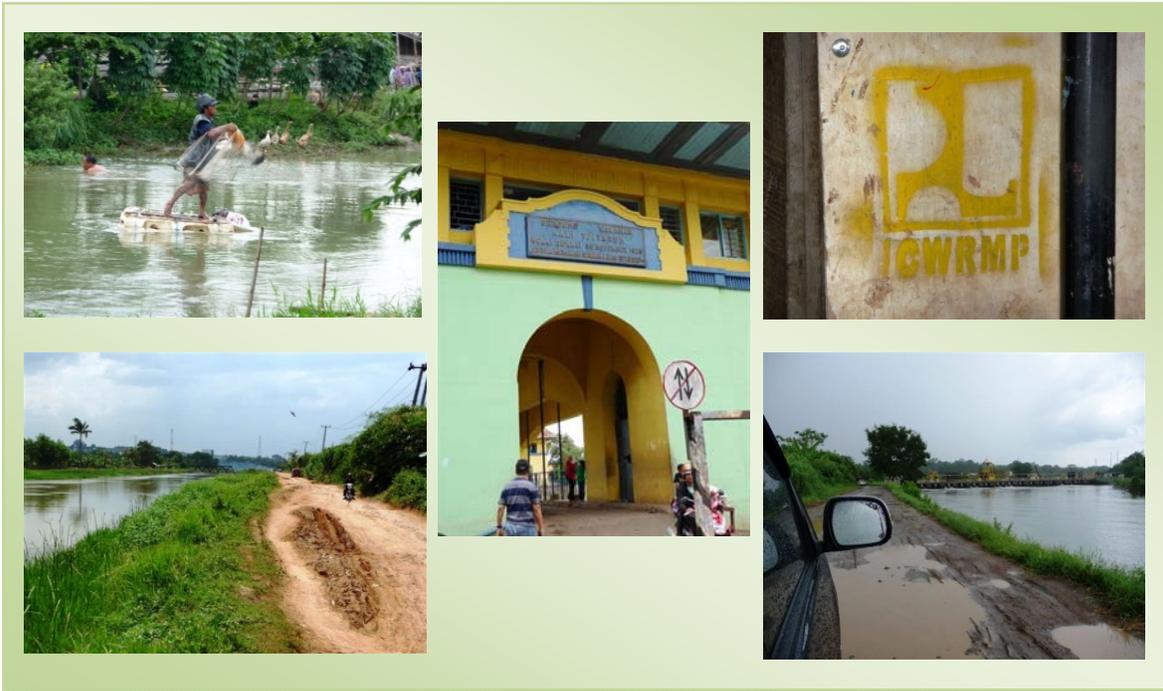


ADB

Asian Development Bank

**REVIEW AND ASSESSMENT REPORT
OF THE
SPECIAL PROJECT FACILITATOR
ON THE
INTEGRATED CITARUM WATER RESOURCES MANAGEMENT INVESTMENT PROGRAM
INDONESIA
LOANS 2500/2501(SF)–INO (13 Nov 2008)**



March 2011

ABBREVIATIONS

ADB	– Asian Development Bank
APs	– affected persons
ARUM	– People’s Alliance on Citarum
BAPPENAS	– National Development Planning Agency
BBWSC	– Balai Besar Wilayah Sungai Citarum
DED	– detailed engineering design
DGWR	– Directorate General of Water Resources
EA	– executing agency
ICWRMIP	– Integrated Citarum Water Resources Management Investment Program
IRM	– Indonesia Resident Mission
MFF	– multitranche financing facility
OSPF	– Office of the Special Project Facilitator
PCMU	– project coordination and management unit
RAR	– Review and Assessment Report
RCMU	– road map coordination and management unit
ROW	– right-of-way
SEER	– Southeast Asia Department, Environment, Natural Resources and Agriculture Division
SPF	– Special Project Facilitator
WTC	– West Tarum Canal

The original English version of this report was translated by OSPF consultants into Bahasa Indonesia. In case of discrepancy, the English version will prevail.

