

# Resettlement Planning Document

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Resettlement Framework  
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## Indonesia: Integrated Citarum Water Resources Management Investment Program

Prepared by Directorate General of Water Resources

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# Resettlement Framework

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**37049-INO**

08 August 2008

**INO: Integrated Citarum Water Resources Management  
Investment Program**

Directorate General Water Resources  
Ministry of Public Works

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## ABBREVIATIONS

ADB	Asian Development Bank
AH	Affected Household
BAPPEDA	Provincial / District Development Planning Agency
BAPPENAS	National Development Planning Agency
COI	Corridor of Impact
RF	Resettlement Framework
DMS	Detailed Measurement Survey
EA	Executing Agency
EMA	External Monitoring Agency
ETC	East Tarum Canal
ICWRMIP	Integrated Citarum Water Resources Management Investment Program
IA	Implementing Agency
IOL	inventory of losses
km	kilometer
LAC	Land Acquisition Committee ( <i>Panitia Sembilan</i> or Committee of Nine)
LRP	Livelihood Restoration Program
m <sup>2</sup>	square meter
MFF	Multitranchise Financing Facility
NJOP	<i>Nilai Jual Object Pajak</i> (Tax Object Selling Price)
NTC	North Tarum Canal
NTP	Notice to Proceed
PIB	Project Information Booklet
PJT II	<i>Perusahaan Umum Jasa Tirta II</i> (WTC operator)
PIU	Project Implementation Unit
PIC	Project Implementing Consultant
RCS	Replacement Cost Study
ROW	Right-of-Way
RF	Resettlement Framework
RP	Resettlement Plan
RWG	Resettlement Working Group
SES	Social and Environmental Section
TOR	Terms of Reference
WTC	West Tarum Canal

## NOTE

In this report, "\$" refers to US dollars

## Definition of Terms

Affected person (AP)	<ul style="list-style-type: none"> <li>- Refers to any person or persons, household, firm, private or public institution that, on account of changes resulting from the Project, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement. In the case of affected household, it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.</li> </ul>
Adat	<p>This refers to the customary law that governed land ownership prior to the promulgation of the 1960 Basic Agrarian Law (BAL). Usually un-surveyed, un-registered and untitled, ownership over a piece of property was based on community acceptance of boundaries and claims. The 1960 Basic Agrarian Law has since systematized the procedures for documenting and perfecting claims over land; however, the BAL recognizes and protects rights acquired under the <i>adat</i> prior to the promulgation of the 1960 Basic Agrarian Law. (See related concepts: <b>Hak Milik, Hak Guna Usaha, Hak Pakai</b>, and <b>Loss of Land Use</b>)</p>
Construction Works Zone (CWZ)	<p>A CWZ shall be a designated zone defined during detailed design and clearly identified in the RP update that will divide the canal/river into convenient stretches for construction implementation.</p>
Corridor of Impact (COI)	<p>It is the area which is impacted by civil works in the implementation of any subproject of the ICWRMIP, such as the rehabilitation of the West Tarum Canal, and is important in two particular respects: (a) Legally as the area within which AHs will be entitled to compensation and other measures (in general coming under the heading of resettlement) for any loss of land, structures or land use and occupation and of livelihoods and (b) Operationally as the agreed and demarcated area within which construction activities will take place.</p>
Cut-off date	<ul style="list-style-type: none"> <li>- This refers to the date prior to which the occupation or use of the project area makes residents/users of the same eligible to be categorized as AP. Persons not covered in the census are not eligible for compensation and other entitlements, unless they can show proof that (i) they have been inadvertently missed out during the census and the IOL; or (ii) they have lawfully acquired the affected assets following completion of the census and the IOL and prior to the conduct of the detailed measurement survey (DMS).</li> </ul>
Detailed Measurement Survey (DMS)	<ul style="list-style-type: none"> <li>- With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.</li> </ul>
Encroacher	<p>Encroacher is a person who has legal title to land but illegally extends his legal holding onto the public land</p>
Entitlement	<ul style="list-style-type: none"> <li>- Refers to a range of measures comprising compensation, income restoration support, transfer assistance, income substitution, relocation support, etc. which are due to the APs, depending on the type and severity of their losses, to restore their economic and social base.</li> </ul>
Hak Guna Usaha and Hak Pakai	<p>Hak guna usaha or right of exploitation, and hak pakai or right of use, are land use rights given by the State to individuals or corporations for a specific use and exploitation of a property or tract of land. These rights have limitations, such as time-bound, and are governed by specific conditions from the State.</p>
Hak Milik	<p>This is the right of ownership, and under applicable land laws of Indonesia (i.e., Basic Agrarian Law of 1960, Presidential Decree No. 55 of 1993, Presidential Decree No. 36 of 2005, and Presidential Decree No. 65 of 2006), it is the most complete form of individual land right (hak atas tanah). The right has no time limit, and the owner can convey the whole right, or convey a secondary interest such as a lease right; it can</p>

also be used as a security. This right is covered by a certificate (sertipikat) as evidence of title over the property. Acquisition of hak milik rights is only possible for Indonesian citizens. Corporations, whether Indonesian or foreign, cannot have hak milik rights.

