicative budget
CTC Safeguard Specialist support to the PPLP CPIU	One Senior Environmental & Social Safeguard Specialist	24 months, including 12 months continuous during year 1
Environmental & Social Safeguards training	Development and delivery of modules to be prepared by CTC Safeguards Specialist	No additional cost
	Training budget	US\$ 10,000 per training event to cover cost of travel, accommodation for participants, room hire and consumables (assume 10 x trainings = US\$ 100,000)
Capacity building for local environmental authority	3 PSC Safeguard Specialist to assist Provincial DLH with routine monitoring	Full time (36 months) at local government fee rates for a mid to senior level official

Item	Needs	Indicative budget
Preparation of AMDAL or UKL-UPL	Tier 1 <sup>7</sup> and Tier 2 <sup>8</sup> cities and district: <ul style="list-style-type: none"> <li>- AMDAL (2019 – 2024): 14 cities and districts</li> <li>- UKL-UPL (2019 – 2024): 27 cities and districts</li> </ul>	AMDAL: US\$ 100,000 x 14 = US\$ 1,400,000 UKL-UPL: US\$ 20,000 x 27 = US\$ 540,000
Environmental Management Training for ISWMP activities	Year 2017 – 2022	Tier 1 and Tier 2 cities and districts (46) x 2 people x 5 days x IDR 2,000,000 = IDR 920 M = US\$ 68,000
Monitoring and reporting	Travel costs	US\$ 25,000 to be allocated to each national and regional expert team = US\$ 100,000
Indicative total budget	Exclude preparation of LARAPs, IPPs, implementation of ESMPs and other instruments, and salaries of Safeguards Specialists in the PIUs	US\$ 2,208,000

<sup>7</sup> There are 19 cities and districts, five cities have its Amdal completed, i.e. Tangerang, Balikpapan, Malang, Makassar and Padang; the first three are being in construction stage, financed by National Budget (APBN) and KfW, and the rest two will be part of ISWMP for first year implementation (2019)

<sup>8</sup> There are 27 cities and districts, only one city i.e. Jambi has completed the Amdal and the construction of the city landfill is now ongoing, financed by KfW.

**ANNEXES**

8. Annex 1 - List of Cities Screened for Support under ISWMP (*tentative*)**Tentative List of “Tier 1” Cities for Full Solid Waste System Implementation**

Rank	City /District	Size of City	Population (2015)	Population Density (per km <sup>2</sup> )	TPA Land or Capacity Available to 2025	Waste Handled in City/ District	Adipura Score (2016)	Local Gov't Spending Per Tonne of Waste (\$)	Government Commitment Score
1	Magelang	Medium	130,052	7,181	Yes	98%	76.71	53	91
2	Balikpapan	Big	689,902	1,058	Yes	81%	75.94	49	85
3	Bukittinggi	Medium	123,529	4,894	No	93%	76.84	54	81
4	Tangerang	Metro	2,277,329	13,840	Yes	90%	75.36	40	78
5	Kendari	Medium	347,281	964	Yes	74%	76.58	23	76
6	Bitung	Medium	204,068	620	No	-	75.36	44	75
7	Pematangsiantar	Medium	248,923	3,112	No	78%	75.46	41	74
8	Karimun District	Medium	257,122	230	No	79%	76.23	38	74
9	Banjarbaru	Medium	230,656	538	Yes	89%	75.98	30	73
10	Pare-Pare	Medium	141,054	1,301	No	100%	75.36	51	73
11	Probolinggo	Medium	233,609	3,830	Yes	36%	76.67	34	72
12	Sukabumi	Medium	318,636	6,580	No	74%	73.97	37	71
13	Salatiga	Medium	181,429	3,195	Yes	86%	75.80	23	71
14	Surabaya	Metro	2,886,130	7,889	No	95%	76.48	35	67
15	Makassar	Metro	1,461,248	6,718	No	94%	73.88	17	67
16	Malang	Big	857,721	5,646	No	97%	74.37	44	67
17	Jakarta	Metro	10,510,885	2,256	No	88%	72.05	61	60
18	Palembang	Metro	1,594,392	4,318	No	95%	74.63	11	50

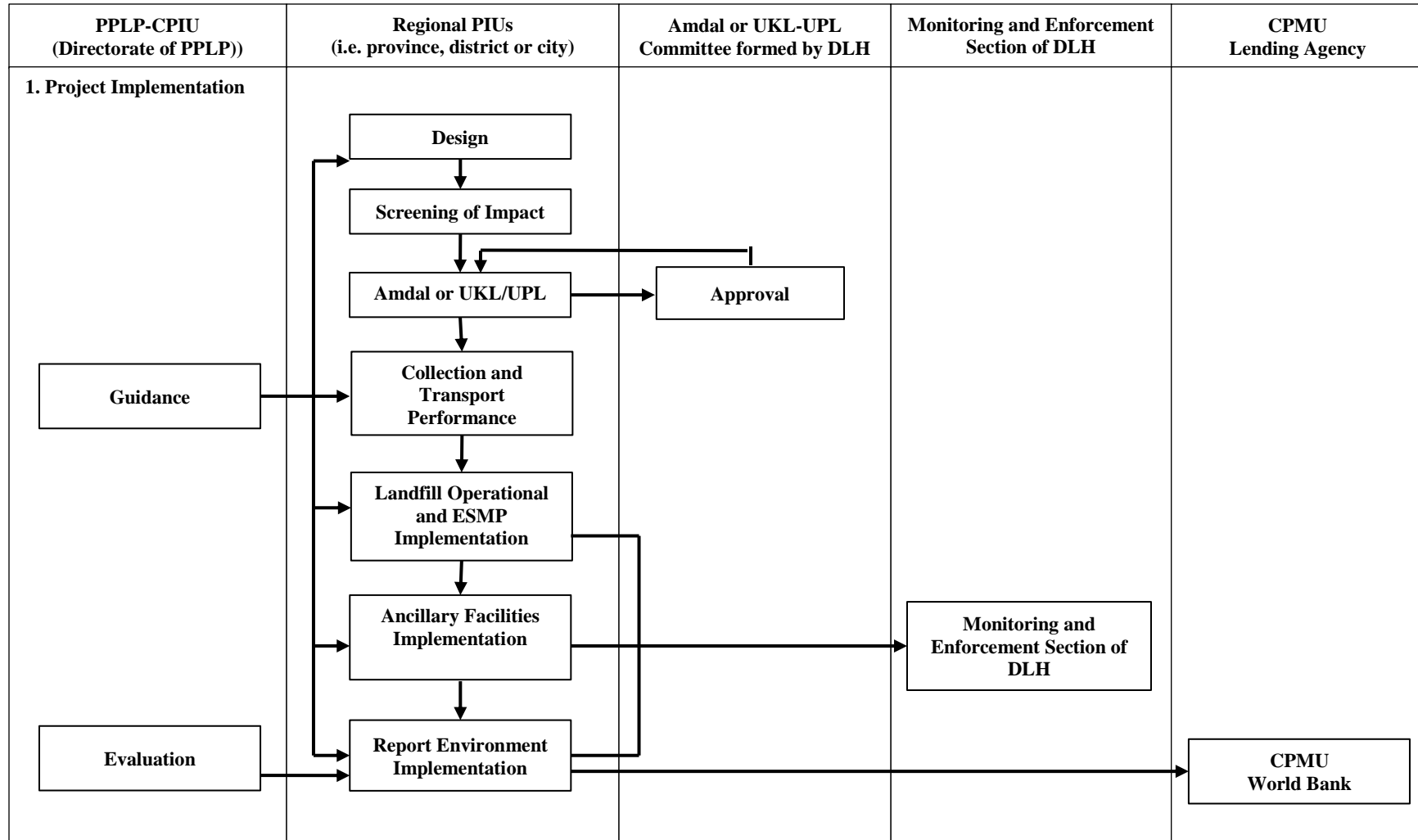


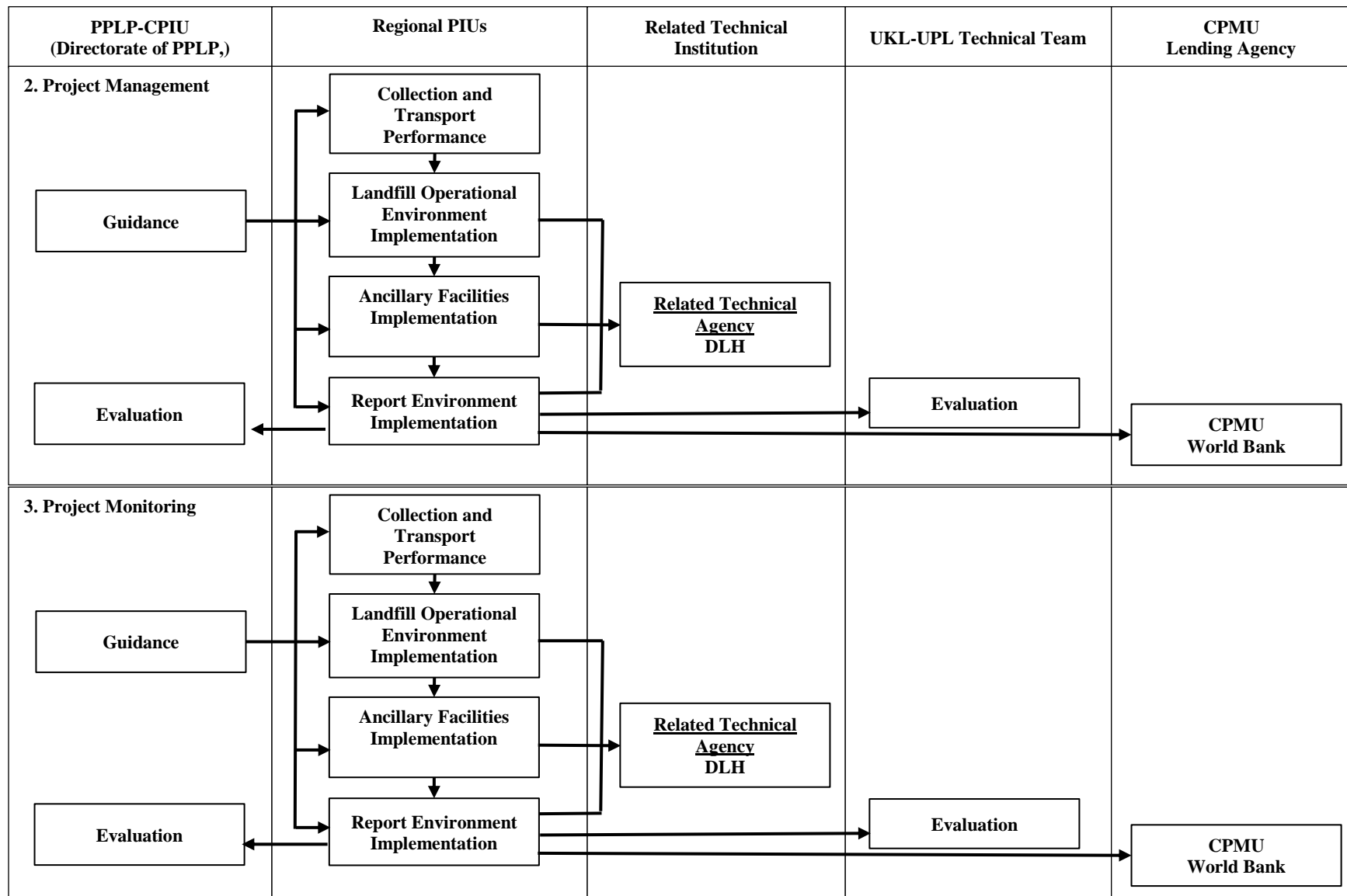
## Tentative List of “Tier 2” Cities for Partial Solid Waste System Implementation

Rank	City /District	Size of City	Population (2015)	Population Density (per km <sup>2</sup> )	TPA Land or Capacity Available to 2025	Waste Handled in City/ District	Adipura Score (2016)	Local Gov't Spending Per Tonne of Waste	Government Commitment Score
19	Bau-Bau	Medium	155,174	507	Yes	72%	76.40	16	67
20	Payakumbuh	Medium	127,894	1,590	No	97%	76.69	54	64
21	Banda Aceh	Medium	260,955	4,252	No	99%	76.13	50	63
22	Tebing Tinggi	Medium	156,132	5,036	No	92%	76.15	30	63
23	MojoKerto	Medium	126,491	7,685	No	70%	76.24	13	62
24	Madiun	Medium	179,270	5,285	No	87%	77.47	-	62
25	Banyumas District	Medium	1,605,371	1,202	Yes	52%	76.83	3	61
26	Pasuruan	Medium	196,631	5,572	Yes	75%	76.94	-	59
27	Blitar	Medium	138,005	4,236	No	69%	76.29	30	58
28	Jepara District	Medium	1,200,868	1,196	No	88%	75.69	2	58
29	Kudus District	Medium	823,873	1,938	No	100%	76.20	12	57
30	Lahat District	Medium	402,324	98	No	25%	76.41	16	55
31	Tangerang District	Medium	3,330,114	3,470	Yes	70%	61.85	16	53
32	Banyuwangi District	Medium	1,605,371	278	No	10%	76.54	7	53
33	Cianjur District	Medium	2,362,521	615	No	13%	76.27	35	52
34	Surakarta	Big	535,648	11,641	No	99%	73.17	7	52
35	Tanjung Pinang District	Medium	223,766	275	Yes	55%	76.08	-	52
36	Ambon	Medium	405,482	1,076	No	71%	76.61	15	50
37	Jambi	Big	609,059	2,966	No	75%	73.53	16	49

38	Denpasar	Big	876,733	6,700	Yes	94%	73.95	-	49
39	Padang	Big	920,034	1,324	Yes	60%	73.41	11	46
40	Bandung	Metro	2,574,149	15,352	Yes	80%	74.30	10	45
41	Manado	Big	438,212	2,626	No	94%	72.07	40	45
42	Medan	Metro	2,222,974	8,385	No	86%	65.44	15	44
43	Semarang	Metro	1,675,717	4,483	No	89%	74.78	10	43
44	Pekanbaru	Big	1,100,071	1,739	No	51%	72.92	36	40
45	Banjarmasin	Big	698,619	7,095	No	73%	74.16	17	40
46	Depok	Metro	2,099,310	10,481	No	48%	72.32	21	39
47	Cimahi	Medium	661,269	14,592	Yes	43	74.32	8	35
48	Bandung - District	Medium	2,574,149	2,300	Yes	21	73.88	1	42
49	West Bandung - District	Medium	1,670,643	1,680	Yes	39	-	-	-

9. Annex 2 - Institutional Arrangement for ESMF Implementation





## 10. Annex 3 - Types of Activities Requiring AMDAL or UKL-UPL

Type of Activity	AMDAL	UKL-UPL
Development of domestic landfills using controlled landfill systems/sanitary landfill including supporting facilities		
a. Landfill area, or	≥ 10 ha	< 10ha
b. Capacity	≥ 100,000 tons	<100,000 tons
Landfill developments in tidal areas	All sizes	2-10
Development of garbage transfer stations with a capacity of	≥ 500 tons/day	
Development of Integrated Waste Facility	≥ 500 tons/day	
Waste treatment using incinerators	All sizes	
Construction of Composting Plants	≥ 500 tons/day	
Construction of sewage treatment plants including supporting facilities:		
a. Area	≥ 2 ha	
b. Capacity	≥ 11 m <sup>3</sup> /day	

## Notes:

1. With reference to *PERMEN* No. 05/2012 on Type of Activities Requiring AMDAL.
2. This applies for controlled landfill in tides area as well.
3. Activities that do not require AMDAL or UKL-UPL should prepare SPPL (see format SPPL in Annex 10 – Format of the Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL)).

11. Annex 4 – Land Acquisition and Resettlement Policy Framework

**INDONESIA:  
Improvement of Solid Waste Management to Support  
Regional and Metropolitan Cities  
(ISWMP)**

**LAND ACQUISITION AND RESETTLEMENT POLICY FRAMEWORK (LARPF)**

**An Integral Part of Environmental and Social Management Framework (ESMF)**

December 2017

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*Appendix 1: Format of Land Acquisition and Resettlement Action Plan*

## DEFINITIONS

Terms	Meaning
Government	The Government of the Republic of Indonesia
Project	Improvement of Solid Waste Management to Support Regional and Metropolitan Cities (P157245)
Provincial government	The <i>provinsi</i> government, headed by a governor or <i>gubernur</i>
Local government	Municipal ( <i>kota</i> ) government (headed by a mayor or <i>walikota</i> ) or district or regency ( <i>kabupaten</i> ) government (headed by a district head/regent or <i>bupati</i> )
Sub-project	Project component implemented at the central, provincial and/or <i>kabupaten/kota</i> level



## ACRONYMS

APBD	Local Government Budget
APBN	Central Government Budget
Bappeda	Local Government Planning Agency
BPN	Local Government Land Agency
CPIU	Central Project Implementation Unit
CPMU	Central Project Management Unit
DED	Detail Engineering Design
DJCK	Direktorat Jenderal Cipta Karya
DGHS	Directorate General of Human Settlement (DJCK)
GOI	Government of Indonesia
LARAP	Land Acquisition and Resettlement Action Plan
LARPF	Land Acquisition and Resettlement Policy Framework
MHA	Indigenous Community ( <i>Masyarakat Hukum Adat</i> )
MPWH	Ministry of Public Works and Housing
NGOs	Non-Government Organizations
OP	Operational Procedures
PAH	Project Affected Household
PAPs	Project Affected Persons
PIU	Project Implementation Unit
PIP	Project Implementation Plan
QPR	Quarterly Project Report (QPR)
WBOJ	World Bank Office in Jakarta

## A. Introduction

The Improvement of Solid Waste Management to Support Regional and Metropolitan Cities is to support the implementation of the government's national program to improve solid waste management services for selected urban populations across Indonesia.