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EXECUTIVE SUMMARY

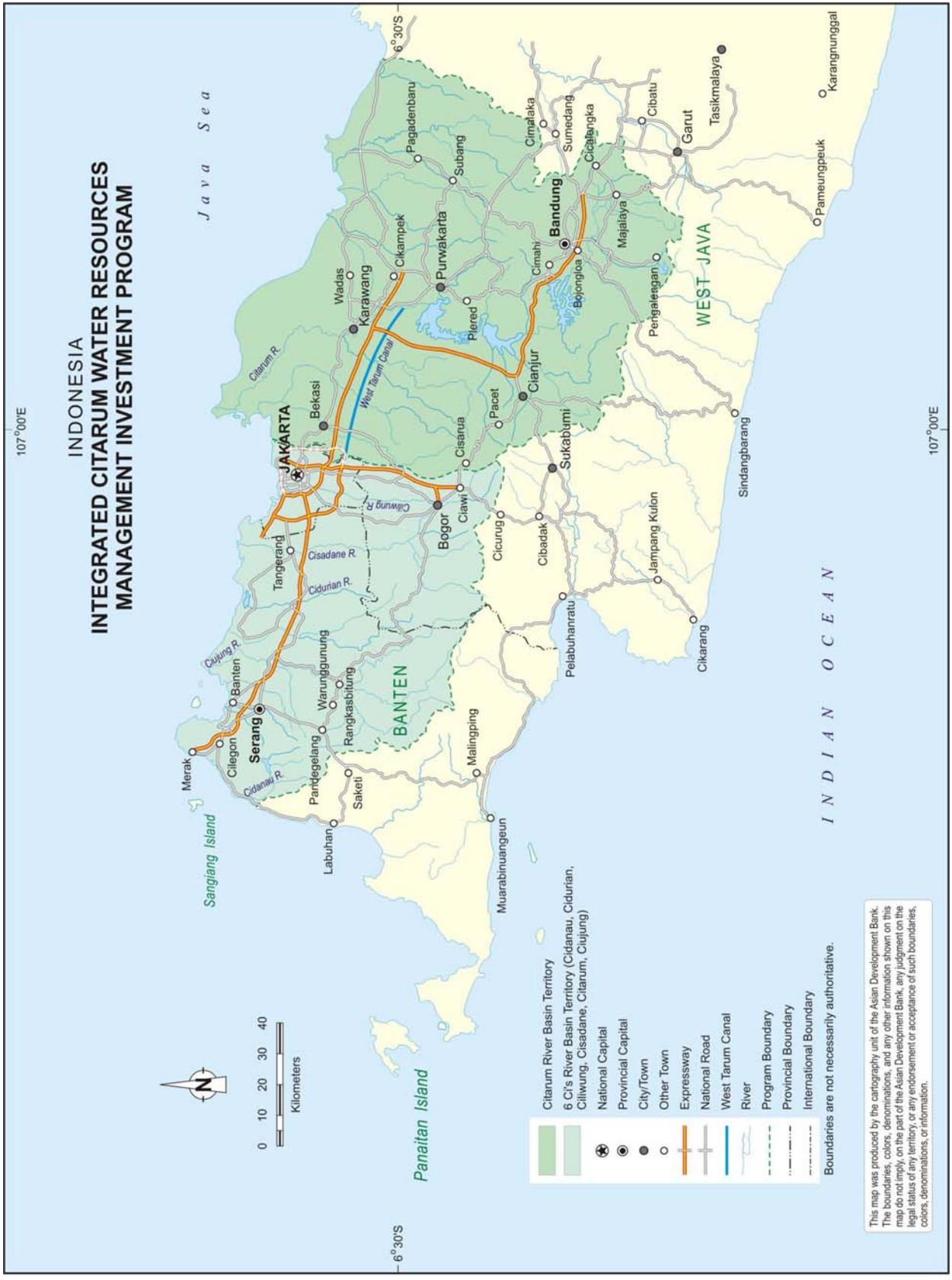
The Integrated Citarum Water Resources Management Investment Program (ICWRMIP) will fund a range of interventions necessary to pursue the introduction of integrated water resources management in the Citarum River basin. The Asian Development Bank (ADB) and the Government of Indonesia have agreed to use the Multitranches Financing Facility (MFF) as the financing facility. ICWRMIP – Project 1 aims at undertaking priority interventions including the rehabilitation of the West Tarum Canal (WTC) to improve the flow and quality of water. The WTC provides about 80% of the surface water supply to Indonesia's capital city, Jakarta. The National Development Planning Agency (BAPPENAS) has established a road map coordination and management unit to ensure overall planning and financial management. A road map is a requirement for MFFs and defines strategic directions. The Directorate General of Water Resources (DGWR) of the Ministry of Public Works is the executing agency. DGWR has established a project coordination management unit in its Citarum River basin organization, Balai Besar Wilayah Sungai Citarum, which is responsible for the overall management and coordination of investment program activities. ADB's Indonesia Resident Mission is administering the project.