Host community	-	Means the community already in residence at a proposed resettlement or relocation site.
House-cum-store		Locally referred to as “ruko”, this refers to a main structure (i.e., building) that is used principally for residence but at the same time has a mini-grocery or store inside the building or attached to it.
		Independent Shops
		These are main structures (i.e., buildings) that are used principally for commerce (locally referred to as “toko”), like groceries, vulcanizing shops (tambal ban), tailoring shops, beauty parlor, karaoke bar, and similar establishments. A related term is “House-cum-store”.
Income restoration	-	This is the re-establishment of sources of income and livelihood of the affected households.
Inventory of Losses (IOL)	-	This is the process where all fixed assets (i.e., lands used for residence, commerce, agriculture, including ponds; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; trees with commercial value; etc.) and sources of income and livelihood inside the Project right-of-way (ROW) are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. Additionally, the severity of impact to the affected assets and the severity of impact to the livelihood and productive capacity of APs will be determined.
Land acquisition	-	Refers to the process whereby an individual, household, firm or private institution is compelled by a public agency to alienate all or part of the land it owns or possesses to the ownership and possession of that agency for public purposes in return for compensation at replacement costs.
Relocation	-	This is the physical relocation of an AP from her/his pre-project place of residence and/or business.
Replacement cost	-	This is the amount calculated before displacement which is needed to replace an affected asset as follows: (i) Productive land (Agricultural, fishpond, garden, forest) based on market prices that reflect recent land sales, and in the absence of such recent sales, based on productive value; (ii) Residential land based on market prices that reflect recent land sales or, and in the absence of such recent land sales, based on similar location attributes; (iii) Houses and other related structures based on actual current market prices of materials; (iv) Standing crops equivalent current market value of the crop at the time of compensation; (v) Perennial crops and trees, cash compensation equivalent to current market value given the type, age and productive value (future production) at the time of compensation. (vi) Timber trees, based on diameter at breast height at current market prices The replacement cost shall be based on applicable local government regulations if available.
Replacement Cost Study (RCS)	-	This refers to the process involved in determining replacement costs of affected assets based on empirical data.
Resettlement	-	This includes all measures taken to mitigate any and all adverse impacts of a project on AP property and/or livelihoods, including compensation, relocation (where relevant), and rehabilitation as needed.
Resettlement Plan	-	This is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Transitional Allowance		This is support for severely affected and vulnerable households sufficient to provide the minimum basic needs of a household during the transition period while they are moving and reorganizing at their new sites, to be given to the following AHs: AHs who are physically displaced from housing and/or shops, or who lose 10% or more of productive assets or lose jobs permanently. A single-person household will only receive 1/5 of this amount.
Transport Allowance		This is assistance to be given to AHs who have to relocate their house or store outside of the Project right-of-way (ROW). The assistance is intended to cover for

- transporting the personal belongings of the AHs.
- Severely affected households - This refers to affected households who will (i) lose 10% or more of their total productive land and/or assets, (ii) have to relocate; and/or (iii) lose 10% or more of their total income sources due to the Project.
- Squatter A squatter is a person who has no legal title to land but illegally occupies and squats upon public land.
- Vulnerable groups - These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized by the effects of resettlement and specifically include: (i) female headed households with dependents, (ii) disabled household heads, (iii) households falling under the generally accepted indicator for poverty, (iv) children and the elderly households who are landless and with no other means of support, and (v) landless households, (vi) indigenous people or ethnic minorities.

## I. INTRODUCTION

### A. GENERAL BACKGROUND

1. In 2003, the Government of Indonesia, through the Directorate General of Water Resources (DGWR), requested the Asian Development Bank (ADB) for assistance in studying how an integrated management approach for the Citarum River, which along with neighboring river systems have been the main source of water for the Citarum River Basin and of Jakarta, could be designed and carried out. A grant for the purpose was provided by ADB, and project preparation for the Integrated Citarum Water Resources Management Investment Program (ICWRMIP) commenced in February 2005.

2. The water resources of the rivers and groundwater systems in the Citarum River Basin are critical to social and economic development of the country. They are essential for urban and industrial development (particularly in Jabodetabek and Bandung areas) including export industry, agricultural production through major irrigation systems, rural water supplies, electricity generation through hydropower, and fisheries. While the water resources of the Citarum River Basin are relatively abundant, competition for these resources has increased significantly over the past 20 years leading to a situation of acute water stress and depletion of aquifers in some places. Rapid urbanization has significantly increased the exposure to flood risk. Environmental degradation has reached a level that compromises public health and livelihoods, particularly for the urban and rural poor, and incurs additional economic and financial costs related to the source of bulk water supply and its treatment.

3. Citarum River Basin, with a total of 10 districts or regencies plus 6 municipalities lies in the province of West Java. As per available data from the Statistical Office of West Java (SUSENAS), the combined population of these districts and municipalities in 2004 was estimated at 27,863,544, or 72.48% of the provincial total (Table 1.1). (See **Appendix 1** for maps of the Project area).