In Indonesia, the law defines solid waste management (SWM) as being “a systematic comprehensive and sustainable activity which covers waste reduction and handling” and identifies three types of solid waste: (i) “household waste”, defined as waste produced from household daily activities, (ii) “household-type waste” that is the same as household waste, but is generated by non-household agencies (e.g. commercial, industrial, government, markets, social) and (iii) “specific waste” such as hazardous, construction and disaster-produced waste. Metropolitan areas are defined as those with a population of over 1 million.

Indonesia's Long-Term National Urban Development Plan 2015-2045 sets the targets of urban service standards and increasing capacity of city management. Solid waste management is high on the national agenda, as exemplified by the National Medium Term Development Plan's (RPJMN) ambitious “100-0-100” targets of eliminating all slums and providing universal access to water and sanitation (including solid waste collection) by 2019.

The Project is designed to address the needs of national and city governments for varying types of support, for incremental improvements to their systems, services and facilities for social waste management in at approximately 12-14 cities and districts<sup>10</sup>. All metropolitan areas will be the primary targets of this program. Hence, possible cities for inclusion in the program include (but are not limited to): Bandung, Banjarmasin, Bogor, Denpasar, Depok, Jakarta, Madiun, Magelang, Makassar, Manado, Mataram, Medan, Padang, Palembang, Semarang, and Surabaya.

The project may finance activities such as the modification of existing land fill and the construction of new landfills, which would imply significant land acquisition and involuntary resettlement.

Thus to allow flexibility during project implementation of the ISWMP where some proposed activities may require additional land, temporarily or permanently, this Land Acquisition and Resettlement Policy Framework (LARPF) is developed. The project will ensure that only small-scale land acquisition will take place, which will not have any significant impact on the owners. A Land Acquisition and Resettlement Action Plan (LARAP) will be prepared during project implementation (after the screening, verification and confirmation stage) in the likely event that the sub-project activities will involve land acquisition and/or resettlement. The Bank requires the

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<sup>9</sup> The “100-0-100” target refers to 100% household access to water supply; zero slums; and 100% household access to sanitation (including waste water treatment and solid waste collection).

<sup>10</sup> As part of the preparation for the programmatic approach under ISWMP, the Government of Indonesia and World Bank have agreed on the need for a Program Implementation Roadmap to outline both the actions and investments needed for establishing an effective SWM Program. The Roadmap highlights required:

- Policy Reforms;
- Implementation Arrangements;
- Technical Sectoral Guidelines;
- Local Capacity Building Needs (planning, operational, and financing);
- Conditions for Mobilizing Additional Financing Sources (including private sector finance and climate change funding);
- Investment Plan for First \$1 Billion (USD) of Integrated Waste Management Infrastructure.

project to avoid involuntary resettlement where feasible, and where it is not feasible to be avoided, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.

## **B. Objective**

1. The purpose of this Policy Framework is to provide requirements to Project Implementation Units (PIUs) on the principles, process, procedures, and organizational arrangements to be applied to sub-projects requiring land acquisition and resettlement in preparing a Land Acquisition and Resettlement Action Plan (LARAP). A LARAP may need to be prepared during project implementation, once specific planning information of the sub-project is known and as a reference for the Central Project Management Unit (CPMU) in Directorate General Cipta Karya and city governments. Its purpose includes to ensure that project management staff at the regional level plan and implement land acquisition and resettlement in compliance with this framework.
2. As a framework, LAPRF provides general guidance not only for the preparation and implementation of small-scale land acquisition but also for the bigger scale land acquisition and/or resettlement. Protocol for voluntary land donation will also be provided to anticipate land acquisition through voluntary land donation that may take place some cities, under Component 2 or Component 3.
3. There will be maximum two sub-projects to be implemented during the 1st year of project implementation. The detail engineering designs (DEDs) of the sub-projects have confirmed that none of them will involve land acquisition that require land acquisition/resettlement action plan. This LARPF will be applied to sub-projects identified in the following years during project implementation.
4. The overall objectives and principles of land acquisition and resettlement in this project are to ensure that:
  - a) Land acquisition and resettlement should be avoided where feasible, or minimized, exploring all viable alternative sub-project designs;
  - b) Where it is not feasible to avoid land acquisition and resettlement, activities of land acquisition and resettlement should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the project affected persons (PAPs) to share the sub-project benefits. The PAPs should be meaningfully consulted and should have opportunities to participate in planning and implementing the land acquisition and resettlement programs.
  - c) PAPs should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-land acquisition and resettlement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

Overall, the PAPs' living conditions should not be worse-off due the land taking by the sub-project, while at the same time they should benefit from the project.

5. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs, and should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them.

## **C. Definition**

6. In this project, involuntary resettlement includes land acquisition implemented under the eminent domain principle that could involve physical and economic displacement. As practice

in various World Bank supported projects in Indonesia, understanding of involuntary resettlement includes land acquisition implemented under the Indonesian laws and regulations, and resettlement (or relocation). Hence, as the common practice in other World Bank supported projects, Land Acquisition and Resettlement Action Plan (LARAP) is the term commonly used that is equivalent with the term Resettlement Plan (RP) used in World Bank OP 4.12.

7. This framework applies for the following situation:
  - a. Activities resulting in involuntary land acquisition and resettlement in linked activities, regardless of financing sources that are:
    - Directly and significantly related to the ISWMP sub-project;
    - Necessary to achieve the objectives of the sub-project; and
    - Carried out, or planned to be carried out contemporaneously with the sub-project.

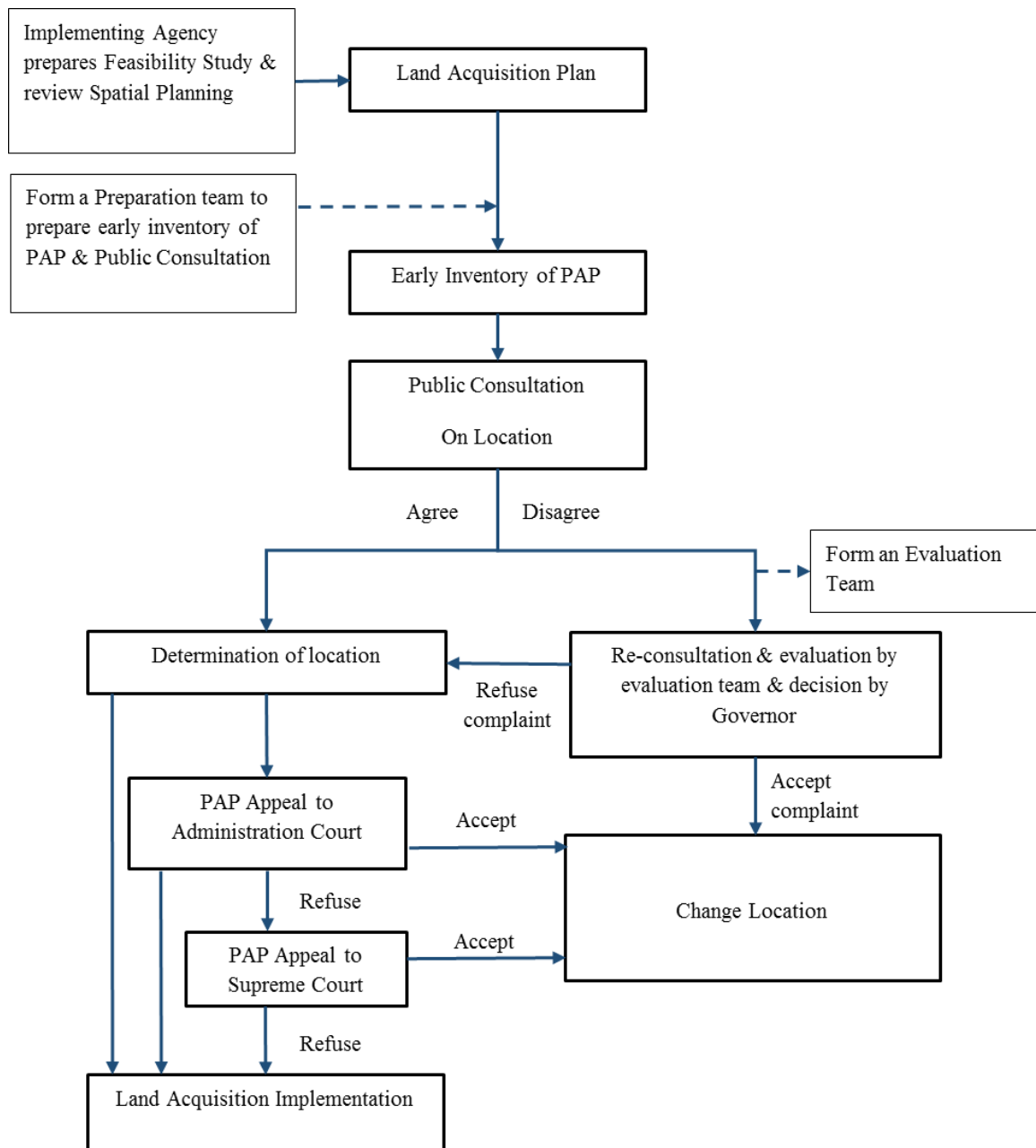
#### **D. Laws and Regulation Related to Land Acquisition and Resettlement**

8. This framework relies on Government of Indonesia laws and regulations to the extent that they are in compliance with the World Bank OP 4.12 on Involuntary Resettlement. Specific provisions are included in this framework to address any aspect of the OP 4.12 that are not fully addressed in the Government of Indonesia laws and regulations. GOI laws and regulations include:
  - a. Law No. 2/2012 on Land Acquisition for Project Activity for Public Interest;
  - b. Presidential Regulation No. 71/2012 on Land Acquisition and its amendments; and
  - c. Regulation of the Head of BPN RI No. 5/2012 on Technical Guidelines on the Implementation of the Land Acquisition.

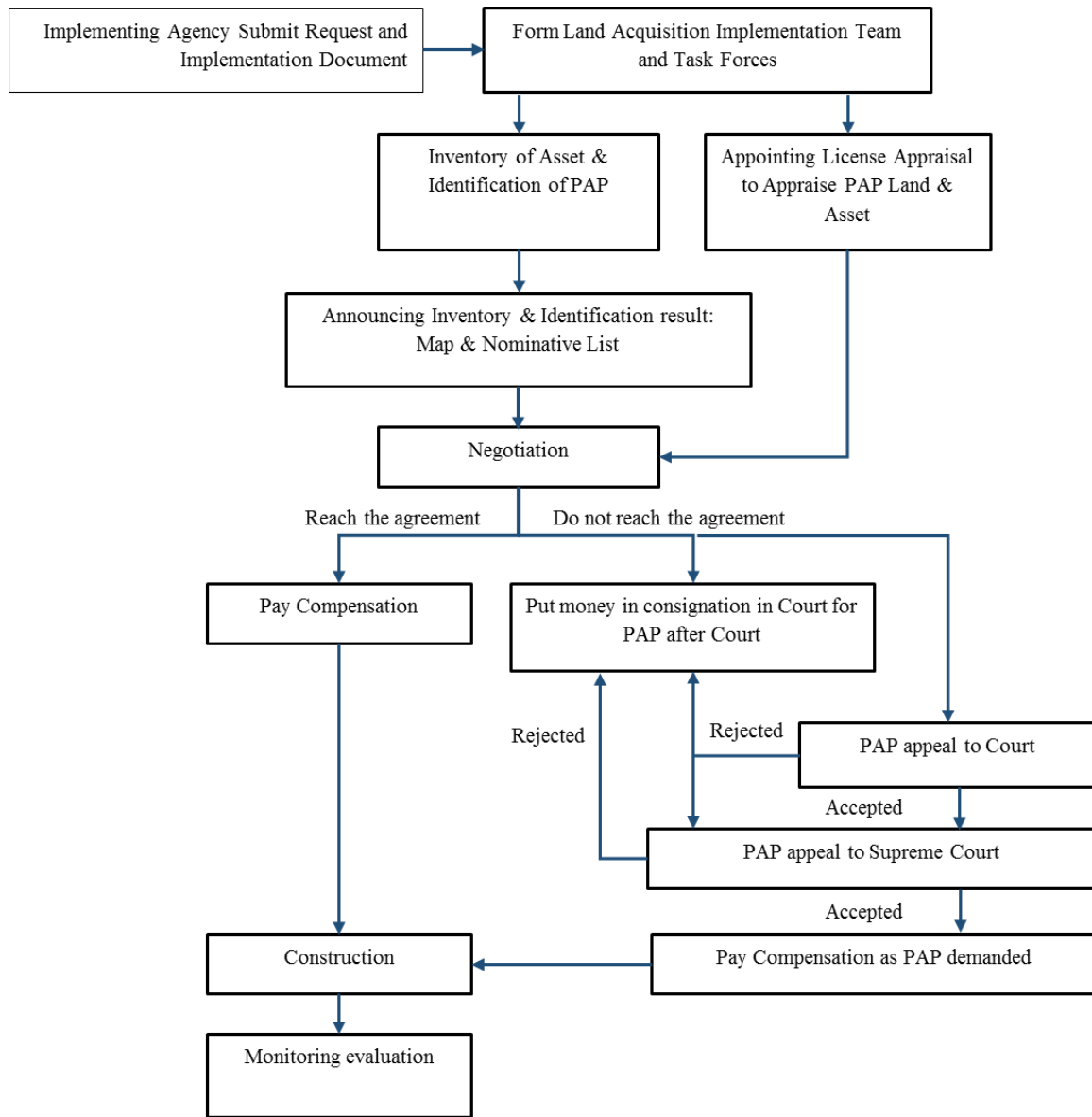
Land acquisition process based on Law 2/2012 is shown in **Figure 1** and **Figure 2**.

9. The amendment of Presidential Regulation No. 71/2012 on Land Acquisition (Presidential Regulation No. 40/2014) allows that land acquisition for an area less than 5 Ha to be carried out directly by the agency requiring the land based on willing-buyer-willing seller principle, exchange or other schemes agreed by the two parties. In this case, the required land should be located in one area, and can be obtained in one fiscal year. The agency requiring the land may use licensed appraisers to assess the affected assets.
10. The new PERPRES 56/2017 – as a follow up regulation on the previous PERPRES 3/2016) - regulates procedures for compensation for residents/squatters who have been occupying land owned by the state, regional governments, state owned and/or regionally owned enterprises for strategic projects, as defined in the annex to the PERPRES.

**Figure 1:** Preparation Stage of Land Acquisition Process based on Law 2/2012



**Figure 2: Implementation Stage of Land Acquisition Process based on Law 2/2012**



**Gap analysis and measures to close gaps between national legislation and OP 4.12**

Scope/Topic	Bank Policy	Government of Indonesia Regulation	Gaps Identified	Addressed in the ESMF
Direct Impacts.	Covers provision of benefits to address direct social and economic impacts caused by	Relates to compensation for loss of land and assets also other losses that can be accounted caused by taking of land for a		Covered by the valuation methods as specified in the MAPPI Standards

	the involuntary restrictions of access to legally designated parks and protected areas resulting in adverse impacts on livelihoods	project. Once fair compensation given, further consideration and impact mitigation are not elaborated.		
Indirect impacts.	States that indirect social and economic impacts caused by project should be addressed under OP 4.01	Not covered, however indirect impact regulated in Law No. 23 of 1997 on Environmental Management (AMDAL/ESIA)	Indirect impacts are not covered in the land acquisition law.	It will be covered in the UKL/UPL
Related activities.	Covers impacts that result from other activities is if they are (i) directly and significantly related to the proposed project; (ii) necessary to achieve its objectives; and (iii) carried out or planned to be carried out contemporaneously with the project	Not covered	Related activities are not covered.	It is addressed in the LARPF
Host Communities.	Impacts on host communities need to be considered, and host communities need to be consulted.	Not covered since option of resettlement/relocation is not sufficiently elaborated.	Host communities are not explicitly covered in the GOI regulations.	This is addressed in the LARAP
Resettlement as Sustainable Development Program.	Resettlement activities should be conceived as sustainable development programs, providing sufficient resources to enable persons displaced to share in project benefits.	Resettlement (relocation) is an option of compensation but not sufficiently elaborated; focuses more on cash compensation.		LARPF provides options for compensation
Vulnerable Groups.	Pay particular attention to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, Indigenous Peoples, ethnic minorities, or other displaced persons who may not be	PAPs are not differentiated by vulnerability or gender.	No specific separation by vulnerability or by gender.	The LARAP required information on the vulnerable groups (women, very poor, disable, etc.) is identified, particularly during the census survey



	protected through national land compensation legislation.			
Resettlement Planning Instruments.	Different planning instruments must be prepared to achieve the objectives of the policy (resettlement plan, resettlement policy framework or process framework) and must cover all aspects of the proposed resettlement.	Land acquisition plan <sup>6</sup> based on a feasibility study, the project suitability <sup>7</sup> to the spatial plan		Requirement to prepare a LARAP when subprojects involves involuntary land acquisition and resettlement
Eligibility for No Formal Legal Rights.	For those without formal legal rights to lands or claims to such land that could be recognized under the laws of the country, provide resettlement assistance in lieu of compensation for land to help improve or at least restore their livelihoods. Will covers squatters and encroachers	Does not cover squatters (unless in good faith on public land), encroachers and renters on private land. <ul style="list-style-type: none"> <li>Landless and laborers are <b>not</b> expected to be <b>compensated and provided rehabilitation measured</b>; it is the responsibility of the landowner to compensate them.</li> </ul>		The LARPF specified that licensed appraisers compensation criteria include among others, assistance and livelihood
Eligibility for Indigenous Peoples.		IPs is covered once they have been legally recognized <sup>8</sup>		IPPF specifies that if a subprojects needs to acquire land, LARPF applies.
Land for Land (Resettlement).	Preference given to land based resettlement strategies for displaced people whose livelihoods are land based.	No time allocation and detail procedures to implement this resettlement scheme		LARPF provides options for compensation
Benefits Package.	Provide technically and economically feasible resettlement alternatives and needed assistance, including (a) prompt compensation at	Mainly cash; in MAPPI guideline compensation is market price plus transaction and other costs, plus premium (to cover beyond valuation cost such as emotional lost).		LARPF provides requirements for compensation options, and licensed appraisers assess physical assets, cost and loss of non- physical assets and premium

<sup>6</sup> Not the same as World Bank LARAP/RP, here is more implementation procedure than development plan.