On 4 January 2011, the Office of the Special Project Facilitator (OSPF) received a complaint on ICWRMIP – Project 1. OSPF registered the complaint on 10 January 2011. The complainants raised concerns about evictions undertaken by the Bekasi local government along the WTC and about not having received compensation. OSPF determined that the complaint met all of the eligibility requirements of the Consultation Phase of the Accountability Mechanism and conducted a review and assessment.

The formal complainants are three persons, represented by Hamong Santoso, a member of the People's Alliance on Citarum (*Aliansi Rakyat untuk Citarum*, or ARUM). They are affected persons in the ICWRMIP – Project 1 resettlement plan 2008 and were evicted from the embankment of the WTC in 2010 without receiving compensation.

Several factors have led OSPF to conclude that there is a reasonable probability that the complaint issues can be resolved through a consultative process. Parties have stressed their willingness to engage in an open and constructive dialogue. All stakeholders agree that solutions acceptable to the Government, ADB, and the affected persons can be found. The parties have common interests, such as (i) ensuring that the evicted persons, who are included in the resettlement plan 2008, receive compensation; (ii) clarifying the form in which compensation will be provided and that will be acceptable to all parties involved; and (iii) expeditiously updating the resettlement plan 2008 and implementing the resettlement activities. An independent team consisting of OSPF staff and local consultants is proposed to facilitate the consultation process and document the agreements.

INDONESIA INTEGRATED CITARUM WATER RESOURCES MANAGEMENT INVESTMENT PROGRAM



- Citarum River Basin Territory
- 6 CIs River Basin Territory (Cidanau, Cidurian, Ciliwung, Cisdane, Citarum, Ciujuung)
- National Capital
- Provincial Capital
- City/Town
- Other Town
- Expressway
- National Road
- West Tarum Canal
- River
- Program Boundary
- Provincial Boundary
- International Boundary

Boundaries are not necessarily authoritative.

This map was produced by the cartography unit of the Asian Development Bank. The boundaries, colors, denominations, and any other information shown on this map do not imply on the part of the Asian Development Bank, any judgment on the legal status of any territory, or any endorsement or acceptance of such boundaries, colors, denominations, or information.

I. BACKGROUND

A. The Project

1. The Integrated Citarum Water Resources Management Investment Program¹ (ICWRMIP) will fund a range of interventions necessary to pursue the introduction of integrated water resources management in the Citarum River basin. The Asian Development Bank (ADB) and the Government of Indonesia have agreed to use the Multitranches Financing Facility (MFF)² as the financing facility. ICWRMIP – Project 1³ aims to undertake priority interventions including the rehabilitation of the West Tarum Canal (WTC) to improve the flow and quality of water. The WTC provides about 80% of the surface water supply to Indonesia's capital city, Jakarta. The National Development Planning Agency (BAPPENAS) has established a road map coordination and management unit (RCMU) to ensure overall planning and financial management. A road map is a requirement for MFFs and defines strategic directions. The Directorate General of Water Resources (DGWR) of the Ministry of Public Works is the executing agency (EA). DGWR has established a project coordination and management unit (PCMU) in its Citarum River basin organization, Balai Besar Wilayah Sungai Citarum (BBWSC), which is responsible for the overall management and coordination of investment program activities.

B. The Complaint

2. On 4 January 2011, the Office of the Special Project Facilitator (OSPF) received a complaint on ICWRMIP – Project 1. The complaint was in Bahasa Indonesia and English, sent by e-mail on behalf of three persons and signed by a representative. A number of documents were attached. They included a power of attorney signed by the same three persons and the person authorized to represent them. OSPF acknowledged receipt and registered the complaint on 10 January 2011. The complainants raised concerns about evictions undertaken by the Bekasi local government along the WTC and about not having received compensation.

C. Determination of Eligibility

3. OSPF discussed the complaint with the Environment, Natural Resources and Agriculture Division (SEER) of ADB's Southeast Asia Department; the Country Director of the Indonesia Resident Mission (IRM); and the project officer and other staff and consultants involved in the project. OSPF reviewed documents and fielded a mission to Indonesia from 27 to 31 January 2011 to determine the eligibility of the complaint. The mission consisted of the Special Project

¹ The Integrated Citarum Water Resources Management Investment Program (ICWRMIP) was approved by the ADB Board on 4 December 2008.