**Table 1.1 Population and Households in Citarum River Basin, 2004**

District	Count		District	Count	
	Persons	Households		Persons	Households
Bogor	3,795,066	894,128	Indramayu	1,657,614	478,208
Cianjur	2,057,314	535,058	Subang	1,383,831	421,440
Bandung	4,083,108	1,082,176	Purwakarta	757,189	193,667
Garut	2,202,467	553,696	Karawang	1,898,082	488,302
Sumedang	1,025,036	287,568	Bekasi	1,913,534	501,870
<b>Total</b>	<b>13,162,991</b>	<b>3,352,626</b>	<b>Total</b>	<b>7,610,250</b>	<b>2,083,487</b>
Municipality	Count		Municipality	Count	
	Persons	Households		Persons	Households
Bogor	865,231	206,112	Bekasi	1,911,513	466,096
Sukabumi	272,183	68,640	Depok	1,322,387	311,872
Bandung	2,229,392	554,880	Cimahi	489,597	124,320
<b>Total</b>	<b>3,366,806</b>	<b>829,632</b>	<b>Total</b>	<b>3,723,497</b>	<b>902,288</b>
<b>Total Population/Households in Project Area</b>				<b>27,863,544*</b>	<b>7,168,033**</b>
<b>Total Population/Households in West Java</b>				<b>38,441,212</b>	<b>10,033,729</b>

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**Resettlement Framework**

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\*Representing 72.48% of the provincial population.   \*\*Representing 71.44% of the provincial households.  
Source: SUSENAS 2004

4. A management focus on integrated water resources management (IWRM) and sustainability of the water resource has been emphasized in the 2004 Water Law. The Water Law introduces the concept of management within the boundaries of a river basin and reflects the principles of decentralization and devolvement of authority to local levels as promoted by the program of regional autonomy.

5. Water has been a major area of the Asian Development Bank's (ADB) assistance to Indonesia, totalling over \$1.5 billion in loans and technical assistance (TA). Improving sustainable use of water resources in-line with the ADB "Water for All" policy, together with a strong commitment to build capacity of local government agencies, are key elements of ADB's operational partnership. In particular this partnership stresses the need to continue implementation of policy reforms, overcome weak coordination among agencies and develop guidance for cooperative working. Sustainability of economic growth and pro-poor development are key pillars of the Country Strategy and Program (CSP) that will be complemented by strengthening capacity for IWRM in the basin.

6. With support from the ADB TA, and with close consultation of basin stakeholders a "Roadmap" (Strategic investment plan) has been prepared for basin-wide integrated water resources management (IWRM) based on a "Vision" of basin stakeholders. The Vision is for "Government and community working together for clean, healthy and productive catchments and rivers, bringing sustainable benefits to all people of the Citarum River Basin".

7. The Roadmap is essentially a planned program of interventions that will, if successfully implemented, lead to the achievement of the vision. In many cases, projects to be included in the roadmap had already been identified by previous studies. In other cases, it became apparent that interventions were required that had not been identified previously, but will be essential for achieving the objectives. A total of almost 80 Roadmap interventions were identified, with a total base cost of around \$3.5 billion, proposed for a 15 year time frame (Table 1.2).

8. It is an ambitious program, and crosses a number of sectors. However, such a complex program is necessary simply because the problems are numerous and inter-related. It is probable that, if this program was to be successfully implemented, it would be one of the most comprehensive basin IWRM programs anywhere in the world.