<sup>7</sup> At present the spatial-planning zoning could accommodate the function that proposed by the project. If not the project has to move to other place or revision of zoning should be issued by the local parliament proposed by the relevant government institution

<sup>8</sup> In BPN and Forestry Regulations IP institution should be recognized by local government, while institutions that in favor of IPs prefer that the recognition comes from independent IPs Committee.

## **E. Likely Category of Project Affected Persons**

11. It is anticipated that the landfill rehabilitation or construction activities would involve some small land acquisition for some ISWMP sub-projects. The project anticipates that there would be two general categories of PAPs in this project: (1) persons affected by the acquisition of privately owned land; (2) persons affected who have lived on the government (state or local government)'s land but do not own the occupied land. These occupants fall into four categories: (a) persons who own and occupy dwellings and other structure built on state or government land without any recognizable legal right or claim to the land they occupy; (b) renters of dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they occupy; (c) encroachers, i.e., persons who extend their personal holdings by encroaching adjacent state or government land; (d) squatter landlords, i.e. persons who derive illegal rents from structures built on state or government land, but do not occupy such structures. Identification of the PAPs will be done during the preparation of LARAP through the census survey.
12. A LARAP should adopt measures to ensure that the PAPs are:
  - a. Informed about their options and rights pertaining to resettlement;
  - b. Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives; and
  - c. Provided prompt and effective compensation at full replacement costs for losses of assets attributable directly to the project.
13. If the impacts include physical relocation, a LARAP should also include measures ensuring that the PAPs are:
  - a. Provided assistance (such as moving allowance) during relocation; and
  - b. Provided with residential housing, or housing sites, or else, as required and agreed with the PAPs to at least equivalent the situation in the old sites.
14. Where necessary to achieve the objectives of land acquisition and resettlement, a LARAP should also include measures to ensure that PAPs are:
  - a. Offered support after displacement for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and
  - b. Provided with development assistance in addition to compensation.

## **F. Preparation and approval process of LARAP**

15. During the sub-project preparation, the PIU will identify activities that will likely involve land acquisition and resettlement and identify the scale of impact of the land acquisition, based on estimated number of affected people and size of land to be taken based on the detail engineering design (DED). Number of affected peoples and/or scale of land acquisition will define whether the PIU should prepare a draft full LARAP or an Abbreviated LARAP<sup>11</sup>:
  - Full LARAP is required when land acquisition affects more than 200 people, takes more than 10% of household productive assets and/or involves physical relocation;

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<sup>11</sup> As of OP 4.12, Full LARAP and Abbreviated LARAP refer to the level of significance of impacts

- Abbreviated LARAP is acceptable if fewer than 200 persons are affected but land acquisition is minor, less than 10% of all productive assets of the affected households is taken.
16. The content is more or less equivalent with the combination of activities under the Land Acquisition Plan and the Inventory and Identification of Land Ownerships, Use and Utilization of Land under the Implementation of Land Acquisition Stage under the national law and regulations. The content of a full LARAP and an Abbreviated LARAP are presented in **Appendix 1**. There are no fundamental differences in terms of achieving objectives of equality and compensating social cost; however there are some procedural differences between an Abbreviated LARAP and LARAP. The LARAP is more detailed and takes longer to complete. A LARAP needs to include a review of the legal and institutional framework whereas an Abbreviated LARAP does not. An Abbreviated LARAP can be based on an asset census with each affected household while a LARAP requires both an asset census and a community socio-economic survey to provide a monitoring benchmark for understanding how PAPs' socio-economic conditions have changed.
  17. PIU will prepare the LARAP in collaboration mainly with the Land Agency (BPN). Local Government Planning Agency (Bappeda) will also be consulted particularly to ensure that the LARAP is in conformity with the city spatial development plan, as well as to inform them of the potential estimated budget needs for implementing land acquisition and resettlement. The Draft LARAP will be shared with the CPMU/CPIUs (DGHS) for review. Finally, the reviewed LARAP will be shared with the Bank for approval. During the LARAP preparation, the PIU will be guided and assisted by the Regional Safeguards Specialist of CPIU.

#### **G. Eligibility Criteria for Defining Various Categories of PAPs**

18. PAPs eligible for compensation for the affected assets are those (a) who have land rights ownership; (b) who have land management/use ownership; (c) who have "nadzir" for the donated land of "wakaf"; (d) land owners for land that used to be owned by adat; (e) "masyarakat hukum adat" (MHA or Adat Community); (f) those who occupy or use state land with good intention/faith; (g) those who hold basic control of land; and/or (h) those who own building/structure, plants and other things related to the land.

## H. Methods of Affected Assets Valuation

19. As required by Law No. 2/2012 and its implementation regulations, values of affected assets will be assessed by licensed appraisers, which will be assigned by the provincial BPN in accordance with the national procurement regulations. The values defined by the licensed appraisers will be used as a basis for negotiation with the PAPs. Types and compensation level will be defined based on the negotiation results between the PIU (who need the land for the sub-project) and the land or property owners. Value assessment will be carried out on per affected land plot basis which include land, space above and beneath land, buildings or structures, plants, things that relate to the affected land and/or other loss 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 feasible can be also compensated if the owners prefer to do so. Land valuation/appraisal by the licensed appraisers will be carried out based on the MAPPI (Indonesian Society of Appraisers) Standards as specified in MAPPI Guidelines (*Standar Penilaian Indonesia* (SPI) 306).
20. Entitlements Matrix for the Project Affected Persons can be seen in **Table 1** below.

**Table 9: Entitlements Matrix for the Project Affected Persons**

<b>Project Affected Persons</b>	<b>Entitlements</b>	<b>Expected Outcomes</b>
Land/asset owners who lose land and/or other assets	Compensation for loss of land and other assets based on value assessment carried out by licensed appraisers	Land/asset owners will be fully compensated for the loss of land and asset
Land/asset owners who lose temporarily or permanently their sources of income or livelihoods	Compensation for loss of sources of income or livelihoods based on value assessment for non-physical carried out by licensed appraisers	Land acquisition/resettlement will not result in the impoverishment of the affected land/asset owners
Persons who own and occupy dwellings and other structure 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	Compensation received and resettlement assistance provided will enable households to gain access to adequate housing or to a place that can be legally occupied and land acquisition will not result in the impoverishment of the affected persons.
Renters of dwellings and other structures built on state or government land without any recognizable legal right or claim to the land they	The project will provide assistance to renters to find new housing and to move, and ensure sufficient time (at least 2 months from the cut-off date/at	Renters will find place to rent or to live in accordance to their needs

Project Affected Persons	Entitlements	Expected Outcomes
occupy	the time of census survey) for the renters to find another place	
Encroachers, i.e., persons who aggrandize or extend their personal holdings by encroaching adjacent state or government land	Are not entitled for any compensation for the affected assets that encroached the state or government land if the cut off date for entitlement claims was clearly known for a specific sub-project.	Do not have incentive to encroach state or government land in the future

### I. Forms of Compensation

21. Compensation may take several forms: (a) cash; (b) land replacement; (c) resettlement to other site; (d) shares ownership; or (e) other forms of compensation that are agreed both by the PAPs and the agency requiring the land (in this case is the city/regency PIU). Compensation may take combination of these depending on the agreements between the PAPs and the agency requiring the land.

### J. Consultations and disclosures

22. Consultations and disclosures for acquiring land start from the planning, preparation, and implementation phase. This is the responsibility of the city/sub-project sponsor, with small group meetings with affected persons to be conducted with senior management presence (landfill manager or head of DLH/environment agency or equivalent). Records of consultations are to be maintained to demonstrate that affected people have been informed about their entitlements to compensation.

23. In brief summary, Law No. 2/2012 and its implementing regulations specify that consultations should be carried out in the following activities:

- a. At planning stage: plan of the location of sub-project, purpose of the development, steps and time frame for land acquisition, roles of licensed appraisers in the asset valuation, incentive or compensation that would be provided for the PAPs, eligible assets or object for compensation, and responsibility and rights of the eligible PAPs. Consultations will use public meetings, media and information in the closest villages/urban neighbourhoods. Consultations will adopt dialogue approach, and can take place more than one time, depending on the need and agreement reached. Agreement will be put in writing. The defined sub-project 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.
- b. BPN will consult the owners of the asset during the inventory and the identification of the affected assets. Results of the inventory will be disclosed in the sub-project area (*village/kelurahan*) or *kecamatan* (sub-district) offices for 14 days to receive complaints.
- c. Results of asset valuation done by the licensed appraisers will be provided to the PAPs and used as the basis for negotiations.
- d. LARAP document will be disclosed in the *kelurahan*/village where the sub-project requiring land acquisition is located and in posted in the project (MPWH) website

(www.pu.go.id).

#### **K. Grievance Redress Mechanisms (GRM).**

24. Process, procedures, requirements as well time for complaints to be solved during the land acquisition process will follow Law No. 2/2012 and its implementing regulations (including amendments). GRM will be developed with site-specific structure and processes, based on the example provided in the ISWMP ESMF.

#### **L. Organizational & Financing Arrangements**

25. Organizational arrangements for the process of acquiring land will follow the Law No. 2/2012 and its implementing regulations (including amendments). The province, city/district PIUs will work closely with the land agency (BPN) who is mainly in charge of the process of land acquisition. LARAP will be prepared based on the information provided by the Land Acquisition Plan and Inventory and Identification Report of the BPN. The draft LARAP will be reviewed by CPMU/CPIU, and approved by the Bank. Implementation of LARAP will be overseen and monitored by the regional implementing unit and regular implementation report will be provided to the CPMU/CPIU and the Bank. Land acquisition process should be completed prior to the start of the construction.
26. Funds should cover compensation, operational and supporting costs during the planning, preparation, implementation, handover of results, administration and management, and socialization. Confirmation on the scope of land that will have to be acquired for a sub-project will be confirmed during or after the DED is completed. In principle, the funding will be available from the Central Budget (APBN) and/or Local Budget (APBD) or combination of these, under the agency who needs the land. Requirement for the operational and supporting budget from APBN is regulated by the Ministry of Finance, whereas that from APBD is regulated by the Ministry of Home Affairs.

#### **M. Monitoring and Reporting**

27. PIUs, assisted by the PSC Safeguards Specialist of CPIU, will monitor the LARAP preparation and implementation. Process of preparing and content of LARAP will be ensured in reference to the LARPF. Implementation of LARAP will be monitored based on indicators as specified in the approved LARAP, which includes among others: (a) consultation process; (b) eligible PAPs; (c) agreed compensation level and forms; (d) payment of compensation and delivery of assistance; (e) follow-up on the legal process of the acquired land/remaining land; (f) the effectiveness of complaint handling mechanisms; (g) number, type of complaints and follow up; (h) disclosures of the LARAP and transparency during the process of land acquisition; etc. The monitoring report of LARAP implementation will be submitted to the Bank. The summary of the report will be included in the Quarterly Project Report (QPR).

#### **N. Implementation Arrangement**

28. CPMU/CPIU will be responsible for training the respective regional PIUs (Province, city/district) to undertake the work of consultation, screening, analyses and preparing LARAP and addressing any grievances.
29. Regional PIUs of individual sub-projects and local authorities are responsible for undertaking all works related to land acquisition and resettlement activities and implementing the LARAP (arrange adequate staff and budget) under guidance of CPIU's PSC Team. PIUs will be encouraged to establish land-acquisition/resettlement working groups comprising members from diverse agencies involved at the city level, such as Mayor's office, Land Agency, Environment Agency, Public Works and Social Affairs Agency. These teams will likely be

supported by consultants sourced from Project Components 2 and 3, to carry out any surveys, inventory and to facilitate the planning for consultation and compensation processes, as well as for provision of assistance to affected people during the period when they must move, be retrained and monitored.

30. All LRAP/LARAPs will be submitted for WB review and approval.

## **LARPF Appendix 1: Format of Land Acquisition and Resettlement Action Plan**

### **A. Format of Full LARAP**

A full LARAP shall include, at minimum, the elements below, as relevant. If any component is not relevant to the activity/sub-project's circumstances, it needs to be explained in the full LARAP.

1. Description of Sub-project.

A general description of the sub-project/activity and identification of the site.

2. Potential Impacts.

Identification of: (a) components of sub-project that would require land and/or relocation; (b) areas to be affected by the sub-project (area of influence); (c) alternatives to avoid or minimize land acquisition and/or relocation; and (d) to the extent possible, any measures adopted to avoid or minimize land acquisition and/or relocation.

3. Objectives.

Objectives of the full LARAP.

4. Census of the Project Affected Persons (PAPs) and inventory of affected assets.

Census results and asset inventory, including the following information:

- a. List of PAPs, with differentiation of those having land rights and occupants who do not have land rights; vulnerable and gender;
- b. Inventory of land parcels and structures affected by the sub-project, covering the following information:
  - Size of total land parcels affected, size of land to be acquired by the sub-project, and size of the remaining land;
  - Ownership status of the land and structure affected by the sub-project and proof of ownerships;
  - Function of land affected by the sub-project;
  - Size and function of the affected structure, and remaining size of the structure;
  - Condition of the affected structures (permanent, semi-permanent, temporary, etc.)
  - Other assets affected by the sub-project (trees, crops, wells, fences, etc.).
- c. Total number of PAPs and households affected by the sub-project (Project Affected Households - PAH)
- d. Number of PAHs to be relocated, which differentiate (1) those who can rebuild their houses in the remaining land from the affected land, and (2) those who have to relocate to other locations; and
- e. Number of PAHs who lose more than 10% of their productive assets.

The above information should be summarized in a Table.

5. Socio-economic Study

The Socio-economic Study must be conducted in the early stage of the sub-project preparation and with the involvement of the potentially PAPs. The Study must include the following components:



Census results and asset inventory, including the following information:

- a. The results of the census of the PAPs in paragraph 4 above.
- b. The description about production systems, labour, and household organization; and baseline information on livelihoods and standards of living of the PAPs;
- c. Characteristics of social interaction within the affected communities, including social networks and social support systems, and how they will be affected by the sub-project;
- d. Information about vulnerable groups or persons for whom special provisions may have to be made;
- e. Existing land ownership rights and systems of land transfer, including an inventory of shared natural resources, sources from which community members obtain their livelihood and food, right to use system based on non-ownership rights (including fishing, harvesting from vegetation/trees for own consumption, or use of forested areas) as governed by land allocation mechanisms, locally-applicable systems, and systems to settle any issues arising due to particular land occupation schemes;
- f. Magnitude of the expected loss –total or partial—of assets and the extent of displacement, physical or economic, as well as public infrastructure and social services to be affected;
- g. Social and cultural characteristics of the PAPs, including a description about local formal and informal institutions (for example, community organizations, ritual groups, non-government organizations (NGO), who are possibly related to the public consultation strategy, project design process and implementation of resettlement);
- h. Initial information concerning the livelihoods of PAPs (to include, if necessary, level of production and income obtained from any formal as well as informal economic activity) and level of their livelihood (including their health status); and
- i. Provisions to update information on the PAPs' livelihoods and standard of living at regular intervals so that the latest information is available at the time of their displacement.

#### 6. Legal Analysis

The findings of an analysis of the legal framework, covering:

- a. The scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- b. The applicable legal and administrative procedures, including a description of remedies available to the PAPs in the judicial process, the normal time frame for such procedures, and any available alternative dispute resolution mechanisms that may be relevant to resettlement under the Project;
- c. Relevant laws (including customary and traditional laws) governing land tenure, valuation of assets and losses, compensation and natural usage of rights; customary personal law related to displacement; and environmental laws and social welfare legislation;
- d. Laws and regulations relating to the agencies responsible for implementing land acquisition and resettlement;
- e. Any legal steps necessary to ensure the effective implementation of land acquisition and resettlement under the Project, including, as appropriate, a process for recognizing claims to legal rights to land, including any claims obtained according to traditional law and traditional usage.

#### 7. Institutional Framework

The findings of an analysis of the institutional framework includes:

- a. The identification of agencies responsible for resettlement activities and NGOs that may have a role in sub-project implementation;
- b. An assessment of the institutional capacity of such agencies and NGOs; and
- c. Any measure proposed to enhance the institutional capacity of agencies and NGOs responsible for implementing land acquisition and resettlement.

8. Entitlement

Identification of PAPs entitled to receive compensation, assistance for resettlement and support for rehabilitation, in addition to explanations regarding the criteria to determine the entitlement among various categories of PAPs, including the time for announcing the PAPs as affected and eligible for compensation (the cut-off-date).

9. Asset valuation and calculation of compensation on affected assets

A description of procedures to determine the types and amount of compensation to be offered to the PAPs, which represent the value assessment carried out by the licensed appraisers.

10. Compensation, assistance for resettlement and support for rehabilitation

A description about the (1) various compensation packages to be offered to PAPs whose land and/or other assets are going to be acquired by the Project Activity; (2) assistance for resettlement to the community members who are physically relocated, and (3) support for rehabilitation for community members who will lose their source of income or livelihood due to land acquisition for the sub-project. The compensation packages, combined with assistance and other support offered for every category of PAPs must be sufficient to ensure that their livelihood following resettlement is not getting worse. Options for resettlement and other assistance offered to PAPs must be prepared based on consultation and must be technically and economically appropriate, and in accordance to the most preferable options from the cultural viewpoint of the PAPs.