² "A Multitranches Financing Facility (MFF) is a financing modality that supports the client's medium- to long-term investment program or plan. ADB's Board of Directors approves a maximum amount for an MFF, and the conditions under which financing will be provided. On the basis of the Board's approval, and at the client's request, ADB Management converts portions of the facility amount into a series of tranches to finance eligible investments. A tranche can be a loan (other than program or a sector development program loan), grant, guarantee, or ADB-administered cofinancing. Financing terms and conditions can differ between tranches. The overall amount of the MFF is not recorded as a legally binding commitment on the part of either ADB or its clients; only the amounts converted (into loans, grants, guarantees or ADB-administered cofinancing) are recorded as committed, if and when approved." <http://www.adb.org/projects/mff.asp>. ADB's Board Paper on Mainstreaming the Multitranches Financing Facility provides more information at <http://www.adb.org/Documents/Policies/Multitranches-Financing-Facility/r121-08.pdf> (English only). The Government and ADB entered into a framework financing agreement with an aggregated amount not exceeding the equivalent of \$503.8 million.

³ Loans 2500/2501 were approved by the ADB President on 22 December 2008.

Facilitator (SPF), the Principal Facilitation Specialist, a facilitator, and an interpreter, and met with the representative of the complainants, Hamong Santoso, and another three members of the People's Alliance on Citarum (*Aliansi Rakyat untuk Citarum*, or ARUM).⁴ A separate meeting was held with the complainants, who were accompanied by three of the four ARUM members, including the representative of the complainants. The Mission also met with the Director of Water Resources and Irrigation in BAPPENAS and staff, Director General and staff of DGWR, and staff of BBWSC. A meeting was also held with the Bekasi local government. After checking the various exclusions of the Accountability Mechanism Policy, reviewing the eligibility requirements of the Consultation Phase, and initially assessing the probability of resolving the problem, the mission found that the complaint met the eligibility requirements of the Consultation Phase. The SPF declared the complaint eligible on 2 February 2011.

4. The three complainants have requested that their identities be kept confidential and authorized OSPF to publish the complaint letter without names on the OSPF website.⁵

II. REVIEW AND ASSESSMENT

A. Objectives and Methodology

5. The objectives of the review and assessment were to (i) explore the history of the complaint, (ii) confirm the key stakeholders, (iii) identify the key issues of the complaint, (iv) explore the stakeholders' readiness for joint problem solving, and (v) recommend a course of action.

6. The review and assessment included (i) a desk-based review of project documents, including the report and recommendation of the President, the resettlement framework and plan, back-to-office reports, memoranda of understanding, the periodic financing request for project 1, and terms of reference ; (ii) interviews and meetings with ADB staff and consultants previously and currently involved in the project; (iii) interviews with BAPPENAS, DGWR, BBWSC, and the local government of the District of Bekasi; (iv) a meeting with Perum Jasa Tirta II (PJT II, the state-owned company managing the WTC); (v) interviews and meetings with the four ARUM members; (vi) interviews with the three complainants, who were joined by their wives where possible or, in one case, by the son, and a separate interview with the head of a neighborhood⁶; and (vii) previous and current resettlement consultants and other experts. Thirty-four individual interviews were conducted using semistructured questionnaires. The team, led by OSPF, included a Bahasa Indonesia-speaking facilitator, a Sundanese-speaking cofacilitator, and an interpreter.

B. Identification of Stakeholders

1. The Complainants

7. The complainants are the three persons who provided power of attorney to Hamong Santoso to represent them. They used to live along the embankment of the WTC until they were evicted by the local government of Bekasi District in 2010. They are working as daily laborers, two of them doing mainly farm work. They do not have fixed incomes, and they do not have work every day. For certain farm work they are paid in kind, for other work in cash. They were

⁴ ARUM is an alliance of civil society organizations and individual members concerned with the Citarum River.

⁵ The letter is published in English <http://www.adb.org/SPF/documents/complaint-letter-3Feb2011.pdf>, and in Bahasa Indonesia, <http://www.adb.org/SPF/documents/complaint-letter-3Feb2011-in.pdf>.