**Table 1.2 Roadmap**

<b>Key Area</b>	<b>Component Projects (Outputs)</b>										
<b>Institutions and Planning for IWRM</b>	Support for IWRM in the 6 Ci's River Basins <i>(this key area is supported by parallel grant-funded technical assistance)</i>										
<b>Water Resource Development and Management</b>	<table border="0"> <tr> <td>Rehabilitation of West Tarum Canal</td> <td>Cisangkuy Irrigation Improvement</td> </tr> <tr> <td>Water Supply Options and Improved Groundwater Management for Bandung</td> <td>Curug Run-of-River Power Plant</td> </tr> <tr> <td>Upgrading of water sources for Bandung</td> <td>Raising of Cirata Dam</td> </tr> <tr> <td>System Service Improvement for East and North Tarum Canal</td> <td>Development and Implementation of Preferred Bulk Water Supply Options for Bekasi and Karawang</td> </tr> <tr> <td></td> <td>Upgrading of Water Source for Irrigation (Upper Cipunegara)</td> </tr> </table>	Rehabilitation of West Tarum Canal	Cisangkuy Irrigation Improvement	Water Supply Options and Improved Groundwater Management for Bandung	Curug Run-of-River Power Plant	Upgrading of water sources for Bandung	Raising of Cirata Dam	System Service Improvement for East and North Tarum Canal	Development and Implementation of Preferred Bulk Water Supply Options for Bekasi and Karawang		Upgrading of Water Source for Irrigation (Upper Cipunegara)
Rehabilitation of West Tarum Canal	Cisangkuy Irrigation Improvement										
Water Supply Options and Improved Groundwater Management for Bandung	Curug Run-of-River Power Plant										
Upgrading of water sources for Bandung	Raising of Cirata Dam										
System Service Improvement for East and North Tarum Canal	Development and Implementation of Preferred Bulk Water Supply Options for Bekasi and Karawang										
	Upgrading of Water Source for Irrigation (Upper Cipunegara)										
<b>Environmental Protection</b>	<p>Implementation of Citarum Watershed Management and Biodiversity Project.</p> <p>Improved on farm soil and water management practices</p> <p>Development and Implementation of a Basin River Quality Improvement Strategy and Action Plans</p> <p>Improvement in water quality in Saguling, Cirata and Jatiluhur Reservoirs through management of fish farming and other polluting activities</p> <p>Development and Implementation of Integrated Coastal Zone Management Strategy and Action Plan for Citarum Coastline</p>										
<b>Disaster Management</b>	Upper Citarum Basin Flood Management Project.										
<b>Water Sharing</b>	<p>Development and implementation of a water entitlements and licensing system for surface water users</p> <p>Review of allocation priorities and optimization of operating rules for key sub-basins, including the operation of the river / reservoir system as a whole</p>										
<b>Community Empowerment</b>	<p>Support for Community- and NGO-Driven Initiatives for Improved WSS</p> <p>Implementation of an Information, Education and Awareness Strategy for capacity building of communities across the basin for improved participation in water resources policy development, planning and management</p>										
<b>Data, Information and Decision Support</b>	<p>Improvements to water quality monitoring in rivers and reservoirs</p> <p>Development of an integrated water quality and quantity model for basin planning studies, and a decision support tool for improved policy and decision making</p> <p>Improvements to groundwater monitoring network in the Bandung area</p>										

9. Strong coordination among the implementing agencies is required, along with effective monitoring and reporting mechanisms to allow GOI and funding agencies to ensure that the funds are being disbursed in accordance with the plans and in a timely way. In addition, information exchange among the implementing agencies, and other

basin stakeholders, including communities, civil society organizations (CSOs) and the private sector, will improve performance overall, and minimize wasted effort caused by overlaps.

## **B. ADB ROADMAP SUPPORT**

10. The Integrated Citarum Water Resources Management Investment Program (ICWRMP) will support the DGWR in implementation of the Roadmap and will be implemented in tranches, using ADB's Multitranche Financing Facility (MFF), over a period of about 15 years. ICWRMIP will cover the entire Citarum River Basin, or a total of 10 districts or regencies plus 6 municipalities in the province of West Java. The ICWRMIP will include in tranche Project 1 system improvement of the West Tarum Canal (WTC), which traverses the Districts of Karawang, Bekasi, and the City of Bekasi and feeds about 55,000ha of irrigated land and supplies eighty percent of the surface water household and industrial needs of Jakarta. (See **Appendix 1** for maps of the Project area). Project 1 also includes: (i) minor infrastructure works related community driven developments (CDD) activities including community water supply and sanitation, community environmental improvement activities and improved farmer land and water management; (ii) a Global Environmental Fund (GEF) biodiversity program in upper Citarum Basin protected areas, and (iii) studies and preparatory activities for later ICWRMIP tranche implementation.

11. Table 1.3 below lists the planned subprojects and outputs for the entire Multi-Tranche Financing Program (MFF) (ADB loan and GEF funded components only). **Appendix 2** presents the program for the ICWRMIP Indicative MFF (Including Parallel Financed Projects). These are indicative beyond Tranche 1.

12. The actual timing, content and implementation of each Project and indeed the number of subsequent Projects is flexible and shall be developed and scheduled to match funding needs of the government in a cost efficient manner.

13. A Resettlement Plan has been prepared for the West Tarum Canal Rehabilitation based on preliminary design. This RP will be updated following detailed design and will be reviewed and approved by ADB prior to implementation. This Resettlement Framework has been prepared to guide in the preparation and implementation of resettlement plans for potential subprojects with land acquisition and resettlement impacts as listed in Table 1.3.