11. Location selection, preparation, and resettlement

Alternative resettlement sites and the description of each site including:

- a. Institutional and technical arrangements that are needed to identify and prepare the resettlement site, whether it is in rural or urban areas, of which, a combination of potentially productive and beneficial locations, as well as a combination of other factors, to the greatest extent possible, will give equal benefits to the PAPs compared to their situation in their previous location, within an estimated time period required to obtain and to convert the land and its additional resources;
- b. Measures to prevent land speculation or an increasing influx of newcomers who are ineligible for resettlement, to the site;
- c. Procedures for physical relocation, including a schedule for preparation of the new relocation site and land transfers; and,
- d. Legal arrangements to occupy the land in the new relocation site and to transfer land rights to the PAPs.

12. Housing, infrastructure, and social services

Plans to provide (or to finance) the settlers to receive their entitlements pertaining to housing, infrastructure (for example, clean water, road access etc.), and basic social services (for example, schools, health services etc.); plans to ensure that those services are equal or greater

than the existing standards of the host community; and exploration for expansion of location, technique, and architectural design for those facilities.

13. Environmental management

A description on the boundaries of relocation area, and assessment on the environmental impacts due to the proposed land acquisition, and the steps to reduce and mitigate the impacts (to be coordinated, as necessary, with the environmental assessment of the sub-project, which requires land acquisition).

14. Participatory Process

Participation of affected community and host community is crucial. This requires:

- a. A description of the strategy of public consultation and the participatory process, involving the PAPs, as well as the host community, in design, as well as in implementation of the land acquisition process;
- b. A summary of the views expressed by the PAPs and how these views are being considered in the LARAP;
- c. Review of alternatives to land acquisition are offered and a decision is made by PAPs concerning the various available options, including options on forms of compensation and assistance due to land acquisition, or relocation for families, individuals, or part of the communities or of kinship communities, and efforts to maintain patterns of existing social organization, as well as efforts to maintain access to cultural land (e.g. places of religious worship, or burial);
- d. Institutional arrangements in which the relocated community members can report their concerns to the authorized parties of the Project, during the planning and implementation stages, and efforts are in place to ensure that the vulnerable groups are properly represented; and
- e. Measures taken to reduce impacts of land acquisition on the community members/host community (if relocation takes place), including consultation with members of the host community and local government. There are arrangements to accelerate payment to the community members/host community for the affected land or other assets which are bought for the relocated peoples, as well as arrangements to overcome any possible conflict between the relocated peoples and the host community; and to provide basic public services (for example, education, water, health, and production facilities etc.) for host communities, which should be of equal service level to those of the relocated group.

15. Grievance Redress Procedures

The procedures must be accessible (inexpensive and easy) by any third party to obtain settlement for any dispute arising from the sub-project, as listed in Full LARAP. Such grievance procedures should consider options for settlement through court and other mechanisms such as community-based settlement of dispute, as well as traditional dispute resolution mechanisms.

16. Institutional Responsibility

The organizational frameworks for land acquisition and resettlement, including identification of institutions responsible for the implementation of a full LARAP, of procedures on land acquisition and provision of services; plan to ensure that proper coordination between various institutions and jurisdictions involved in the implementation is already made; and every step (including technical assistance) required to strengthen the capacity of the implementing agency to design and carry out land acquisition; to transfer the work to the local authorized party or to

the settlers to manage their own facility and services provided by the Project; and to transfer other responsibility from the implementing agency for land acquisition, if any.

17. Schedule of Implementation

A schedule for implementation, which includes all land acquisition activities, starting from preparation to implementation, including target deadlines for realization of benefits expected for the settlers and host community and cut-off dates for the various forms of assistance. The schedule needs to describe how resettlement is linked with the overall sub-project's implementation.

18. Cost and Budget

A table showing an estimation of costs for all land acquisition activities, including an inflation factor, population growth, and other contingency expenses; schedule of disbursement; source of fund; timely cash flow plan, and funding for land acquisition, if any, for areas beyond the jurisdictions of the implementing agency.

19. Monitoring and Evaluation

Plan for monitoring toward land acquisition and resettlement activity by the implementing agency, supported by independent observers as considered necessary by the Bank, to ensure that complete and objective information can be collected; indicators for performance monitoring to measure input, output, and outcome of the land acquisition activity; PAPs' participation in the monitoring; submission of monitoring report to the Bank; evaluation of the impact of land acquisition within a set time frame to be determined after all land acquisition activities and related activities are completed. The results of monitoring should also be used to improve implementation.

**B. Format of Abbreviated LARAP**

An Abbreviated LARAP is required for a Project Activity that affects less than 200 people, or if it creates insignificant and minor impacts on the PAPs. Impacts are considered minor and insignificant if the PAPs physically do not have to be relocated and not more than 10% of their productive assets are acquired by the Project Activities. An Abbreviated LARAP shall include, at minimum, the following components:

1. Description of the Project Activity

General description concerning the sub-project and identification of the site.

2. Potential various impacts that may occur

The identification includes: (i) components of sub-project that would require land acquisition; and (ii) areas to be affected by the activity.

3. Census on the PAPs, and inventory of assets affected by the Project Activity

Results of the survey and asset inventory, which will include: (i) list of PAPs, which differentiate PAPs who have land rights and land users (tenants) who do not have land rights; and, (ii) inventory of land parcels and structures affected.

4. Eligibility

Identification of which PAPs will be entitled to receive compensation and explanation of the criteria used to determine eligibility.

5. Compensation, assessment of land and assets valuation, and resettlement assistance to be

provided

This includes a description of the compensation options and resettlement assistance that will be offered to the PAPs. Assessment of land and asset values will be determined by the result of an assessment result by licensed appraisers.

6. Public consultation with local community members who will lose their land and other assets

This include activities to (a) inform the PAPs about various impacts of the sub-project, available options for compensation and resettlement assistance, and procedures to obtain compensation, and (b) provide opportunity for the PAPs to express their opinion or concerns.

7. Institutional Responsibility

Brief description concerning the organizational frameworks to implement the activities of land acquisition.

8. Schedule of Implementation

An implementation schedule shall be made to include all land acquisition activities, including target deadlines for compensation payments. The schedule must describe how land acquisition activities are linked to the overall sub-project's implementation.

9. Cost and Budget

Costs estimations for land acquisition are required by the sub-project.

10. Complaints Handling Procedures

A workable procedure must be set up, which can be accessed by complainants for settlement of disputes arising from the land acquisition; such complaints' mechanisms should consider the options to go to the district court as well as community-based and traditional dispute resolution mechanisms.

11. Monitoring

Plan to monitor land acquisition activities and compensation payment to the PAPs.

12. Monitoring and Evaluation

Plan for monitoring toward land acquisition and resettlement activity by the implementing agency.

12. Annex 5 – Indigenous Peoples Planning Framework

**INDONESIA:**  
**Improvement of Solid Waste Management to Support Regional and Metropolitan  
Cities  
(ISWMP)**

**INDIGENOUS PEOPLES PLANNING FRAMEWORK (IPPF)**

**An Integral Part of Environmental and Social Management Framework (ESMF)**

Template per December 2017

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*Appendix 1: List of ISWMP Sub-Projects in the 1st Year Implementation Arrangement*

**DEFINITIONS**

<b>Terms</b>	<b>Meaning</b>
Government	The Government of the Republic of Indonesia
Project	Improvement of Solid Waste Management to Support Regional and Metropolitan Cities (P157245)
Provincial government	The <i>provinsi</i> government, headed by a governor or <i>gubernur</i>
Local government	Municipal ( <i>kota</i> ) government (headed by a mayor or <i>walikota</i> ) or district or regency ( <i>kabupaten</i> ) government (headed by a district head/regent or <i>bupati</i> )
Sub-project	Project component implemented at the central, provincial and/or kabupaten/kota level



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**ACRONYMS**

CPIU	Central Project Implementation Unit
CPMU	Central Project Management Unit
GOI	Government of Indonesia
IPs	Indigenous Peoples
IPP	Indigenous Peoples Plan
IPPF	Indigenous Peoples Planning Framework
KAT	Isolated Indigenous Community ( <i>Komunitas Adat Terpencil/KAT</i> ).
LARPF	Land Acquisition and Resettlement Policy Framework
MPWH	Ministry of Public Works and Housing
NGOs	Non-Government Organizations
PIU	Project Implementation Unit
O&M	Operational and Maintenance
PIP	Project Implementation Plan
PW Agency	Public Works Agency responsible for waste management facilities
SA	Social Assessment
SWM	Solid Waste Management
WBOJ	World Bank Office in Jakarta

## A. Introduction

The Improvement of Solid Waste Management to Support Regional and Metropolitan Cities is to support the implementation of the government’s national program to improve solid waste management services for selected urban populations across Indonesia.

In Indonesia, the law defines solid waste management (SWM) as being “a systematic comprehensive and sustainable activity which covers waste reduction and handling” and identifies three types of solid waste: (i) “household waste”, defined as waste produced from household daily activities, (ii) “household-type waste” that is the same as household waste, but is generated by non-household agencies (e.g. commercial, industrial, government, markets, social) and (iii) “specific waste” such as hazardous, construction and disaster-produced waste. Metropolitan areas are defined as those with a population of over 1 million.

Indonesia’s Long-Term National Urban Development Plan 2015-2045 sets the targets of urban service standards and increasing capacity of city management. Solid waste management is high on the national agenda, as exemplified by the National Medium Term Development Plan’s (RPJMN) ambitious “100-0-100” targets of eliminating all slums and providing universal access to water and sanitation (including solid waste collection) by 2019.

The Project is designed to address the needs of national and city governments for varying types of support, for incremental improvements to their systems, services and facilities for social waste management in at approximately 70 cities<sup>12</sup>. All metropolitan areas will be the primary targets of this program. Hence, possible cities for inclusion in the program include (but are not limited to): Bandung, Banjarmasin, Bogor, Denpasar, Depok, Jakarta, Madiun, Magelang, Makassar, Manado, Mataram, Medan, Padang, Palembang, Semarang, and Surabaya.

While indigenous peoples are often associated with rural and remote areas, it is recognized that in Indonesia’s urban context there are increasingly development and encroachment of urban activities on indigenous peoples’ lands. The IPPF is provided to ensure screening to identify the presence of indigenous peoples, processes to assess and mitigate any impacts on these segment of the population.

## B. Objective

1. The primary objectives of the Framework are:
  - a. Ensure that IPs participate in and benefit from the Project;

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<sup>12</sup> As part of the preparation for the programmatic approach under ISWMP, the Government of Indonesia and World Bank have agreed on the need for a Program Implementation Roadmap to outline both the actions and investments needed for establishing an effective SWM Program. The Roadmap highlights required:

- Policy Reforms;
- Implementation Arrangements;
- Technical Sectoral Guidelines;
- Local Capacity Building Needs (planning, operational, and financing);
- Conditions for Mobilizing Additional Financing Sources (including private sector finance and climate change funding);
- Investment Plan for First \$1 Billion (USD) of Integrated Waste Management Infrastructure.

- b. Avoid or minimize potentially adverse effects of the Project on IPs, and if it is unavoidable, develop and implement mitigation measures based on free, prior, and informed consultation resulting in broad supports from the impacted IPs communities;
- c. Maximize the potential positive effects of the Project on the IPs, based on free, prior, and informed consultations with the IPs ensuring that the design and implementation of the Project incorporate aspirations and needs of the IPs;

This is in line with the national objective in empowering indigenous communities including with various development activity programs available within their location, and if necessary, ensuring their protection, reinforcement, development, through advocating to improve their social prosperity.

### **C. Definition**

2. The Government of Indonesia defines Indigenous Peoples as Isolated Indigenous Community (*Komunitas Adat Terpencil/KAT*). The national legislation, Presidential Decree No. 111/1999 on Social Empowerment of Isolated Indigenous Community sets the criteria of indigenous community as follows: a) in form of small, closed and homogenous community; b) social infrastructure supported by familial relationship; c) in general geographically remote and relatively difficult to reach; d) in general live with sub-system economy; e) its equipment and technology is simple; f) dependency to local environment and natural resources are relatively high; g) limited access of social, economic, and political services. Further to this, Indigenous Peoples include groups identifying themselves by the terms Masyarakat Hukum Adat (MHA) and Masyarakat Adat (as stipulated in MOHA Regulation No. 52/2014 on the Guidelines on the Recognition and Protection of MHA), who also present the characteristics of OP 4.10 and are recognized as indigenous peoples in Indonesia.
3. The terms “indigenous peoples”, “indigenous ethnic minorities” and “tribal groups”, describe social groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process. For the purposes here, “indigenous people” is the term that will be used to refer to these groups.
4. Indigenous people are commonly among the poorest segments of a population. According to the Bank policy, the term “Indigenous Peoples” is used in generic sense to refer to a distinct, vulnerable, social and cultural group possessing the following characteristics in varying degrees:
  - a) a close attachment to ancestral territories and to the natural resources in these areas;
  - b) self-identification and identification by others as members of a distinct cultural group;
  - c) an indigenous language, often different from the national language; and
  - d) presence of customary cultural, economic, social or political institutions.
5. For the purpose of this Framework, the definition of IP will follow both the criteria of the Bank and the national legislation under Ministry of Social Affairs.

### **D. Laws and Regulation Related to IPs**

6. This framework takes into account issues related to IPs as included in the following Law and Regulations:
  - a. UUD 1945 (Amendment) Chapter 18, clause #2 and Chapter 281 clause # 3;
  - b. Law No. 41 on Forestry (plus Constitutional Court Decision No. 35/PUU-X/2012);
  - c. MOHA Regulation No. 52/2014 on the Guidelines on the Recognition and Protection of

MHA;

- d. Ministerial Regulation of MOH No. P.62/2013 (adjustment of Ministerial Regulation No. P.44/2012) on the Establishment of Forest Area;
- e. Joint Regulation of MOHA, Ministry of Forest, Ministry of Public Works and Land Agency No. 79/2014 on Procedures to Settle Land Ownership Conflict in Forest Area;
- f. Regulation of the Minister of Land Agency and Spatial development No. 9/2015 on the Procedures to Establish the Land Communal rights on the MHA Land and Community Living in the Special Area;
- g. Law No. 6 / 2014 on Village; and
- h. Law No. 18/2013 on Prevention and Alleviation of Deforestation (UUP3H).

#### **E. Screening for Indigenous Peoples among the Affected Populations**

7. Once the sub-project areas are defined (annually), the PIU will screen, verify and confirm on the presence of the IPs in reference to the above characteristics. In doing so, PIU will consult experts, local universities or NGOs who have good knowledge or have worked on IPs in the area and use available references e.g. IP Study 2016 by the World Bank and other sources. Further, PIU will consult the communities concerned and neighboring communities to confirm that they are IPs.
8. In the case that the presence of IPs is confirmed and they will be part of or affected by the project, PIU under the guidance of Safeguard Specialist, or assisted by consultants if necessary, will carry out a Social Assessment (SA) at the village level. Principles of free, prior and informed consultations, with the affected IPs communities will be adhered to and documented. Potential adverse and positive effects of the project will be identified during the SA preparation.

#### **F. Social Assessment and Consultation**

9. During the preparation of the sub-project proposal and/or sub-project approval, a Social Assessment process will be undertaken to define the nature and scope of impacts on the IP among the affected populations. By gathering both qualitative and quantitative data in the sub-project areas, the basic social and economic profile of beneficiary population or project affected people will be developed.
10. The Social Assessment (SA) will be undertaken by qualified social scientists (or consultants). The SA will gather relevant information on the following: demographic data; social, cultural and economic situation; and social, cultural and economic impacts - positive and negative. It may form part of the AMDAL, or a supplement to the AMDAL (EIA), or be developed as a stand-alone document on social conditions and impacts.
11. The Social Assessment will become a basis for formulating specific measures to consult with, and give opportunity for IP populations in participating decision making related to the sub-project, should they so desire. The Social Assessment process itself is often the method by which such consultations are undertaken; however, they can be undertaken as a separate exercise.
12. Consultation processes must be explicitly planned and stated in project documentation, to ensure that the objective of providing free and prior information is met, and that steps to secure broad community support are clear and can be monitored. As elaborated further in Section G on Principles below, materials, format, language and methods of consultation will be developed by the sub-project team, and coordination on meetings will include an indigenous peoples organizations or advocates (such as AMAN, the Church or indigenous relations sections of BAPPEDA (local planning agency), as appropriate).

13. Whereas responsibility for consultation during assessments may be shared by consultants and the sponsor/proponent (Head of Environment Agency or landfill), and conducted in conjunction with the appointed Environmental and Social Focal Point, in the event of sub-project implementation the ongoing consultation and stakeholder engagement processes shall be clearly defined as responsibility of the landfill site manager and Head of Agency.