⁶ Rukun Tetangga or RT in Bahasa Indonesia.

living in simple houses, with the proximity of the canal providing water and sanitation. Their living conditions worsened after they were evicted. Based on the interviews, their primary concerns underlying the complaint are the following:

- (i) regaining a durable house with access to clean water and sanitation;
- (ii) receiving compensation for their losses as soon as possible; and
- (iii) obtaining information about the project, particularly the resettlement activities and the compensation.

8. The three complainants are willing to provide any further information necessary and are ready to participate in meetings. They hope that they will be invited for meetings. They firmly believe that the evictions they suffered were related to the project. During the survey they were told that they would receive compensation. If their needs are not met, their standard of living will further deteriorate. Already they cannot provide for their sick family members, cannot even bring them to a health station, and the health situation might worsen further considering the water and sanitation condition. If their needs are not met, they will ask ARUM to help them continue fighting for their compensation.

2. The People's Alliance on Citarum - ARUM

9. The NGO stakeholder related to the complaint is ARUM, with Hamong Santoso as the complainants' representative and three other members of ARUM, Diana Goeltom, Arimbi Heroepoetri, and Dadang Sudardja being his support team. The four ARUM members represent different nongovernment organizations in ARUM. ARUM has been advocating against ICWRMIP for a number of years. A study and a petition to convince the ADB Board and the President of ADB to reconsider the project was prepared and presented to ADB before its approval. The issues raised during project preparation and loan processing included resettlement and the resettlement plan 2008, among others. The main concerns of ARUM underlying the complaint are

- (i) safeguarding the rights of the people;
- (ii) ensuring that the people's identities remain protected and they will be able to lead a decent life in the future;
- (iii) ensuring that the affected persons (APs) receive adequate compensation for their losses as soon as possible;
- (iv) meeting APs' needs without delay to avoid their living conditions being aggravated further; and
- (v) ensuring that appropriate and adequate consultations are held with APs and that accurate information is provided to APs.

3. The Government and Related Agencies

10. A number of government and related agencies are involved in making decisions, and in providing inputs and expertise on the issues related to the complaint: (i) heads of neighborhoods and village heads, (ii) the district head and staff of the district local government, (iii) BBWSC, (iv) DGWR of the Ministry of Public Works, and (v) BAPPENAS.

11. The government representatives interviewed during the review and assessment agreed that the questions, issues, or problems related to the complaint are to be resolved at different levels and involving different groups of stakeholders.

12. Concerns expressed by government representatives included

- (i) ensuring that the laws and regulations of the Government of Indonesia, the local government laws and regulations, *and* the ADB Policy on Involuntary Resettlement (1995) are followed;
- (ii) avoiding further delays in the resettlement activities;
- (iii) establishing alternatives to cash compensation;
- (iv) clarifying that all the APs listed in the resettlement plan are really APs; this can be done only when the detailed engineering design is finalized;
- (v) setting up a well-functioning coordination mechanism, especially at the field level;
- (vi) ensuring fair treatment of all APs; and
- (vii) providing regular and appropriate information to all stakeholders about the progress of the project.

13. The Bekasi local government emphasized that the evictions conducted in 2010 were unrelated to the project and that the settlers along the WTC had been evicted because of their illegal status on the embankment of the canal. The Bekasi local government also clarified that the evictions took place because the local government had to enforce regulations on spatial planning, building permits, and cleanliness. DGWR confirmed that resettlement activities in the context of the ICWRMIP had not yet begun. If there were APs evicted by the local government and also included in the resettlement plan 2008, it should be discussed how these APs can be identified. All the government representatives interviewed saw the need for dialogues and were willing to participate in such dialogues. There was also broad acknowledgement that the issues needed to be addressed.

4. Perum Jasa Tirta II

14. PJT II is a publicly owned river basin organization corporation with a water management mandate in the Citarum River basin. PJT II is responsible for the operation and maintenance of the existing infrastructure along the WTC. Its responsibilities include the primary canal system and its infrastructure and the right-of-way (ROW) of the WTC, which extends 50 meters from the center to each side of the canal. PJT II guarantees water delivery to a huge number of people. Its main concerns are

- (i) making sure that enough water is available on a continuous basis for the different needs of a large number of people, including irrigation, energy, and drinking water;
- (ii) establishing close coordination during the detailed engineering design (DED) and the rehabilitation of the canal; and
- (iii) optimizing water use.