**Table 1.3: Indicative ICWRMIP Outputs**

Tranche	Component Projects (Outputs), Resettlement Effects and Documentation
1	<p>Rehabilitation of West Tarum Canal – covered by WTC RP</p> <p>Water Supply Options and Improved Groundwater Management for Bandung – Studies</p> <p>Improved Water and Land Management –covered by RF</p> <p>Support for Community- and NGO-Driven Initiatives for Improved Water Supply and Sanitation – covered by WTC RP and RF</p> <p>Development and Implementation of a Basin River Quality Improvement Strategy and Action Plans– covered by RF</p> <p>Watershed Management and Biodiversity Conservation– covered by RF</p> <hr/> <p>Upper Citarum Basin Flood Management Project.-Studies</p>
2	<p>*Upgrading of water source for Bandung and other uses by inter-basin transfer – covered by RF</p> <p>*System Service Improvement for East Tarum Canal (ETC) – covered by RF</p> <p>Development and implementation of a water entitlements and licensing system for surface water users- Studies</p> <p>Review of allocation priorities and optimization of operating rules for key sub-basins, including the operation of the river / reservoir system as a whole- Studies</p> <p>Development and implementation of an IEA for capacity building of communities across the basin for improved participation in water resources policy development, planning and management-Studies</p>
3	<p>*System Service Improvement – North Tarum Canal (NTC) – covered by RF</p> <p>*Upgrading of Water Source for Irrigation (Upper Cipunegara) – RF</p> <p>*Curug Run-of-River Power Plant – covered by RF</p> <p>*Improvement in water quality in Saguling, Cirata and Jatiluhur Reservoirs through management of fish farming and other polluting activities - RF</p> <p>*Development and Implementation of Integrated Coastal Zone Management Strategy and Action Plan for Citarum Coastline - RF</p>
4	<p>*Raising of Cirata Dam – RF</p> <p>*Cisangkuy Irrigation Improvement – RF</p> <p>Development and Implementation of Preferred Bulk Water Supply Options for Bekasi and Karawang-Studies</p>

\*Components that will potentially trigger ADB's Policy on Involuntary Resettlement. This will be confirmed during detailed design.

## C. INVOLUNTARY RESETTLEMENT

### 1.3.1 Definition of Involuntary Resettlement

14. Involuntary resettlement addresses social and economic impacts that are permanent or temporary and are (i) caused by acquisition of land and other fixed assets, (ii) by change in the use of land, or (iii) restrictions imposed on land as a result of an ADB operation. An affected household (AH) or person (AP) is one who experiences such impacts.

### 1.3.2 Involuntary Resettlement during the Rehabilitation of WTC, ETC and NTC

15. The rehabilitation of the three canals would require physical works that will involve displacement of informal dwellers<sup>1</sup> from homes and occupied land, including the acquisition of other assets, such as structures and trees. It is, however, believed that the rehabilitation of the canals is likely to be confined within the established and acquired right-of-way (ROW) of said waterway and its ancillary facilities. Therefore, acquisition of private land<sup>2</sup> may not be required in the rehabilitation of the canals. This is NOT to say, however, that no private land will ever be acquired in subsequent tranches of ICWRMIP. Private properties may have to be acquired for the construction of new facilities and in the implementation of other development components of the ICWRMIP.

16. Project authorities believe that the rehabilitation of the three canals will not require widening of the present surface width of the canal. System improvement of the canals will mainly require dredging and removal of silt, and the rehabilitation of ancillary structures (i.e. flumes that double as canal crossing for people, sluice gates, etc). However, a number of fixed structures, such as houses and shops, are found along the inner slope of the canal embankments; they will have to be removed. Additionally, wooden and bamboo platforms used for toilet, bath and for laundry abound on or above the water surface of the canals. These too have to be removed.

17. With regard to the dredging and removal of silt, an estimated 1.4 million m<sup>3</sup> of silt and earth will be removed from the WTC.<sup>3</sup> Disposal of said dredged materials is, however, a potential resettlement issue. Project authorities will, and have actually done so in the past, stockpile re-usable dredged earth on the embankments of the canals as a temporary staging area. Said re-usable earth will be used in fortifying or fixing segments of the embankments needing repair. On the other hand, unsuitable dredged materials, such as silt, will be dumped in former river beds that came to be as a result of the re-channeling of the river following the construction of the canals. Over the years, local

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<sup>1</sup> Informal dwellers are those households who are using or occupying the affected land without formal or customary or traditional rights. Some of the informal dwellers on the banks of the canals had annual lease agreements with the Perusahaan Umum Jasa Tirta II (PJTII) for agriculture in the past, but such leases have been discontinued.

<sup>2</sup> For this Project, private land refers to land that is covered by formal legal rights (*hak milik*), and customary and traditional rights (*adat* or *ulayat*).

<sup>3</sup> As of the first half of 2006, the estimated amount of earth that has to be removed from the East Tarum Canal (ETC) is calculated at 1.4 million m<sup>3</sup>, and 1.2 million m<sup>3</sup> from North Tarum Canal (NTC). ETC and NTC are less populated than WTC, thus, involuntary resettlement will be less in magnitude and severity in the event the two canals are rehabilitated. There is no feasibility study done yet on ETC and NTC, however.

residents have developed these ex-river beds into productive farmlands using dredged materials dumped thereat from previous maintenance activities for raising and leveling the ground. The dumping of the dredged material in the ex-river beds might deprive some farmers of a cropping season, or longer depending on the length of time it might take for the soil to be restored to its previous productivity.