### **Indigenous Peoples Plan**

14. An Indigenous Peoples Plan (IPP) will be prepared by regional PIU under the guidance of a Safeguard Specialist during the sub-project implementation (after the screening, verification and confirmation stage) in the event that IPs will likely be affected by sub-project activities. In the case that a sub-project needs to acquire land belonging to IPs community or individual of the IPs community, the LARPF (Land Acquisition and Resettlement Policy Framework) applies.
15. Free, prior and informed consultations will be conducted through a series of meetings, including separate group meetings: indigenous village chiefs; indigenous men; and indigenous women, especially those who live in the zone of influence of the proposed work under sub-project. Discussions will focus on sub-project impacts, positive and negative; and recommendations for design of sub-projects. If the SA indicates that the proposed sub-project will cause adverse impacts or that the IP community rejects the proposal, the sub-project will not be approved (and therefore no further action is needed). If the IP supports the sub-project implementation an IPP will be developed to ensure that the IP will receive culturally appropriate opportunities to benefit from the sub-project activities. This process and any agreements made shall be documented as a section within the IPP. It should include a section with an appropriate action plan of measures to avoid, minimize, mitigate or compensate for any adverse impacts identified.
16. The IPP is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific project and the nature of effects to be addressed. It will include the following elements, as needed:
  - a. A summary of Social Assessment;
  - b. A summary of results of the free, prior, and informed consultation that was carried out during sub-project preparation;
  - c. A framework for ensuring free, prior, and informed consultation with the affected indigenous communities during project implementation;
  - d. An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits culturally appropriate, including measures to avoid, minimize, mitigate, or compensate for adverse effects, when potential adverse effects on IPs are identified.
  - e. The cost estimates and financing plan for the IPP;
  - f. Accessible grievance mechanism, which takes into account the availability of customary mechanism. The grievance redress mechanism should be described in detail, including any features that are specific or unique to ensure that it is accessible and appropriate to the IPs that the plan relates to;
  - g. Monitoring, evaluation and reporting mechanism.
17. The IPP of each sub-project should be reviewed by the CPMU/CPIU and approved by the Bank before sub-project implementation begins.
18. The IPP should be disclosed publicly in a local language so that accessible to the affected

indigenous community as well as posted at the project/MPWH website ([www.pu.go.id](http://www.pu.go.id))

19. In the case that IPs constitute the beneficiaries of the project, the design and implementation of the sub-project(s) will accommodate the aspirations and needs of the IPs.
20. For the areas where IPs communities are identified, regional implementing unit will organize training for relevant facilitators in how to work with IPs communities in a meaningful way and in good faith to identify mechanisms for effective participation through free, prior and informed consultations, and address specific challenges in working with such groups. For example, how to deal with groups that may be in conflict with the larger community, etc.
21. Because the IPs communities speak a language different from Bahasa Indonesia, if they are not fluent in the national language, then facilitation and socialization will be held in a language that these communities can easily understand. Relevant brochures and documents will be translated in the appropriate language. Provision has been made in the project budget to allow for additional translations of relevant project documents.
22. The above aims at ensuring that IPs communities participate fully in the project with free, prior and informed consultations, are aware of their rights and responsibilities, and are able to voice their needs during the community forum establishment as well as developing the community work plan.

#### **G. Principles if a Sub-Project Affects Indigenous Peoples**

23. There are a number of main steps to be applied when the IPs are presence in the sub-project area and are part of the beneficiaries, in relation to the development of Indigenous Peoples Plan (IPP).
24. Regional PIU will ensure that free, prior and informed consultations are undertaken, in a language spoken by, and location convenient for, potentially affected IPs. Ensuring a level of broad community support for the proposed activities is an ongoing process that commences with initial consultations and the AMDAL/ESIA and is continued through stakeholder engagement processes and monitoring. Community opinion and preferences may be elicited by direct consultation, surveys, feedback forms, hotlines and so forth. Appropriate mechanisms are discussed locally with the landfill operators, DLH, PIU and communities/PAP. The views of IP are to be taken into account during preparation and implementation of any sub-project, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the sub-project documents including the IPP.
25. If the IPs conclude that the subproject will be beneficial to them, and that any minor adverse impacts, if any, can be mitigated, a plan to assist them will be developed based on consultation with the IPs and local representatives. The community should also be consulted to ensure that their rights and culture are respected. The assistance may also include institutional strengthening and capacity building of indigenous villages and community groups working with the sub-project.
26. Where the indigenous peoples speak a language different from Bahasa Indonesia, relevant brochures and documents will be translated in the appropriate language. Provision has been made in the project budget to allow for additional translations of relevant project documents.
27. These steps will be aimed at ensuring that indigenous people participate fully in the project, are aware of their rights and responsibilities, and are able to voice their needs during the social/economic preliminary survey/exercise and in the formulation of the sub-projects and operational policies. In addition, they will be encouraged to submit subproject proposals that cater to their group's needs, if necessary.

#### **H. Grievance Redress Procedures**

28. The project has a complaint system that allows community members to raise issues or complaints at sub-project (village) level to the national level. The project has designated contact numbers for complaints via phone-calls and short text message (SMS) systems. There are designated staff members at the PSC at province, city/district responsible for following-up on complaints and ensuring that they are handled adequately. Where IPs communities are concerned, the facilitators under CP component will ensure that grievance redress mechanisms are developed in culturally appropriate ways in close collaboration with the relevant group.

#### **I. Reporting, Monitoring and Documentation**

29. Besides specific attention to IP issues in supervision and monitoring, CPMU/CPIU will include these matters in their progress reporting (Quarterly Progress Report). The World Bank supervision missions will periodically pay special attention to ensure that the subprojects affecting IPs afford benefits to them and no adverse impacts on them.

#### **J. Implementation Arrangement**

31. CPMU/CPIU will be responsible for training the respective project implementing unit or local authorities to undertake the work of consultation, screening, social assessment, analyses and preparing IPPs and addressing any grievances.

30. Regional PIU of individual sub-projects and local authorities are responsible for undertaking all those works related to IPs and implementing the IPP (arrange adequate staff and budget) under the guidance of the regional (Province, city/district) project implementing unit.

a. PIUs will be encouraged to establish a working group with representatives of key agencies such as Social Affairs, BAPPEDA, Environmental Agency and be supported by socio-cultural consultants sourced from Project Components 2 and 3, to carry out any surveys, inventory and to facilitate the planning for consultation and to support implementation of the plan. Local institutions such as NGOs and universities with experience in community development and IP issues may be engaged for these roles. Seeking the input of affected persons regarding an appropriate institution is recommended.

b. All IPPs will be submitted for WB review and approval.

**Appendix 1: List of ISWMP Sub-Projects Screened in the 1st Year Implementation Arrangement**

No	City	Landfill name	Location	Activities	IP presence
1	Padang	Aie Dingin	Aie Dingin	rehabilitation	n/a
2	Makassar	Tamangapa	Tamangapa	Rehabilitation and redesign	n/a



## 13. Annex 5 – Typical Environmental Impacts and Mitigation Measures

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
<b>Pre-Construction Phase</b>			
Investigation, design and analysis of investments in equipment or technology	No impact	N/A	N/A
Dissemination of information regarding project activities to waste-pickers and potentially affected peoples	Negative perception and/or social tension	Community perception	Stakeholder engagement plan that include public consultation and Proper dissemination of information to affected communities. Establish Grievance Mechanism at PIU level.
Site investigations (including soil, water, air, noise, odor, biodiversity, etc.) also topographic and geotechnical surveys	Potential contamination from drilling investigations	Soil & Water Quality	Develop and implement drilling management plan.
Coordination between related institutions	No impact	N/A	N/A
<b>Construction Phase</b>			
Labor recruitment activities	Increase in community's income (labor for civil works activities), temporary economic spinoff effects	Workforce & Construction Activities Impacts on Host Communities	Identification of goods and services that can be provided by local suppliers. Encourage contractors to use qualified local goods and services providers.
	Social jealousy between migrant workers with local workers	Workforce & Construction Activities Impacts on Host Communities	Establish and disseminate grievance mechanism to affected communities. Create communication forum that consists of project and community representation
	Potential for migrant labor conflict with local community; crime,	Workforce & Construction	Organize and implement local culture induction to migrant labor

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
	disputes, cultural, disease	Activities Impacts on Host Communities	Organize and implement Health and safety induction to all workers. Establish and disseminate grievance mechanism to affected communities. Create communication forum that consists of project and community representation
Mobilization and demobilization of equipment, materials, and personnel during civil works activities	Negative perception and/or social tension	Community perception	Develop and implement transportation management plan that includes usage of material cover during material transportation and/or perform dust control by spraying water on the streets & roads when mobilization is performed during a particular hot day (dry season) twice a day (noon and afternoon). Stakeholder engagement plan that include public consultation and Proper dissemination of information regarding mobilization and demobilization. Establish Grievance Mechanism at PIU level.
	Increase of dust concentration (TSP) in the air	Air Quality	Stabilizing exposed surfaces Minimizing activities that potentially suspend dust particles. For heavily trafficked areas such as access roads to active construction areas and for disturbed areas (e.g. land clearing areas), wet suppression (watering), gravel or asphalt surfacing, and equipment wash down areas will be employed as dust control measures as practical
	Noise	Noise	Maintain site roads in good condition to reduce noise and vibration from vehicle movements. Utilize the vehicle that has pass the emission test.
	Traffic congestion and site access disruption	Traffic & Transportation	An evaluation of the transport route should be undertaken to mitigate any impact on traffic and

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
			transportation. The traffic management plan should be developed and implemented to ensure minimal traffic disruption. Trucks and construction vehicles in the Project area will only be permitted to use the construction access roads and required to operate at specified speeds.
Civil works for rehabilitation/remediation works of old dumping and landfill cells (including access roads)	Litter	Litter	Install wind fencing upwind of the tipping area to reduce the wind strength as it crosses the facility.
	Noise	Noise	Construction of buffer zones in the construction area.
	Odor	Odor	Develop and implement a working plan to control and minimize odor
	Leachate	Water Quality	Recirculate the generated leachate to the old dumping and/or landfill cells Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Disease vectors (flies, rats, etc.)	Community Health and Safety	Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Health and safety issue of the construction workers	Occupational Health and Safety	PPE Utilization for workers Conduct safety induction before work start
	Surface and ground water pollution	Water Quality	Implement the landfill rehabilitation plan Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
			LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
Demolitions works	Temporary traffic disruption due to access road rehabilitation activities	Traffic & Transportation	Implement the Traffic Management Plan
	Increase of dust concentration (TSP) in the air	Air Quality	Installation of barriers around demolition works area to minimize noise and not doing any construction works at night Stabilizing exposed surfaces Minimizing activities that potentially suspend dust particles. For heavily trafficked areas such as access roads to active construction areas and for disturbed areas (e.g. land clearing areas), wet suppression (watering), gravel or asphalt surfacing, and equipment wash down areas will be employed as dust control measures as practical
	Noise	Construction & Demolition Waste Generation	Installation of barriers around demolition works area to minimize noise and not doing any construction works at night
	Construction waste	Construction & Demolition Waste Generation	Construction waste to be disposed accordingly
	Decrease of water quality due to demolition debris	Water Quality	Develop and implement a working plan to control and minimize demolition debris material run-off
Construction of the new landfill cell	Increased dust concentration (TSP) in the air	Air Quality	Develop and implement a working plan to control and minimize construction dust and particles/odour

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
	Noise generated by civil works activities	Noise	Installation of barriers around civil works area to minimize noise and not doing any construction works at night
	Biodiversity decrease due to loss of habitat	Biodiversity & Habitat	Limit the construction area according to the planned DED
Construction of waste transfer stations, waste sorting and segregation facilities	Increased dust concentration (TSP) in the air	Air Quality	Develop and implement a working plan to control and minimize construction dust and particles/odour
	Noise and vibration generated by civil works activities	Noise and Vibration	Installation of barriers around civil works area to minimize noise and not doing any construction works at night Operating the earthmoving equipment on the construction lot as far away from vibration-sensitive sites as possible
	Surface water runoff & erosion	Water Quantity & Erosion	Minimizing land disturbance Managing run-on to disturbed areas Managing drainage within disturbed areas Managing ground cover Managing runoff and sediment exiting disturbed areas
Construction of environmental protection facilities including new leachate treatment facilities, installation of landfill gas collection systems	Impacts from residual construction material run-off	Water Quality	Minimizing land disturbance Managing run-on to disturbed areas Managing drainage within disturbed areas Managing ground cover Managing runoff and sediment exiting disturbed areas
	Temporary traffic disruption due to access road rehabilitation activities	Traffic & Transportation	Implement the Traffic Management Plan
	Noise	Noise	Installation of barriers around construction works area to minimize noise and not doing any construction works at night

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
	Decrease of water level due to changes in operational schedules	Water Quantity	Managing run-on to disturbed areas Managing drainage within disturbed areas
Installation of Intermediate Treatment Facilities (ITF) - Installation of equipment / advanced technology options (anaerobic digesters and refuse-driven fuel production)	Impacts from residual construction material run-off	Water Quality	Minimizing land disturbance Managing run-on to disturbed areas Managing drainage within disturbed areas Managing ground cover Managing runoff and sediment exiting disturbed areas
	Temporary traffic disruption due to access road rehabilitation activities	Traffic & Transportation	Implement the Traffic Management Plan
	Negative perceptions of new technology and its potential impacts on human health	Community perception	Proper consultation with and dissemination of information to local communities on health impacts, and input to timing/operational schedule  Establish and implement Grievance Mechanism at PIU level.
	Air quality impact due to commissioning of the ITF	Air Quality	Utilize the equipment that has met design criteria so that the air quality emission is below the applicable standards.
<b>Implementation Phase</b>			
Re-employment of waste pickers in land fills	Negative perception / social tension	Community perception	Proper consultation with and dissemination of information to local communities on employment options, alternatives and timing.  Establish and implement Grievance Mechanism at PIU level.
	Occupational health and safety of the workers	Occupational Health and Safety	Provide waste pickers with appropriate protective clothing, gloves, respiratory face masks and slip resistant shoes and hard soled safety shoes to avoid puncture wounds to the feet. For waste pickers near loud equipment, include noise protection. For waste pickers near

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
			heavy mobile equipment, buckets, cranes, and at the discharge location for collection trucks, include provision of hard hats; Conduct socialization regarding occupational health and safety matter to all waste pickers; Provide safety signage on the landfill site; Provide barricading in the landfill facilities; Provide training regarding to the use of PPE, other related occupational health and safety related issues; Provide grievance mechanism for waste pickers; and Conduct monitoring on waste pickers occupational health and safety issues
Waste collection and transport	Visual impact	Visual impact	Covering the vehicle during waste transport
	Litter	Litter	Covering the vehicle during waste transport
	Air emission generation including dust, bio-aerosol, and vehicle emission	Air Quality	Establishing frequent waste collection schedules Optimize waste collection routes to minimize distance traveled and overall fuel use and emissions
	Odour	Odour	Minimize the odor emissions by covering the vehicle during waste transport and installation of green barriers between the public roads and the MSW access road
Waste receipt, loading, and unloading	Litter	Litter	Install wind fencing upwind of the tipping area to reduce the wind strength as it crosses the facility
	Air emission generation including dust and bio-aerosol	Air Quality	Develop and implement a standard operation procedure to control and minimize emission of dust and bio-aerosol during loading/unloading
	Noise and vibration generated from trucks, loading equipment (crane and wheeled loaders), stationary	Noise and Vibration	Develop and implement traffic management plan to ensure minimal traffic disruption. Installation of barriers around loading/unloading

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
	compactor, etc.		area to minimize noise.
Mobilization and demobilization of filling materials	Negative perception and/or social tension	Community perception	Develop and implement transportation management plan that includes usage of material cover during material transportation and/or perform dust control by spraying water on the streets & roads when mobilization is performed during a particular hot day (dry season) twice a day (noon and afternoon)  Stakeholder engagement plan that include public consultation and Proper dissemination of information to impacted communities about project operation and mobilization and demobilization of filling materials  Establish and implement Grievance Mechanism at PIU level.
	Increased dust concentration (TSP) in the air	Air Quality	Develop and implement traffic management plan
	Noise	Noise	Utilize the vehicle that has pass the emission test
	Traffic congestion and site access disruption	Traffic & Transportation	Implement the traffic management plan
	Increasing turbidity in surface water from filling material that fell during mobilization	Water Quality	Develop and implement transportation management plan that includes usage of material cover during material transportation and/or perform dust control by spraying water on the streets & roads when mobilization is performed during a particular hot day (dry season) twice a day (noon and afternoon)Conduct the application of speed limit
Landfill cell operation	Litter	Litter	Intall wind fencing upwind of the tipping area to reduce the wind strength as it crossess the facility



Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
	Leachate generation	Water Quality	Minimize the daily exposed working face and use perimeter drains and landfill cell compaction, slopes and daily cover materials to reduce infiltration of rainfall into the deposited waste. Prevent run-on of precipitation into the active area of the landfill Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Gas emission	Air Quality	Include landfill gas collection system designed and operated in accordance with the applicable national requirements
Leachate collection and treatment	Decreasing level of water quality due to contamination in the water body from untreated leachate	Water Quality	Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Aquatic biota disturbance due to contamination in the water body from untreated leachate	Aquatic Biota	Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Increase on water borne diseases due to the contamination of untreated leachate in the water bodies	Community Health & Safety	Maintain the effectiveness of the leachate treatment plant in order to ensure that effluent of LTP is in compliance with the quality standards (Minister of Environment and Forestry No. 59 Year 2016)
	Hazardous waste from the sludge generation	Hazardous waste (B3 waste)	Collect hazardous waste in the Temporary Storage Facilities (TPS B3) and dispose the hazardous waste through the licensed hazardous

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
			waste disposal
Landfill gas capture Operation of ITF Facilities - advanced technology (anaerobic digesters and refuse driven fuel production) composting, WtE	Emission of bio-aerosols such as CH <sub>4</sub> H <sub>2</sub> S, mercaptans	Air Quality	Include landfill gas collection system designed and operated in accordance with the applicable national requirements
	Increase of Odour (H <sub>2</sub> S) and mercaptans contaminant in the ambient air	Odour	Application on technical approach such as installation of solid waste cell, which will accomodates the city waste generation to be compacted and covered with soil in the daily basis.
	Ambient air quality decrease due to generation of CO <sub>2</sub>	Air Quality	Include landfill gas collection system designed and operated in accordance with the applicable national requirements
	Increase of Odour (H <sub>2</sub> S) contaminant in the ambient air	Odour	Application on technical approach such as installation of solid waste cell, which will accomodates the city waste generation to be compacted and covered with soil in the daily basis.
	Hazardous waste from the soot	Hazardous Waste	Collect hazardous waste in the Hazardous Waste Temporary Storage and dispose the hazardous waste through the licensed hazardous waste disposal
Heavy equipment workshops and operation of supporting facilities	Hazardous waste generation from oil/fuel spill	Hazardous Waste	Applied the ERP for oil spill
	Surface water quality impact due to the contamination of wastewater from truck/vehicle wash	Water Quality	Direct the wastewater from truck/vehicle wash to the drainage channel
<b>Closure &amp; After- use</b>			
Cell capping and closure	Occupational health & safety during cell capping works	Occupational Health & Safety	PPE Utilization for workers; conduct safety induction before work start
	Leachate generation	Water Quality	Channeling and treating the leachate to the

Source of Impact	Possible Impacts	Aspect	Proposed Impact Management Measures
			Leachate Treatment Plant before discharging to the water bodies
	Landfill gas emission	Air Quality	Include landfill gas collection system designed and operated in accordance with the applicable national requirements
	Landslide occurrence due to unstable waste pile	Landslide	Applied the landfilling method as stated in the design criteria and conduct the soil cover compaction
	The closure of landfill for waste pickers and waste collector activities, work termination	Work Termination & Decreased Local Economy	Proper socialization/dissemination of landfill closure to affected communities prior to the closure as well as dissemination of information other jobs/business opportunities
Landscaping	Visual impact due to changes of landscape	Visual Impact	N/A
	Biodiversity enhancement from revegetation at landfill area	Biodiversity	Application of cover components that are consistent with post closure use and local climatic condition
	Decreasing run-off	Water Quantity & Erosion	Application of the final cover which should provide environmental protection by preventing direct or indirect contact of living organism with the waste materials & their constituents
Monitoring	No impact	N/A	N/A
Afteruse	Increasing area for green open space	Change of Land Use	Monitoring arrangements on the utilization of green open space as part of the closure plan

#### 14. Annex 6 – Procedure in Developing AMDAL, UKL-UPL and SPPLP

According to the Minister of Environment Regulation No.16 of 2012 concerning the Guidelines for Preparation of Environmental Documents, there are three type of instruments that need to be prepared by Project Proponent, depending on its scale of impacts, i.e. AMDAL, UKP-UPL and SPPL.