5. Resettlement Consultants and Technical Experts

15. The PCMU support consultants, and the DED consultants were also interviewed. The DED consultants are currently preparing the DED for the rehabilitation of the WTC, and the resettlement updating and implementation activities are part of the DED consultants' package. These consultants have been recruited by and report to the Government. The main concerns are

- (i) ensuring that the DED work, the resettlement activities, and the start of the construction on the WTC are appropriately sequenced; and
- (ii) ensuring that delays in the resettlement activities are minimized.

6. Indonesia Resident Mission

16. The project has a sector relation with SEER. IRM is responsible for the administration of the project, and the project team is based in Jakarta. Staff mentioned that ICWRMIP is a large project that has experienced delays in the recruitment of consultants, including the resettlement specialists needed to update and implement the resettlement plan 2008. This caused delays in the initial planning of resettlement activities. IRM is of the view that complaints provide opportunities to improve project implementation.

17. ADB's IRM primary concerns are

- (i) Ensuring that APs are not exposed to hardship as a result of the project,
- (ii) expediting the resettlement plan updating and implementation,
- (iii) finding constructive ways to solve the problems,
- (iv) ensuring project compliance with ADB policies,
- (v) ensuring that the APs are involved in the updating of the resettlement plan, and
- (vi) ensuring that information for APs is updated and distributed.

C. Identification of Issues

18. Different sets of issues have been mentioned by different stakeholders, depending on their perceptions and situations. This section summarizes the views expressed by the various stakeholders and organizes them around a manageable set of the most pertinent issues. The purpose is not to validate or deny any issue but rather to describe the issues the parties need to address from their various perspectives.

19. The issues have been grouped as follows:

- (i) compensation for APs in Bekasi District;
- (ii) updating and implementation of resettlement plan 2008;
- (iii) communication, resettlement-related information, and consultations; and
- (iv) government laws and regulations, and the ADB Policy on Involuntary Resettlement.

20. **Compensation for APs in Bekasi District.** The complainants have requested cash compensation as soon as possible to improve their living conditions. They explained that after the evictions their living conditions worsened. According to the laws and regulations of the Government of Indonesia it is not possible to provide cash compensation to APs. It would be possible, however, to use the livelihood restoration program as agreed upon in the resettlement plan 2008 to provide noncash compensation to the APs and to assist them in improving their livelihoods. The complainants are not familiar with the planned resettlement activities, with the Government's laws and regulations, and with ADB's Policy on Involuntary Resettlement.

21. **Updating⁷ and implementation of resettlement plan 2008.** DGWR and IRM consider the updating of the resettlement plan as the key activity to expedite responses to the complainants' concerns. The resettlement plan cannot be prepared for Bekasi District alone. It will have to include Bekasi City and Karawang District. There is a set of activities needed to update and implement the resettlement plan involving the local governments and the complainants. Neither the local governments nor the complainants are familiar with the different steps required to update and implement the resettlement plan, or with their involvement in these activities.

22. **Communication, resettlement-related information, and consultations.** The complainants, ARUM, and the local government are all concerned that communication related to resettlement activities takes place regularly. The complainants would like to be invited when consultations with APs are taking place. The complainants, ARUM, the local government, and other stakeholders involved in the project share an interest in having updated, timely, and accurate resettlement-related information.

23. **Government laws and regulations, and the ADB Policy on Involuntary Resettlement.** The Government of Indonesia has its own national laws and regulations. It has signed a loan agreement with ADB that includes, among other things, that the project is implemented following the applicable laws and regulations of the Government, the ADB Policy (1995), and the resettlement plan (2008).

D. Identification of Options

24. During the review and assessment interviews, stakeholders expressed a number of suggestions and options that might resolve the issues in the complaint. OSPF summarizes those options below, but emphasizes that there is *not* yet agreement or consensus on any of these options. The options are listed here only as a possible starting point for discussion:

- (i) Provide regular updates on resettlement activities to all stakeholders.
- (ii) Provide information on government laws and regulations and the ADB Policy on Involuntary Resettlement to complainants, ARUM, and other stakeholders.
- (iii) Find ways to support complainants restoring their livelihoods.
- (iv) Look at possibilities to prioritize the resettlement activities in Bekasi district;
- (v) Conduct due diligence to identify and locate evicted persons.
- (vi) Involve complainants, other APs, heads of neighborhoods, and village heads in locating evicted persons.
- (vii) Identify appropriate relocation sites, housing programs, and livelihood restoration programs to help APs.
- (viii) Link APs' needs to other components of the ICWRMIP, for example the sub component for improved water supply and sanitation.⁸
- (ix) Request help from the Ministry of Home Affairs or the Ministry of Social Affairs in identifying appropriate schemes for APs.