18. In summary, the following resettlement effects have been identified and will be addressed accordingly as per this RF during the system improvement of the WTC, ETC and NTC and other Project subprojects and components: (i) use of the shoulder of the inspection road for the temporary stock-piling of re-usable dredged materials; (ii) loss of use of areas of the ex-river beds which farmers have made productive over the years with the planned dumping of spoils thereat; (iii) acquisition of a number of structures on the embankments and which are concentrated at bridges and road crossings, including platforms on stilts above the water and which are used for toilet, bath, and laundry; (iv) disruption or loss of income from shops, canal crossing boats/ferries, and other businesses; (v) possible disruption, if not total cutting-off, of the water supply of individual households that tap water directly from the canals with the use of rubber hoses; and (vi) possible restricted access to communal resources for protected area management of the watershed for biodiversity. An RP has been prepared for the WTC. This RF applies to all other subprojects and components, including the Protected Area Management for Biodiversity component of Tranche 1, that may involve restricted access to resources, and the community-driven initiatives for improved water supply and sanitation under Tranche 1 (see **Table 1.2** and further details about resource access restrictions in **Section 1.3.4**).

### **1.3.3 Associated Social Issues in the Rehabilitation of the Canals**

19. Moreover, there are associated social issues that need to be addressed in the system improvement of the canals.<sup>4</sup> These issues revolve around health and sanitation in the locality and these are rooted to poverty. While for instance owners of toilet and washing facilities in the canals will be compensated at replacement cost for these structures, these AHs and their communities also need to be provided with alternative facilities that are hygienic and that will last. The AHs cannot be allowed to rebuild their temporary toilet facilities in the waterway following completion of civil works in the canals; it is not just the health of these AHs that is at risk but also those of water users in Jakarta. Another health issue that requires a sustainable alternative with the clearing of the canals of obstructions concerns the need to provide communities adjacent to the embankments with safe household water. Water hoses connected to individual houses abound in the entire stretch of the canal. The third health-related issue concerns the risk of sexually-transmitted diseases (e.g., HIV/AIDS) spreading during rehabilitation works. Water supply and sanitation will be improved under the Project component Support for Community-and NGO-Driven Initiatives for Improved Water Supply and Sanitation; sites for small land needs for this will be minimal and decided by the communities. For the WTC, this is covered under the WTC RP. For the ETC and NTC, this RF will guide in preparation of RPs as needed for this component. HIV/AIDS awareness program is addressed separately from the RF and RPs.

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<sup>4</sup> There may be other associated resettlement issues that would be identified in future subprojects. If and when they do occur, the RF applies.

20. The aforementioned are called associated social issues directly attributable to or exacerbated by the Project. For example, water supply access, and use of platforms for washing and toilet will have to discontinue because of the Project.

#### **1.3.4 Resource Access Restrictions due to the GEF Components**

21. The GEF-financed Biodiversity Conservation component will include the following subcomponents to improve livelihoods of upper catchment communities and the sustainability of water resources in the Citarum River Basin by: (i) preparing conservation action plans with stakeholders for 7 protected areas (PAs), (ii) identifying important plants and animals, and resource utilization patterns in key habitats in 7 PAs, (iii) preparing strategic conservation biodiversity conservation spatial plans, (iv) working with 148 village communities to develop their own action plans for engaging in conservation activities in this strategic conservation area, and (v) developing compatible biodiversity and land degradation information and databases made compatible with existing CRB management databases. Such activities would involve the communities and other stakeholders identifying current land and forest uses and which ones are socially and environmentally unsustainable and should be discontinued, and designing more sustainable alternative livelihood activities to restore or even improve living conditions. Such restrictions would trigger ADB's Policy on Involuntary Resettlement. The Conservation Management Action Plans for 7 protected areas will include strategies for addressing resource access restrictions brought about by the need to reduce unsustainable land and forest use practices; such plans to include strategy for communities to participate in identifying the restrictions and designing viable alternatives to restore or improve household livelihoods. Model Conservation Village Action Plans will include detailed resource access restriction plans for addressing resource access restrictions. Such plans will be approved by ADB before implementation and will be disclosed to affected people and communities. Similarly, some other components may also cause such restrictions (as indicated in **Table 1.2**) and will be addressed the same way. Provisions are included in the Entitlement Matrix.

### **D. PURPOSE AND SCOPE OF THE RF**

22. The Directorate General of Water Resources, the Executing Agency, has adopted this Resettlement Framework (RF) to assist the EA and Implementing Agencies to address the adverse resettlement-related impacts of any of the subprojects or components of the ICWRMIP. Specifically, the RF is intended to guide in the preparation, implementation and monitoring of subproject or component resettlement plans (RPs) as identified in Table 1.2, other than the WTC RP which has already been prepared.

#### **1.4 Contents of the RF**

23. Other than this section, the other major concerns covered in the RF are as follows:

- a. description of existing Government policies and procedures, and those of ADB, for addressing involuntary resettlement (Chapter 2);

- b. principles and policies governing involuntary resettlement, (Chapter 3);
- c. eligibility criteria and entitlements of the AHs(Chapter 4) and relocation and income restoration strategies (Chapter5):
- d. the process for RP preparation and implementation (Chapters 6);
- e. vulnerability, gender and ethnic issues are discussed in Chapter 7 and in Chapter 8 and 9 the RF details the involvement of stakeholders, especially of the AHs, in the preparation and implementation of the RP, including mechanism for grievance redress and disclosure;
- f. the resources required to successfully prepare and implement an RP, underscoring the need for ensuring the timely availability of funds to carry out resettlement. The organizational framework, including responsibilities, required in the preparation and implementation of the RP; and
- g. Chapter 10 describes the monitoring and evaluation of resettlement and in Chapter 11 the RF outlines costing principles.