**AMDAL.** Definition: AMDAL is a full environmental assessment that is undertaken for activities likely to generate significant negative environmental impacts and that the impacts may affect an area broader than the sites or facilities subject to physical works. AMDAL documents consist of “TOR for ANDAL” (Kerangka Acuan), Environmental Impact Statement (ANDAL) and Environmental Management and Monitoring Plan (RKL-RPL). The following steps must be taken in the formulation the AMDAL.

- (i) Project Proponent shall coordinate with District Environmental Agency (DLH) to discuss the proposed activities that will require AMDAL (as per Minister of Environment Regulation no 5/2012 on type of activities of business requiring AMDAL). These activities include i) the construction of landfill with size more than 10 ha or total capacity more than 100,000 ton; ii) construction of composting plant, integrated treatment facilities, or transfer station with capacity more than 500 ton/day; iii) construction of landfill at swampy/low land/peat areas at any size, iv) construction of incinerator at any size.
- (ii) **Public Announcement.** Project Proponent with clearance from DLH shall post the public announcement (outlining the proposed activities and impact) in local newspaper or any media accessible to potential PAP, NGO etc. The announcement shall allow enough time for public to comment (i.e. min. 2 weeks) and clear addresses (DLH and Project Proponent) where the public can voice their concern shall be included.
- (iii) **TOR for ANDAL.** After the public announcement, the Project Proponent prepares the Term of Reference of ANDAL. The DLH will call for the first public consultation for which the TOR will be presented and any comments from audiences will be recorded and incorporated into ANDAL preparation. The TOR shall include the introduction (background of the proposed activities, objective, detailed activities, detailed team who will prepare the AMDAL, environmental and social scoping, study methodology (e.g. method for impact prediction, method of data collection), literatures, and annexes (e.g. public announcement, summary of public consultation).
- (iv) **ANDAL.** The ANDAL shall include the introduction as per TOR for ANDAL, then detailed of environmental baseline, prediction of significant impacts, study boundaries, holistic assessment of potential significant impacts, literatures and annexes (outline of theory and assumption used for calculation for impact prediction, results of laboratory analyses, documentations (photo, graph, table), CVs of AMDAL team).
- (v) **RKL-RPL.** In parallel of ANDAL, the Project Proponent also prepared the RKL-RPL. It consists of detailed environmental management and monitoring plans. The RKL shall consist of efforts to prevent, control, minimize and mitigate significant adverse impacts and to improve positive impacts as the result of the activities. The RPL is aimed to monitor impacts continuously and systematically. The RPL is to be used as indicator to check for the compliance, the trendline, and critical level in environmental management. The RKL-RPL document should also contain information on budget estimation for its implementation.

- (vi) Details matrix<sup>13</sup> for RKL-RPL is provided in the Minister of Environment Regulation No.16 of 2012 which is in line with the World Bank OP 4.01 Annex C.
- (vii) Upon completion of the draft AMDAL and RKL-RPL, the DLH will call for the second public consultation. The public is allowed to make comments, voice their concern and to request revision of RKL-RPL. Following the public consultation, the Project Proponent addresses the comment received in the documents and submits the revised version to the DLH for final review/evaluation.
- (viii) Local Environmental Agency issues approval for the AMDAL.
- (ix) Project Proponent submits copy of the final AMDAL to Governor/Mayor/*Bupati* through DLH and receive Environmental License.
- (x) Project Proponent implements the RKL-RPL.
- (xi) Project Proponent reports on RKL-RPL implementation every 6 months to DLH and Governor/Mayor/*Bupati*.

UKL-UPL. Definition: UKL-UPL consists of Environmental Management Effort and Environmental Monitoring Effort. The UKL-UPL is partial environmental assessment that is prepared to address impacts that are less adverse than those of AMDAL. The scope of UKL-UPL is narrower than that of AMDAL. Like AMDAL, it examines the project's potential negative and positive environmental impacts and recommends any measures needed to prevent, minimize, mitigate, or compensate for adverse impacts and improve environmental performance. The following steps must be taken in the formulation and implementation of the UKL-UPL

- (i) Project Proponent shall coordinate with District Environmental Agency (DLH) and fill in the UKL-UPL forms provided by the Agency. Template of UKL-UPL and the Statement of Assurance for UKL-UPL Implementation is presented in
- (ii) Project Proponent shall prepare the UKL-UPL document that considers impacts on the environment, natural habitats, pest management in the Project Activity's area of influence, including analysis of alternatives and any additional requirements based on the screening of potential impacts.
- (iii) The UKL-UPL document should also contain information such as budget estimation for programs or activities of environmental management, public consultation programs and institutional arrangements for the UKL-UPL implementation.
- (iv) Project Proponent submits the completed forms to the Local Environmental Agency for review/evaluation.
- (v) Local Environmental Agency issues approval for the UKL-UPL proposed.
- (vi) Project Proponent submits copy of the final UKL-UPL to Governor/Mayor/*Bupati* through Local Environmental Agency.
- (vii) Project Proponent implements the UKL-UPL.
- (viii) Project Proponent reports on UKL-UPL implementation every 6 months to BLH and

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<sup>13</sup> RKL matrix should include type of impacts grouped based on the stages of activities, mitigation measures, location, frequency, responsibility party; while RPL matrix includes type of impacts grouped based on the stages of activities, Indicator, source of impact, method of monitoring, location of monitoring, timing/frequency, responsibility parties (Project Proponent, supervisor, reporting institution)

Governor/Mayor/*Bupati*.

For activities that did not require an AMDAL, UKL-UPL, a Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL) shall be prepared by the Project Proponent and submitted to DLH.

14. Annex 7 – Recommended Screening for Environmental Management under ISWM Project

No.	Type and Size of Activity	Recommended Procedures for Environmental Management
1	Very minor rehabilitation or beyond Environmental Minister Regulation No. 5/2012	SPPL and SOP for rehabilitation
2	Minor rehabilitation related to Environmental Minister Regulation No. 5/2012	UKL-UPL
3	Major-category rehabilitation based on Environmental Minister Regulation No. 5/2012	Updated/Revised RKL-RPL, Or New AMDAL

## 15. Annex 8 – Guidelines of Preparation of Environmental Management and Monitoring Plan (UKL-UPL or RKL-RPL)

The following form is the Format for the Environmental Management and Monitoring Plans (UKL-UPL or RKL-RPL). It describes the impact of the planned activities on the environment and how it will be managed. This format complies with the Regulation of the Minister of Environment No. 16/2012 and OP 4.01 Annex C which can be referred to for further guidance.

Title of Chapter/Sub-Chapter	Content/Remarks
<b>Statement Letter from Project Proponent</b>	
a.	The statement letter from project management will state their accountability to ensure that the Environmental Management Plan and Environmental Monitoring Plan will be done. This statement Letter should be signed on a stamp duty acknowledged by the Head of DLH, (local environmental agency) and the Head of Local Government (Governor/Bupati/Mayor).
b.	Project management consists of those parties who prepare and implement the Project Activities, those parties who are responsible for the operations and maintenance of the Project Activities, and other parties responsible for environmental management and monitoring.
<b>I. IDENTITY OF PROJECT PROPONENT</b>	
1.1 Name of Proponent	.....
1.2 Name of Project Management Entity	Name of project management entity and their job description at each stage of the Project Activities, which should include: <ul style="list-style-type: none"> <li>a. Agency or office responsible for the preparation and implementation of Project Activities.</li> <li>b. Agency or office responsible for the operations and maintenance of the Project Activities after the work is completed.</li> <li>c. Agency or office responsible for environmental management and monitoring.</li> </ul>
1.3 Office Address, Postal Code, Phone and Fax No., Website and Email	Clear address of the named agencies or offices related to the Project Activities in accordance to the point 1.1 above.
1.3 Office Address, Postal Code, Phone and Fax No., Website and Email	Clear address of the named agencies or offices related to the Project Activities in accordance to the point 1.1 above.
<b>II. DESCRIPTION OF PROJECT ACTIVITIES AND ITS IMPACT</b>	
2.1 Name of Project Activities Name	Name of Project Activities in a clear and complete manner.
2.2 Project Activities Location (with map or location)	a. Location of the Project Activities in a clear and complete manner: <i>Kelurahan/Village</i> , District/city, and Province where the Project Activities and its components take place.



Title of Chapter/Sub-Chapter	Content/Remarks
illustration)	b. Location of the Project Activities should be drawn in a map using an adequate scale (for example, 1:50.000, accompanied with latitude and longitude of the location).
2.3 Scale of the Project Activities	An estimation of the scale and type of Project Activities (using accepted units of measurement). For example: the construction of a market of certain capacity may need to be accompanied by supporting facilities in line with the Environmental Management Plan that must mention the type of component as well as the scale.
2.4 Conformity the location of planned activities with local government spatial plan	A brief explanation of conformity of planned activities location with spatial plan in accordance with laws and regulation. The information may presented in the form of overlay map between project site boundary with applicable Local/Regional Spatial Plan (RTRW).
2.5 Principal approval on planned activities	Outlines approval in principle stating that the type of activity in principle was approved by local authorities. Evidence of formal approval should be attached.
2.6 Component of Project Activities in brief outline	<p>A brief and clear explanation on any component of the Project Activities that have potential environmental impacts. Work components should be divided based on stages as follows:</p> <ol style="list-style-type: none"> <li>a. Pre-construction, for example: mobilization of workforce and materials, transportation, etc.</li> <li>b. Construction, for example the use of ground water, laying out of utility pipes, etc.</li> <li>c. Operations and Maintenance: Post-construction, for example: clearing of excavated waste material, etc.</li> </ol> <p>Also, attach the flowchart/diagram to explain the flow of work to be done, if applicable.</p>
<b>III POTENTIAL ENVIRONMENTAL IMPACT</b>	<p>Explain in a brief and clear manner about any Project Activities with potential environmental impacts, source of impacts and type of impacts that might occur, magnitude of impacts, and other matters needed to describe any potential environmental impacts on the natural and social environment. Such descriptions can be presented in tabulation, with each column representing each of the aspects. A description of the size or magnitude of the impacts should be accompanied with measurement units based on applicable laws and regulations or specific scientific analysis.</p>
<b>IV. ENVIRONMENTAL MANAGEMENT AND MONITORING PROGRAM</b>	
4.1 Environmental Management Plan	<ol style="list-style-type: none"> <li>a. The Environmental Management Plan consists of the plan itself, as well as the party in charge, frequency of interventions, implementation schedule, and types of mechanisms (e.g.: procedures for management, methods, etc.) in order to mitigate the environmental impacts identified Section III above.</li> <li>b. The plan can be presented in a table format, which at minimum contains the following columns: type of impact, source,</li> </ol>

Title of Chapter/Sub-Chapter	Content/Remarks
4.2 Environmental Monitoring Plan	<p>magnitude, threshold, management plan, location and frequency of interventions, party in charge, and other remarks.</p> <p>a. The Environmental Monitoring Plan consists of the plan itself, party in charge, location and frequency of interventions, implementation schedule, and types of mechanisms (e.g.: procedures for monitoring, methods, etc.) in order to monitor the environmental management plan described in section 4.1 above.</p> <p>b. The plan can be presented in a table format, which at minimum contains the following columns: type of impact, source, magnitude, threshold, management plan, frequency of interventions, party in charge, and other remarks. In this monitoring plan, the thresholds should comply with the prevailing laws and regulations that are applicable according to the environmental impacts as already identified in Section III above.</p>
<b>V. SIGNATURE AND OFFICE SEAL</b>	After the UKL-UPL or RKL-RPL document is prepared and complete, the Project Manager should sign and put an official seal on the document.
<b>VI. REFERENCE</b>	Insert various references used in the preparation of UKL-UPL or RKL-RPL.
<b>VII. ATTACHMENTS</b>	Attach any relevant documents or information to the UKL-UPL or RKL-RPL, e.g. tables displaying the monitoring results, and others.

16. Annex 9 – Format for Statement of Assurance for Environmental Management and Monitoring (UKL-UPL or RKL-RPL) Implementation

**Statement of Assurance for UKL-UPL or RPL-RKL<sup>14</sup> Implementation**

No:.....

In an effort to prevent, minimize and/or address the potential environmental impacts from the Construction Work of....., in the District of.....Province of....., as well as in accordance to the duty and authority of the Directorate....., of the Directorate General....., of the Ministry of Public Works and Housing shall carry out an Environmental Management Plan and Environmental Monitoring Plan (*UKL-UPL or RKL-RPL*) and include the recommendations from *UKL-UPL or RKL-RPL* into the tender documents.

For the next stage, which is the physical work, implementation of the recommendations from UKL-UPL or RKL-RPL shall be done by the party in charge for the physical work, which is “Satker..... of the Province.....”.

This statement is duly made, as confirmation to support the Environmental Management Plan and Environmental Monitoring Plan (*UKL-UPL or RKL-RPL*) on the Construction Work for the Construction of ....., in the District of....., Province.....

Jakarta,.....

**DIRECTORATE GENERAL.....**

**DIRECTORATE.....**

**Project Manager**

.....  
NIP.....

<sup>14</sup> Delete UKL-UPL when the environmental instrument is AMDAL or delete RKL-RPL when the instrument is UKL-UPL.

17. Annex 10 – Format of the Statement of Assurance for Implementation of Environmental Management and Monitoring (SPPL)

**Format of SPPL**

*(For activity plan not requiring any AMDAL, UKL-UPL – based on the Regulation of the Minister of Environment No. 16/2012)*

We, the undersigned below:

Name :  
Job position:  
Address :  
Phone No. :

As party in charge of the environmental management of:

Company Name/Business :  
Address company/Business :  
Ph Number of the Company :  
Type of Business :  
Production Capacity :  
Permit already obtained :  
Purpose :  
Amount of Capital :

with expected environmental impacts taking place:

- 1.
- 2.
3. etc

will implement measures to manage environmental impacts:

- 1.
- 2.
3. etc.

hereinafter, we confirm that we are capable and committed to:

- (1) Maintain the public order and always maintain good relations with the neighbouring community.
- (2) Maintain the hygiene, cleanliness, and order of the project site.
- (3) Be responsible for any environmental damage and/or pollution caused by the business and/or the project activity.
- (4) Be willing to be monitored for environmental impacts of our business and/or project activity by the authorized officer.
- (5) Take the responsibility according to prevailing laws and regulation, if we fail to comply with commitments stated above.

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.

Date, Month, Year

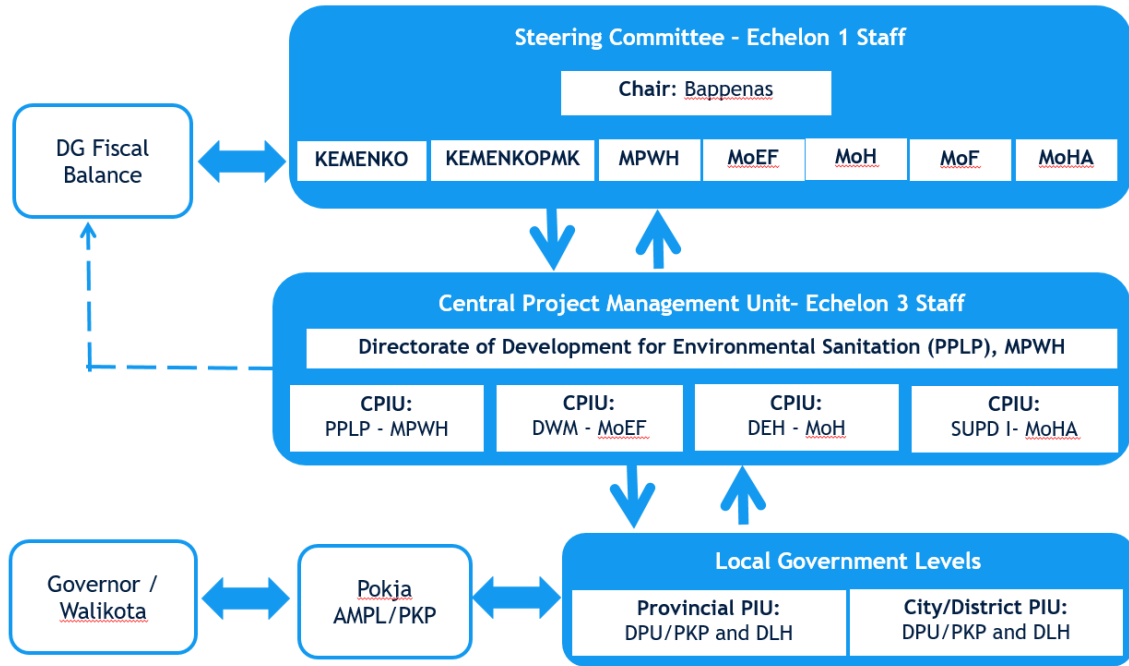
Project Manager,

Stamp duty of Rp, 6.000,- Signature Company seal
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(.....Name.....)