⁷ The update of the resettlement plan 2008 will ensure that the final plan adequately addresses all resettlement issues and the availability of sufficient resources for its implementation. A census of APs, including locating those previously evicted by the Bekasi District government, an inventory of APs' assets, the finalization of the resettlement budget, and a timetable for implementation, will be part of the final resettlement plan. DGWR will have overall responsibility for updating the resettlement plan 2008.

⁸ The subcomponent "Support for Community and CSO Driven Initiatives for Improved Water Supply and Sanitation" is part of the ICWRMIP, has been recently launched and targets riparian rural communities in the upper Citarum catchment and along the West Tarum Canal.

- (x) Establish a mechanism for regular, continuous dialogue, and problem solving throughout the project cycle.
- (xi) Ensure continuous information and consultations with APs along the WTC.
- (xii) Ensure regular coordination and sharing of information among different stakeholders.

E. Assessment of Problem-Solving Probability

25. Several factors have led OSPF to conclude that there is a good probability that the complaint issues can be resolved through a consultative process. Parties have stressed their willingness to engage in an open and constructive dialogue. All stakeholders agree that solutions acceptable to the Government, ADB, and the APs can be found. The parties have common interests, such as (i) ensuring that the evicted persons, who are included in the resettlement plan 2008, receive compensation; (ii) clarifying the form in which compensation will be provided and that will be acceptable to all parties involved; and (iii) expeditiously updating the resettlement plan 2008 and implementing the resettlement activities. The activities over the past months indicate that IRM and the Government have focused on resettlement preparatory work, as evidenced by the recruitment of the resettlement team. ARUM, the Government, and ADB want to make sure that the complainants are treated in a just and fair way. The updating of the resettlement plan 2008 has been agreed upon between ADB and the Government of Indonesia, and this also suggests that the probability of solving the problem is high.

III. RECOMMENDATIONS AND PROPOSED COURSE OF ACTION

A. Recommendations

26. There is a need for a collaborative, consultative process that provides sufficient opportunities to all parties to understand the process of updating the resettlement plan 2008 and the implementation of the approved final resettlement plan. At the same time, there is a need to understand that the complaint and its resolution are closely linked to the activities required according to the ADB Policy on Involuntary Resettlement (1995) for the updating and implementation of the final resettlement plan. According to the ADB policy, the process of consulting the APs commences during project preparation and continues throughout the project. A participatory process is inherent in resettlement planning and implementation. This also applies to problem solving under the Consultation Phase, and the recommendations provided here focus on activities that will contribute to resolving the complaint issue. Some of these activities cannot be completely separated from the overall process of resettlement plan updating and implementation. Efficiency and effectiveness considerations as well as OSPF's mandate have played a role in making these recommendations.

27. It will be important for the parties to understand the participatory nature of this process, the roles and responsibilities of the various actors involved in the process, the time frame, and the contributions different actors are expected to provide. There is also a need for dialogues between IRM and the Government (both Central and local governments) to harmonize the understanding related to the loan agreement, the ADB Policy on Involuntary Resettlement 1995, and the Government of Indonesia's and the local governments' laws and regulations.

28. Significant preparation is required for participants to be able to engage in dialogues, information sessions, and workshops in a meaningful way. Especially the complainants and their representative need assistance to represent their interests. Before the stakeholders can engage effectively in problem solving, some data and information on the project need to be

shared, discussed, and understood (e.g., the process of updating of the resettlement plan 2008, the process of approving and implementing the final plan, the connection between the DED and the resettlement plan, project schedule).

29. A structured consultation process should follow rules agreed upon by all parties and utilize an independent facilitator. The OSPF consultant and OSPF staff are proposed to serve as independent facilitators. Ground rules to be followed in all the sessions are proposed in the Appendix. These ground rules are subject to discussion, and changes can be made at any time with the consent of all parties. The consultations should take place at a neutral location.

B. Proposed Course of Action

30. Prior to working out the course of action it is suggested to undertake preparatory activities giving stakeholders a chance to share essential information and foster understanding of laws, policies and regulations. The list is not exclusive, and the different stakeholders should provide comments and make suggestions for changes if needed.