## II. LEGAL AND POLICY FRAMEWORK

### A. RELEVANT LAWS AND REGULATIONS IN INDONESIA

24. The key legal instruments currently in force in Indonesia that are most relevant to involuntary resettlement are Presidential Decree No. 36/2005, entitled “Provision of Land for Realizing the Development for Public Interests”, as amended by Presidential Decree No. 65/2006, entitled “On Land Acquisition for Development Purposes in the Public Interest”, and National Land Agency (BPN) Regulation No. 3/2007 on Land Acquisition Implementation Guideline for Presidential Decrees 65/2006 and 36/2005. Superseding Presidential Decree No. 36/2005 that earlier amended Presidential Decree No. 55/1993, the 2006 Presidential Decree provides for various forms of compensation for private assets needed to pursue Government development projects. Both Presidential Decree No. 65/2006 and Presidential Decree No. 36/2005 build on the provisions of the earlier Presidential Decree No. 55/1993. Essentially, the 1993 Decree lays down the rules on how Government could exercise the State’s inherent power of eminent domain. Private properties could be acquired to pave the way for development projects that serve the public interest. In 2005, the 1993 Decree was replaced allowing private corporations to acquire private properties for development projects with public character. Presidential Decree No. 36/2005 was controversial since the power of eminent domain could be used to profit private entities. Presidential Decree No. 65/2006 corrected this by restricting the use of eminent domain for Government development projects only.

25. By and large, however, both Presidential Decree No. 65/2006 and Presidential Decree No. 36/2005 are similar, merely introducing refinements in the provisions of Presidential Decree No. 55/1993. As provided for in Chapter V, Article 21 of Presidential Decree No. 36/2005, technical directives for provisions of Presidential Decree No. 55/1993 that are not contrary to Presidential Decree 36/2005 Decree remain effective.

26. Presidential Decree No. 55/1993 succeeded earlier property laws, including Law Number 5 of 1960, better known as the Basic Agrarian Law, which delineates land ownership and usage based on oftentimes overlapping traditional *adat* land rights, western concept of land use rights, and recent trends in land tenure. The Regulation of the State Minister of Agrarian Affairs and National Land Agency No. 1 of 1994 on Operational Directives of the Decree 55/93 is the enabling regulation in the implementation of Presidential Decree 55/1993.<sup>5</sup> This enabling regulation has been replaced by the BPN Regulation No. 3/2007.

27. Articles 12 and 13 of Presidential Decree No. 55/1993 provides for compensation for land, buildings, plants and other objects related to the land in any of these forms: (i) cash, (ii) land for land, (iii) land in relocation site, (iv) any combination of the above forms of compensation, and (v) any other mode of compensation agreed by the concerned parties.

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<sup>5</sup> A related administrative order is Government Regulation No. 51 of 1993 (*Environmental Impact Assessment*) that requires a management and monitoring plan for environmental impacts, including land acquisition and resettlement. It also requires mitigation of social impacts, public disclosure, and community consultation.

28. In 2003, consistent with the national thrust to devolve central powers to the local governments, Presidential Decree 34/2003 (*National Policy on Agrarian Affairs*) was issued. Article 2 of said Decree mandates that land acquisition, including determining levels of compensation, for public development projects would be carried out by the district and city governments (*Kabupaten/Kota*). Where such authority crosses district boundaries within a single province, land acquisition would be carried out by the provincial government. Additionally, the Decree of the Head of the National Land Agency 2/2003 on *Mechanisms, Norms, and Standards for Government Authority and Management of Agrarian Affairs* provides further detail on how land acquisition and compensation would be carried out. The *Bupati* (Regent) or *Walikota* (Mayor) or the Governor would set up a land acquisition committee, the “Committee of Nine”, for the purpose. Members of said Committee of Nine include representatives from the Land Office, Tax Office, Buildings Office, Agriculture Office, the heads of the district and village, and two secretaries. The Committee of Nine has the authority to conduct an inventory of affected land and assets found thereat; to investigate the status of ownership over the affected land; to inform and negotiate with the property owners together with the government agency acquiring the land; to estimate the amount of compensation; and to document and witness payment of compensation.