Registry number from the local environment agency	
Date	
Receiver	

18. Annex 11 – ISWMP Draft Implementation Organization Structure



## 19. Annex 12 – Minutes of Public Consultation for ISWMP Draft Environmental and Social Management Framework (ESMF)

### Introduction

#### Objectives of the Public Consultation

Public consultation is part of the process in developing ESMF document and implemented to obtain inputs from stakeholders in improving the ESMF. The purposes of public consultation are to:

- present the draft ESMF to ensure fulfillment of environmental and social aspects, in accordance with the applicable laws and legislation;
- obtain feedback from stakeholders to improve the ESMF and to assess the extent of how ESMF can be implemented; and
- obtain feedback about the role of the parties in the implementation of ESMF.

#### Venue and Summary of Discussion

No	Venue
1	<b>City Selection, Readiness and Socialization of Environmental and Social Management Framework By Directorate of Development for Environmental Sanitation (PPLP), MPWH – DG Human Settlement Grand Kemang Hotel, Jl. Kemang Raya, Jakarta Selatan Tuesday, May 16<sup>th</sup>, 2017, 09.00 – end</b>
2	<b>Environmental and Social Management Framework (ESMF) Socialization Kemen PUPR – DG Cipta Karya, PPLP Directorate Gedung Hermitage, BPSDM Meeting Room Friday, October 27<sup>th</sup>, 2017, 10.00 – end</b>

- Bappenas informed PU that the World Bank program is expected to deliver the Green Book on November 2017, with information on locations for further planning. The steps include framework establishment, Green Book, Feasibility Study, DED and to see the commitment from the local government.
- PU informed that the selection of locations of WB program has been reported to the Director and Head of Sub-division, where four locations have been selected: two cities (Makassar and Padang) and 2 regions (Palembang City and Banyuasin Regency, Magelang City and Magelang Regency). Other cities (i.e. Manado, Denpasar, DKI Jakarta) are not ready to join the program because of various issues, especially due to unavailable of land.
- ESMF is a terms of reference on developing Environmental Impact Assessment (or AMDAL) and Environmental Management Effort & Environmental Monitoring Effort (UKL-UPL), where it also includes the procedure of relocation/resettlement.
- Attachments of ESMF include Land Acquisition and Resettlement Policy Framework (LARPF) and Indigenous Peoples Planning Framework (IPPF). The LARPF serves as framework to prepare the Land Acquisition and Resettlement Action Plan (LARAP) should the sub-project requires land or involve relocation. Meanwhile, if the sub-project affects the indigenous peoples, the IPPF will serve as a guideline in preparation of Indigenous People Plan (IPP)
- Bappenas suggested that they are included in the Institutional Arrangement scheme of ESMF, specifically under CPIU. Bappenas will hold the monitoring and evaluation function. Ministry of Health is suggested to be included as well.
- ESMF (including the LARPF and IPPF) is used as guidance to all parties on mitigating environmental and social impacts (i.e. ESMP, LARAP, IPP). In the WB program, impacts might arise from the Component 3: Solid Waste Infrastructure and Service in Selected Cities




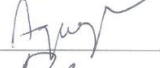







- ESMF provides technical guidance to prepare AMDAL. However, AMDAL should be developed by the local government, not PU, yet PU has to communicate about the ESMF to local government as terms of reference for AMDAL development.
- PU will furnish the ESMF to World Bank for review as part of the project preparation requirement.
- For Makassar and Padang that already have AMDAL documents, then the AMDAL will be translated to English to be further forwarded and reviewed by WB. Next, WB will send the review results as a reference to revise the document. For cities that have not had AMDAL document yet, such as Palembang, then the city has to develop AMDAL according to ESMF. Since the AMDAL is newly developed, then PU needs to review it before being forwarded to WB for review. As well if LARAP or IPP is required, the city/district/provincial government where the sub-project is located will prepare such instruments.
- The newly developed AMDAL (LARAP and IPP if required) is funded by the local budget (APBD). This shows the commitment of the local government in participating in the WB program. This AMDAL (LARAP and IPP if required) will be submitted to PU first before being submitted to WB.
- For AMDAL verification, it is suggested that PU is supported by a consultant team. Looking from the KfW experience that only counts on PU staff for verification, resulting in lack of human resources. Good example is the road construction program by Bina Marga that is supported by a Core Team Consultant, which in this program will be funded through Component 4. Government will also declare a decree which will appoint the team and member in charge, which will be supported by consultant team.
- The program is managed under Directorate General of Human Settlement (Dirjen Cipta Karya), yet for the day-to-day operation will be under the Sub-Directorate of Solid Waste (of Directorate of PPLP) as central project management unit (CPMU). There will be a consultant team who will support the CPMU.
- Once being finalized, ESMF document has to be disclosed in PU and WB website, and should also be accessible for public.
- ESMF should be finalized before the site selection for the WB program, since ESMF will be standing as a general guideline that can be applicable to all sites. Afterwards, the sites can be selected and the output will be AMDAL, LARAP and/or IPP.
- ESMF should cover all relevant regulations in Indonesia. Please put into consideration the MoEF Regulation No 5 of 2012 on Activities that are required to have AMDAL. Every five years, this regulation is revised and at the moment, government is revising it.
- ESMF should cover all the program components. ESMF contains only principles of WB safeguard requirement and GOI's. Where there are gaps, necessary supplementary instruments to fill the gaps will be prepared..

### **Participants in the Public Consultation**

The list of attendance of the public consultation can be seen below.



## List of Attendance at Public Consultation on the ESMF – May 16, 2017

DAFTAR HADIR				
Kegiatan: Improvement of Solid Waste Management for Regional Areas and Metropolitan Cities				
Tanggal: 16 Mei 2017				
No	Nama	Institusi	Alamat Email/Telp.	Tandatangan
1.	Dewi Fitria Maryanti	Sekdit Pertek, Dit PPLP		
2.	Widita Vidyaningrum	World Bank	widitavidya@gmail.com	
3	Ade Priadi	World Bank	luamiastri@gmail.com	
4	Agus Jayo Sun	DLH Makassar	agusjaysid@gmail.com	
5	REZA FAHRURRAZI	PPLP STRATEGIS	extreme_reza@yahoo.com	
6.	Nardityo Adhigroho	PPLP	nardityo93@gmail.com	
7	Siti Maisyah	"		
8	DIAN ARITANI	"		
9	Asep Krowamp	DLH DKI	asepkrowamp@yaho.com	
10	Eci setijadi	"	ejs.setijadi@gmail.com	
11.	Gohar B. Waworuntu	DLH Manado (Kotia)	gohar.burad-waworuntu@yahoos.com	

## DAFTAR HADIR

giatan: Improvement of Solid Waste Management for Regional Areas and Metropolitan Cities  
 tanggal : 16 Mei 2017

no	Nama	Institusi	Alamat Email/Telp.	Tandatangan
2	BUSOWO.W	DLH Kota. MALANG	-	BJ
3	Indri kurnia	Satker PSPLP Sumbar	081363490222	Judi
4	Tizi Agung	DLH Kab. Magelang	0816984406	[Signature]
5	Liny Tambajony	Bapelitbang Kota Neds	08138201623	[Signature]
6	Scott Phillips	Environmental Solutions	0811 155 2081	[Signature]
7	Juha Seppala	World Bank	+1 202 361 1360	[Signature]
8	Neiklen Kasangfaka	PSPLP Selut	082196420016	T
9	Frank van Woorden	World Bank	+1 260 462 0122	VS
10	Denay K.	PSPLP Jaten	081396676545	[Signature]
11	Fibri	PSPLP	081325713884	[Signature]
12	Sunny Tokunasy	DLH Manado	08124438909	[Signature]

## DAFTAR HADIR

giatan: Improvement of Solid Waste Management for Regional Areas and Metropolitan Cities  
 tanggal : 16 Mei 2017

no	Nama	Institusi	Alamat Email/Telp.	Tandatangan
1	INDRI OKI HAPSARI, ST	SATKER PSPLP SUMSEL	085267342029	almb
2	ABD. MALIK	SATKER PSPLP SULSEL	081342719621	[Signature]
3	Yeni Arjuna	DLH Kota Padang	0853556391507	[Signature]
4	ARWAKDI	DLH Kota PDG	08	[Signature]
5	Tizi Agung	DLH Kab. Magelang	0816984406	[Signature]
6	Liny Tambajony	Bapelitbang Kota Neds	08138201623	[Signature]
7	NUYI TAO	World Bank climate change Group		[Signature]
8	IDA BGIKAWAN6 SUMEDRA	KASATKER PSPLP BALI	081236333988	[Signature]
-	Heny Susanti	Satker PSPLP Bali	08123850220	[Signature]
9	NIGEL LANGDON	ESC - GreenCap	08126901552	[Signature]
10	YUSTIKA A-W	Pencampahan PLP	08563211995	Awe



**List of Attendance at Public Consultation on the ESMF – October 2017**

## DAFTAR HADIR

Jum'at/ 27 Oktober 2017

08.30 – Selesai


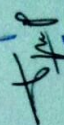
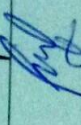
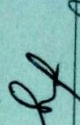
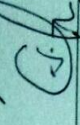
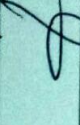
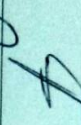
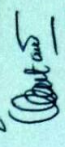
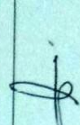
Ruang Rapat Sekretariat BPSDM, Gedung Heritage Lantai 2,  
Jl. Pattimura No. 20, Kebayoran Baru, Jakarta Selatan

Diskusi dan Konsultasi ESMF (Environmental and Social  
Management Framework) "The Improvement of Solid Waste  
Management to Support Regional Area and Metropolitan Cities"

Instansi	No. Telp.	
ESC Environment Indonesia	081317792372	Hatashat
DIT . PPLP	08126988709	<del>Amulya</del>
Bank Dunia	0812 80862027	Sioni
Dit . PPLP		TK
PPLP.	081388221658	Y
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Dit . PPLP		F

Hari/Tanggal  
Pukul  
Tempat

No.	Nama
	Natasha G. (natashagenviros.com)
	Hani Marana
	KIAN SIONG
	Terra Prima
	Shirley
	Ridho Mahu
	Andi Putraso

Instansi	No. Telp.	Tandatangan
Subdit P. Persampahan		
Subdit. Pengelolaan Persampahan	085733632331	
Subdit. Pengelolaan Persampahan	085694037124	
—	081331179379	
—	72797178	
—		
—	72797178	
Subdit Persampahan Ektoskasi. agumaha	085971849080	
Subdit Persampahan	081222323535	



## Program Improvement of Solid Waste Management to Support Regional and Metropolitan Cities

### Program Improvement of Solid Waste Management to Support Regional and Metropolitan Cities



Sungai Citarum

Program Improvement of Solid Waste Management to Support Regional and Metropolitan Cities atau disingkat ISWMP adalah sebuah program peningkatan pengelolaan sampah nasional dengan target utama kota metropolitan dan skala regional. ISWMP akan diimplementasikan melalui Direktorat Jenderal Cipta Karya, Kementerian Pekerjaan Umum dan Perumahan, bekerja sama dengan Bank Dunia. Program ini akan mendukung program peningkatan pengelolaan sampah untuk sejumlah kabupaten/kota terkait program nasional Citarum Harum. Adapun kabupaten/kota yang menjadi prioritas adalah Kota Bandung, Kota Cimahi, Kabupaten Bandung dan Kabupaten Bandung Barat. Peningkatan pengelolaan sampah regional Bandung Raya ini diharapkan akan mengurangi secara signifikan sampah yang masuk ke dalam Sungai Citarum. Selain Bandung Raya, program ini juga akan mendukung kota/kabupaten lain nya yang memiliki komitmen yang tinggi untuk meningkatkan kinerja pengelolaan perambahannya.

Dukungan ISWMP ini dapat berbentuk bantuan teknis dan bantuan sarana prasarana. Untuk bantuan sarana prasarana, perlu disiapkan dokumen perlingkungan lingkungan hidup. Terdapat dua kota yaitu Kota Padang dan Kota Makassar yang telah mempersiapkan dokumen perlindungan yang dimaksud yaitu AMDAL ( atau ESIA: Environmental and Social Impact Assessment) dan RKL/RPL (ESMPs: Environmental and Social Management Plans).

Selain AMDAL dan RKL/RPL, bagi kabupaten/kota yang belum menyiapkan dokumen lingkungan maka disusunlah Kerangka Pengelolaan Lingkungan dan Sosial atau KPLS ini (Environmental and Social Management Framework atau disingkat ESMF) disusun sebagai acuan untuk pengelolaan dampak lingkungan dan sosial masing-masing sub proyek. ISWMP akan mengarahkan i) penyusunan rencana pengelolaan lingkungan dan sosial (ESMPs) masing-masing sub proyek di bawah ISWMP dan ii) penyusunan dokumen terkait dengan perlindungan sosial (Rencana Pengadaan Lahan dan Pemukiman Kembali dan Rencana Penanganan Masyarakat Adat yang diperlukan masing-masing sub proyek).

Konsolidasi Executive Summary meringkas hasil AMDAL dan RKL/RPL dua kota tersebut di atas dan ringkasan KPLS. Link : [Consolidated Executive Summary of ESIA and ESMP](#)

Sedangkan untuk penyusunan dokumen perlindungan lingkungan berdasarkan KPLS, silakan untuk klik link berikut ini : [ESMP ISWMP](#)

Pages: [1] [ 2 ]

By ANANDA BAHRIAN IN WASTE MANAGEMENT TAGS: ISWMP

8 May 2019

## Disclosure of Revised ESMF

May 8, 2019.

Link:

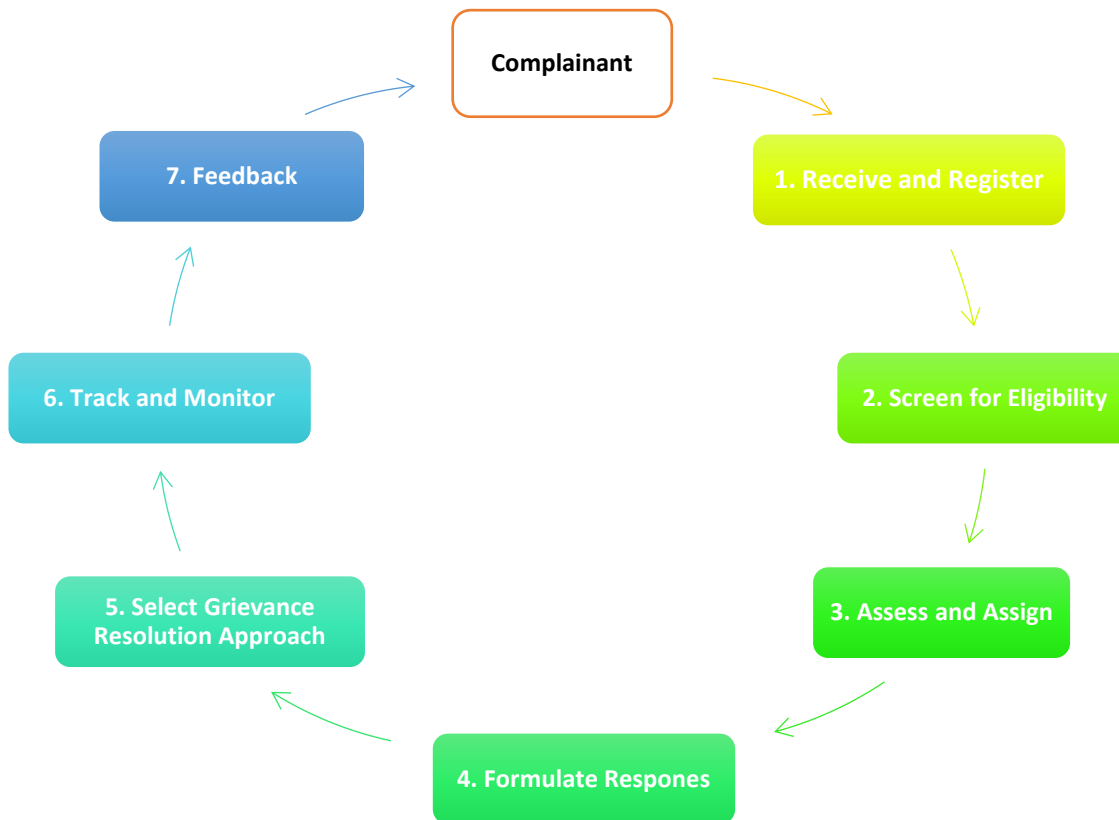
<https://waste4change.com/program-improvement-of-solid-waste-management-to-support-regional-and-metropolitan-cities/2/>

## 20. Annex 13 – Steps in Grievance Handling

### Grievance Tracing and Resolution Mechanism (GTRM) - Step by Step Procedure

The *Dinas* Landfill Tracing and Resolution Mechanism (GTRM) provides a process for resolving grievances expeditiously, effectively and in a transparent manner. The GTRM is triggered at the instance a community complaint is received by the landfill authorities.

**Figure** below shows the general overview of the community grievance tracking and resolution process which is outlined in more detail in the following section.



*Community Grievance Tracking and Resolution Process*

#### Step 1 - Receiving and Registering a Grievance

Receiving and registering complaints is a simple process in which local people can approach the landfill authorities about concerns directly and, if necessary, anonymously or through third parties. Reception procedures are most effective if they are convenient, culturally appropriate, simple to understand, and easy to use.