31. The following activities are suggested as the course of action:

a) Preparatory Activities

- **Workshop for complainants, their representative, and other community members** with the objectives to (i) understand and decide how to create community representation and identify the main issues, (ii) identify who (and how many) of them should represent them in the consultation process of the resettlement plan updating and implementation, and (iii) prepare a list of necessary preparatory works to be undertaken prior to the resettlement updating.
- **Dialogues among DGWR, BBWSC, ADB/IRM, the Bekasi local government and PJT II** with the objectives to (i) understand each others' laws, policies, and regulations; (ii) identify options that will satisfy the existing laws, policies, and regulations *and* benefit the complainants; and (iii) clarify tasks related to the WTC among stakeholders based on existing regulations, particularly between PJT II and BBWSC at the field level.
- **Individual information sessions** on the ADB Policy on Involuntary Resettlement and on resettlement updating and implementation activities for (i) ARUM and the complainants; (ii) the resettlement working group of Bekasi District, BBWSC and JPT II district level staff, and other stakeholders at the Bekasi District level. The objectives of these information sessions would be to (i) explain the ADB policy, including the setting up of a grievance mechanism; (ii) explain the different steps for the updating and implementation of the resettlement activities, including the necessity to sequence the resettlement activities with the start of rehabilitation of the WTC; (iii) discuss how a grievance mechanism could best be established; and (iv) collect suggestions about how the resettlement activities in Bekasi District could be expedited. The resettlement team members should act as resource persons.

b) Multistakeholder Consultation

A multistakeholder consultation should be held with the objective of coming to an agreement on the course of action that would include (i) the involvement of APs in consultations, (ii) the process of information sharing, and (iii) the future flow of

communication between the APs and the resettlement team during updating and implementation of the resettlement plan.

C. Proposed Schedule

Item	Date
Review and assessment report (RAR) in English for translation into Bahasa Indonesia	18 March 2011
RAR translated into Bahasa Indonesia and cross-checked	23 March 2011
Submission of RAR to parties by courier	23 March 2011
Discussion of RAR with complainants (OSPF team meets complainants in Bekasi)	Last week of March 2011 – to be confirmed with complainants
Time frame according to ADB Policy on the Accountability Mechanism	
Complainants' decision to continue – 7 days ¹	7 April 2011 – to be confirmed with complainants
Parties provide comments on RAR – 14 days from complainants' decision to continue the consultation process according to the ADB Policy on the Accountability Mechanism ²	21 April 2011 – to be confirmed
Facilitator works out course of action with parties Result: agreement on course of action	31 May 2011
Implementation of course of action	To be determined

¹ The complainants may decide to waive the 7-day period *and* provide comments earlier. In this case, OSPF will inform the Government and the operations department immediately and request their comments.

² The Government and ADB can also waive or shorten the 14-day period to expedite the process.

32. OSPF will organize and facilitate consultations, dialogues, and roundtables, and will document the agreements. As soon as the complainants have decided on whether they want to continue with the consultation process, OSPF will request comments from DGWR/BBWSC and IRM. With inputs from all stakeholders, OSPF will finalize the objectives and agendas for the consultations. OSPF will provide assistance in preparing visuals and other material required. OSPF will cover complainants' transport costs for participating in consultations and workshops.

PROPOSED GROUND RULES

Interactions of all parties involved in the dialogue process are suggested to be as follows:

- (i) Only one person will speak at a time, and no one will interrupt when another person is speaking.
- (ii) Each participant will wait to be recognized by the facilitator before speaking.
- (iii) Each person will express his or her own views, or the views of his or her organization, rather than speaking for others.
- (iv) In view of time constraints and in order to allow for maximum participation, participants will keep their comments short and to the point.
- (v) All mobile phones must be switched off or put on silent mode.
- (vi) Any disagreement must be focused on the issues, not on one another.
- (vii) Participants will not make personal attacks and will respect each others' views.
- (viii) Participants will address one another in respectful ways, avoid side conversations, and keep the discussion focused and constructive.
- (ix) It is important to find creative, innovative solutions; therefore, participants should avoid judging ideas prematurely, look for ways to improve proposals, and try to remain open minded.
- (x) No party will give interviews, make statements in the media, or try to get messages across using the media.
- (xi) The facilitator will help implement the ground rules once they are accepted by all participants.

The parties should discuss and agree on the ground rules, and add or remove or change them as they work out the course of action. Ground rules can always be revised if and when the parties consider that changes are necessary.