In general, grievances are communicated to the landfill authorities through three primary channels:

- Oral communications, such as to Community Representative or to the project proponent on-site Project teams (including contractors);



- Written communications to the Dinas Community Relation Officer or GRU Field Officer or Manager; these include grievances registered with the Village head (*Kepala Desa*) or other third parties such as the community advisory board which is formed to bridge between the project proponent and community;
- Inferred understanding of a grievance (e.g. on-going problems raised during visits to program sites by program staff, independent monitors, NGOs, supervision teams, media, government officials, etc.) or alert of grievances via direct public action (e.g. protest).

Within one day of the original receipt of the grievance, the GRU Field Officer gives written notice to the complainant confirming receipt of the grievance and detailing the grievance investigation and reconciliation process. The GRU Field Officer provides contact information to the complainant to facilitate further communication. A tentative timeline for resolving grievances is also provided.

In case, inputs and decisions are required by other units/departments within the landfill authorities the GRU Field officer shall forward the registered complaint to the Grievance Committee.

### **Step 2 - Screening for Eligibility**

This step determines whether a complaint is eligible for inclusion in the grievance mechanism. A complaint can be categorized as grievance, if it meets the following criteria:

- Time limit: Grievances can only be submitted within one year from the date of the incident to be admissible;
- Evidence: Any physical evidence associated with the grievance should still be visible during a site investigation conducted by a GRU Field Officer;
- Records: where possible and as appropriate, the complainant should provide a verifiable record of transactions associated with the grievance.

If the grievance meets the criteria, complaints are recorded using the grievance form (see *Appendix B*). GRU Field Officer will document the verbal and written complaints. The grievance and action form records the following information:

- i) who reports the complaint;
- ii) who received the complaint (field representative or employee);
- iii) situation of the reception and answer of the responder;
- iv) the date the complaint was received and recorded;
- v) the nature of the complaint;
- vi) information of proposed corrective action;
- vii) date of response (verbal and written) provided to the complainant;
- viii) corrective actions taken, by whom and, when, and
- ix) the date the complaint was closed out (see *Appendix C Close-Out Form*).

### **Step 3 - Assess the Grievance**

During the assessment, the GRU Field Officer and/or the GRU team gathers information about the case and key issues and concerns and helps determine whether and how the complaint may be resolved. The data and information include:

- Photographic and/or physical evidence of grievance where possible.
- Witness statements from community leaders and witnesses, where possible.
- Witness statements from landfill authorities personnel, if appropriate.

#### **Step 4 - Formulate a Response**

The system for responding to the complainant specifies who communicates and how. In some cases, it may be appropriate that feedback be provided by the GRU Field officer or another team member responsible for the assessment accompanied by the GRU Manager of the grievance procedure. The Dinas Project manager may participate in feedback, depending upon the seriousness of the complaint.

A written response for every grievance is prepared within 14 days by the Grievance Resolution Unit.

The response is delivered verbally before the written copy is provided to the Complainant. The complainant is asked to sign and date the complaints log and action form to confirm receipt of the Project response.

#### **Step 5 – Further Escalation - Grievance Committee or Legal Avenue**

If the complainant is not satisfied with the response delivered by the GRU the grievance will be escalated to the Grievance Committee.

If still unresolved, the GRU Manager will escalate the grievance resolution to the next appropriate level. The final resolution is found by legal counsel. The Indonesian jurisdiction shall apply.

#### **Track and Monitor Grievance**

Grievances need to be tracked and monitored as they proceed through the system. Effective tracking and documentation accomplishes several goals:

- Providing assurance that a specific person is responsible for overseeing each grievance – from receipt and registration to implementation;
- Promoting timely resolution;
- Informing all concerned (the complainant and appropriate the project proponent personnel) about the status of the case and progress being made toward resolution;
- Documenting the project proponent’s response and outcome(s) to promote fairness and consistency;
- Recording stakeholders’ response(s) and whether additional research or consultation is needed.

The GRU team of the landfill authorities establishes a centralized grievance log and tracking system. This data base allows for all registered grievances to be tracked and retrieved as and when necessary. The landfill authorities’ performance in managing and closing out grievances is reviewed as part of internal and external monitoring.

A Grievance Form accompanies each grievance for ease of information transfer. Information from Grievance Forms is entered into the central data base managed by the GRU Team.

#### **Feedback**

Once a grievance has been resolved, the complainant shall be invited to give feedback about the

resolution process and asked to indicate their level of satisfaction with the mitigation measures once such measures have been implemented. In all cases, the aggrieved must be aware of the outcome of his / her complaint. If the complainant is anonymous, information on resolution of the complaint shall be posted in the relevant village bulletin boards.

### **Public Disclosure of Grievance Procedure**

The landfill authorities utilize various ways to publicly disclose this Grievance Mechanism and to create community-level awareness of the grievance procedure. The public disclosure of grievance management and procedure is conducted through:

- Direct communication during consultation, community meetings, and elders meetings;
- *Dinas* representative assigned at the Community Center;
- Third parties such as the Community Advisory Board;
- Printed materials such as *Dinas* newsletters, leaflet, brochure that provide key facts about the procedure;
- Displays on the *Dinas*’ announcement billboards, public places such as market, community hall, Mosques, Churches; and
- *Dinas* website.

The public disclosure of the grievance procedure is made in Bahasa Indonesia and where required, in the local language.

### **Timeline**

The Landfill authorities through its GRU team aims to resolve complaints at each level within 7 days. However, depending on the nature of the complaint, a longer timeline may be agreed upon with the complainant. If an agreeable solution is reached, the complainant is asked to sign and date the complaints log and agreed actions form to confirm receipt of an agreement with the landfill authorities response.

The GRU Team informs the complainant, if more time is required to implement appropriate actions. The GRU Team, however, assumes responsibility for ensuring all actions are implemented to close out the complaint.

In sum, depending on the nature of the complaint, the complaint may be addressed at a maximum within 21 days in the following order (at 7 days intervals): (1) staff level (GRU Field Officer and Manager); (2) Grievance Committee; and finally (4) BOD level.

### **Grievance Log**

The Grievance Log contains a record of the person responsible (assigned to) for an individual complaint, and records dates for the following events:

- Date the complaint was reported;
- Date the Grievance Log updated;
- Date information on proposed corrective action sent to complainant (if appropriate);
- Date the complaint was closed out;
- Date response was sent to complainant.

Informal complaints and criticisms, written or oral, made against the *Dinas* project staff are

recorded in the same way as formal grievances and complaints against the project proponent as a company. In the case of serious grievances, the issue is tracked and dealt with as the project proponent Management sees fit. The Grievance Log Form is attached in Appendix D.

### **Monitoring and Reporting**

The GTRM database is an indicative complaint handling and grievance resolution registry. Periodically (bi-annually) the database is monitored to assess GRU performance and to identify any systemic or recurrent causes for grievance. Where systemic or recurrent grievances are identified, the landfill authorities will implement pro-active measures to resolve these issues. Any grievances that were not resolved within an appropriate timeframe will also be further investigated with the goal of arriving at immediate resolution.

The GRU Field Officer will be responsible for:

- Providing the relevant Manager with a weekly report detailing the number and status of complaints and any outstanding issues to be addressed; and
- Monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

The GRU Manager reports monitoring results half-yearly to the head of DKP.

### **Key Performance Indicators (KPI)**

Proposed KPI for Grievance mechanism:

- Number of grievances received
- Number of grievances resolved
- Number of days needed to process a grievance
- Number of satisfied people with a grievance resolution

## Roles and Responsibilities

Following table outlines suggested roles and responsibilities of the landfill authorities related to Grievance Mechanism.

### Roles

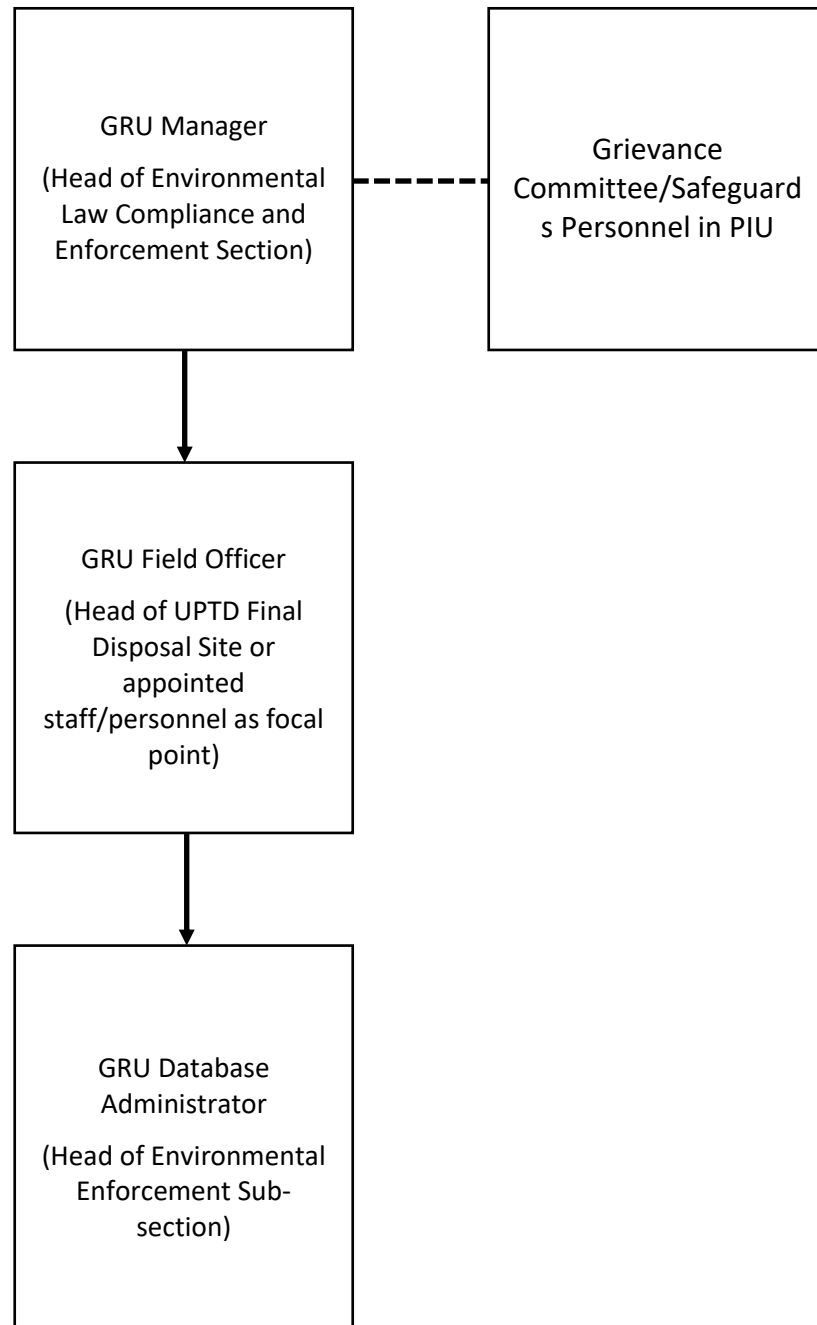
The Project Proponent / Position Within The Project Proponent	Role
Head of Dinas Lingkungan Hidup	Part of Grievance Committee
Head of Environmental Law Compliance and Enforcement Section	Proposed as GRU Manager (Grievance Coordinator)
Head of Waste Management and Cleanliness Section	Part of Grievance Committee
Head of Environmental Compliance Sub-section	Part of Grievance Committee
Head of Environmental Enforcement Sub-section	GRU Database Administrator
Head of Waste Management Sub-section	Part of Grievance Committee
Head of Technical Operational Unit (UPTD) of Final Disposal Site	GRU Field Team/Officer (Grievance Contact)
All Dinas Lingkungan Hidup members	Informal grievance recipient

### Typical Division of Responsibilities

Grievance Resolution Unit (GRU)	The focal point for grievance resolution facilitating the overall processing of grievances. The GRU receives, records, registers complaints and decides on the resolution of a grievance or the escalation of the grievance to the Grievance Committee or if necessary helps to initiate any legal procedures.
GRU Manager/ Grievance Coordinator	Head of the GRU who oversees the facilitation of grievance resolutions. S/he is also to oversee the allocation of necessary resources for the Project's grievance mechanism.
Grievance Contact GRU Field Team/Officer/	The Grievance Contact is responsible for receiving and for acknowledging receipt of any grievance and for delivering a response to the complainant, regardless of who initially received the complaint. S/he is also to obtain contextual data and other crucial information regarding aggrieved parties. In the project proponent context, this function is held by Redress Unit (GRU) Field Team/Officer.
Grievance Committee	A group consisting of Head of <i>Dinas Lingkungan Hidup</i> , Head of Waste Management and Cleanliness Section, Head of Environmental Compliance Sub-section and Head of Waste Management Sub-section. All of whom are involved in handling more serious grievances.

Landfill authorities	Local Sanitation Authorities, <i>Dinas Lingkungan Hidup</i> , where the Project is located.
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The following chart shows the hierarchical setting of the Grievance Tracing and Resolution Mechanism (GTRM) personnel.



***Hierarchical Setting of Grievance Tracing and Redress Mechanism Personnel***

### **Grievance Resolution Unit Manager**

The Grievance Redress Unit (GRU) Manager oversees the allocation of necessary resources to ensure that grievance tracking and resolution mechanism are implemented in accordance with relevant national and regional laws and regulations and in line with international guidelines . The GRU Manager also serves as focal point for resolution of community complaints and grievances and facilitates the overall processing of grievances, such as:

- logging and acknowledging receipt of grievances,
- delegating responsibility for redress,
- coordinating the GRU field team fact-finding mission,
- facilitating decisions on resolution actions with aggrieved parties,
- closing out grievances,
- tracking and monitoring of all grievances, and
- generating reports of grievance activities.

The GRU Manager has to ensure that the Project’s Grievance Mechanism is well publicized to target communities and stakeholders. In more serious cases of grievances that cannot be resolved directly, the GRU Manager involves the Grievance Committee for input from its members.

### **Grievance Resolution Unit Field Team/Officer (Grievance Contact)**

GRU Field Officers are designated as points of contact between the project and external stakeholders. They are reporting to the GRU Manager.

The responsibilities of the GRU Field Officers are:

- Publicizing the Grievance Mechanism in project affected communities and communicating its purpose and how to use it;
- Being proactive in attempting to mitigate grievances before they become serious enough to become a formal complaint/dispute;
- Obtaining contextual data about a grievance from the aggrieved parties, community members, as well as through first hand observational data (fact finding);
- Receiving grievance directly from stakeholders;
- Assisting the GRU Manager (Grievance Coordinator) in logging grievances in the Grievance Log or database. ;
- Assisting the GRU Manager in evaluating grievances;
- Assisting in identifying appropriate corrective action;
- Communicating with stakeholders who have lodged grievances, advising them on status and eventually informing them of the decision taken;
- Assisting in tracking the status of all grievances; and
- Maintaining dialogue with external stakeholders on grievances received and how these are being resolved

### **Grievance Committee**

The Grievance Committee is responsible to address grievances which cannot be resolved directly by GRU Field Officers and the GRU Manager. The Grievance Committee is composed of

representatives from local government dinas, and where necessary, from project stakeholders and community representatives and legal authorities.

Personnel involved in the Grievance Committee includes:

- Head of Dinas Lingkungan Hidup
- Head of Environmental Law Compliance and Enforcement Section
- Head of Waste Management and Cleanliness Section
- Head of Environmental Compliance Sub-section
- Head of Environmental Enforcement Sub-section
- Head of Waste Management Sub-section
- Head of Technical Operational Unit (UPTD) of Final Disposal Site

The committee meets monthly or at the discretion of the GRU Manager to review and address any complaint that requires their inputs.

### **Project Personnel**

All project personnel such as Dinas staff, as well as private sector contractor and/or subcontractors employees are informed about the Grievance Mechanism and if approached by community members for a grievance obliged to report this grievance to the GRU Field Officer or Manager in a timely manner. It is every project personnel's responsibility to report grievances, and to ensure that these are filed correctly with the GRU Field officer and/or GRU Manager so that it can be dealt with through the designated process.



## 21. Annex 14 – Chance Finds Management Plan

**INDONESIA:****Improvement of Solid Waste Management to Support Regional and Metropolitan Cities**

Despite the fact that the proposed existing landfill site or proposed new landfill are not located in a recorded sensitive cultural heritage zone, as a preventive measure, it is recommended that the Tourism Agency (*Dinas Pariwisata*) be informed about the project and that the process described in the relevant section of the ESMF be followed.

**Chance Find Procedures**

<b>Item/step/action</b>	<b>Entity responsible</b>	<b>Time Frame</b>	<b>Type of Document</b>
1. Immediately suspend works and notify the relevant authority for the protection of cultural heritage	Contractor/LG	Immediate upon discovery of chance finds	Written document recording date and time, and describing circumstances and nature of finds. Photographs with detail time and location (coordinate long-lat) stamped (please use mobile phone application, e.g. Open Camera®)
2. Survey the area in the immediate vicinity of the finds and provide plans indicating the zones of the finds	Contractor	Immediate upon suspension of works	Plans

3. Create a field logbook and register all newly collected items. Label all newly collected items with labels showing the date and exact location of the origin of an item or a fragment thereof	Contractor/LG	Immediate upon discovery of chance finds	Catalogue of items found
4. Properly store the finds in a stable (motion, climate) and protected environment, ensuring that the items are packed by appropriate experts	LG	Immediate upon discovery of chance finds	Logbook entries
5. Receive instructions from the relevant authorities for the protection of cultural heritage and permit to continue works and/or to amend design	Relevant authorities for the protection of cultural heritage ( <i>Dinas Pariwisata</i> )	Within 15 days of Notification of finds to the authorities	Official correspondence
6. Hand-over the finds and document the hand-over	Contractor	Within 15 days of Notification of finds to the authorities	Official correspondence and copies of other records such as logbook, plans, catalogue of items, etc.