29. There are 10 district (*kabupaten*) and 6 city (*kota*) local governments in the Citarum River Basin all have regulations which to varying degrees may have a bearing on individual resettlement plans. For example at the time of IOL only Kabupaten Bekasi had any specific decision letters/local legislation relating to resettlement along WTC: April 2007. *Keputusan Bupati Bekasi Nomor 300/Kep.71-POD. 1/2007 tentang Besarnya Bantauan Biaya Pindah Bangunan Di Atas Tanah Bantaran Kalimalang Untuk Kegiatan Penataan Jalan Pasir Limus Tegal Gede Wangun Harja Cikarang Utara Desa Pasir Sari Cikarang Selatan dan Jalur Jalan Desa Suka Rapih Sampai Dengan Sukarahayu Kecamatan Tambelang.* (Decision of Head of District Kabupaten Bekasi regarding the payment assistance for moving structures from WTC ROW in relation to road construction in locations Pasir Limus, Tegal Gede, Wangun Harja, Cikarang Utara Desa Pasir Sari Cikarang Selatan road and Suka Rapih until Sukarahayu Kecamatan Tambelang village road) This decision letter defined a level of assistance based on property type (permanent, semi-permanent and ordinary) given for moving buildings affected construction of a road within the WTC ROW.

## **B. ADB POLICIES ON INVOLUNTARY RESETTLEMENT**

30. ADB has a set of stringent rules on involuntary resettlement that are aimed at helping ensure that the development initiatives it supports contribute to the reduction of poverty, not otherwise. In other words, projects assisted by the Bank should provide an opportunity for the marginal sectors of the population, especially the affected people, to improve their living standards. Following are the key principles in the Bank’s policy on involuntary resettlement.

- a. Involuntary resettlement should be avoided where feasible.
- b. Where population displacement is unavoidable, it should be minimized by exploring all viable project options.
- c. All compensation is based on the principle of replacement cost.

- d. Each involuntary resettlement is conceived and executed as part of a development project or program
- e. Affected people should be fully informed and consulted on compensation and/or resettlement options.
- f. Institutions of the affected people, and, where relevant, of their hosts, are to be protected and supported. Affected people are to be assisted to integrate economically and socially into host communities so that adverse impacts on the host communities are minimized and social harmony is promoted.
- g. The absence of a formal legal title to land is not a bar to ADB policy entitlements.
- h. Affected people are to be identified and recorded as early as possible in order to establish their eligibility through a population record or census that serves as an eligibility cut-off date, preferably at the project identification stage, to prevent a subsequent influx of squatters of others who wish to take advance of such benefits.
- i. Particular attention must be paid to the needs of the poorest affected households and other vulnerable groups that may be at high risk of impoverishment. This may include affected households without legal title to land or other assets, households headed by women, the elderly or disabled, and ethnic minority peoples. Appropriate assistance must be provided to help them improve their socio-economic status.
- j. The full costs of resettlement and compensation should be included in the presentation of project costs and benefits.
- k. Relocation and rehabilitation may be considered for inclusion in ADB loan financing for the project, if requested, to assure timely availability of the required resources and ensure compliance with involuntary resettlement procedures during implementation<sup>6</sup>.

### **C. ADB POLICIES RELEVANT TO RESETTLEMENT PLANNING AND IMPLEMENTATION**

31. ADB's **Policy on Indigenous Peoples** defines "indigenous peoples" as "those with a social or cultural identity distinct from the dominant or mainstream society". "Indigenous peoples" is a generic concept that includes cultural minorities, ethnic minorities, indigenous cultural communities, tribal people, natives, and aboriginals. The Policy recognizes the potential vulnerability of ethnic minorities in the development process; that ethnic minorities must be afforded opportunities to participate in and benefit from development equally with other segments of society; and, have a role and be able to participate in the design of development interventions that affect them.

32. The policy on indigenous peoples is "designed to promote the participation of indigenous peoples in project preparation and implementation, to ensure that they

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<sup>6</sup> The Government has indicated it will not be requesting Loan assistance for relocation but support to livelihood and consulting may be considered for Loan assistance

benefit from development interventions that would affect them, and to provide effective safeguards against any adverse impacts”. In any ADB interventions, the approaches to be used are as follows: (i) to achieve the greatest possible reduction of poverty among the affected indigenous peoples; (ii) when negative impacts are unavoidable, they should be minimized as much as possible, and appropriate measures will be taken to mitigate the adverse impacts; (iii) in enhancing the benefits of a development intervention for indigenous peoples or reducing negative impacts of a development intervention, clear mechanisms for accurate and objective analysis of their circumstances will be prepared; and (iv) the mechanisms for any intervention must be transparent and should ensure accountability.

33. ADB's **Policy on Gender and Development** adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring that women participate and that their needs are explicitly addressed in the decision-making process. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project.

34. Other policies of the ADB that have bearing on resettlement planning and implementation are the (i) Public Communications Policy (March 2005) and OM Section L3/BP (September 2005), and (ii) Accountability Mechanism (OM Section L1/BP, dated 29 October 2003).

#### **D. GAPS OF INDONESIAN LAWS AND COMPARISON WITH ADB POLICIES**

35. The main limitation of Presidential Decree No. 65/2006, the applicable provisions of Presidential Decree No. 36/2005 and Presidential Decree No. 55/1993, including their enabling decrees, such as the Regulation of the State Minister of Agrarian Affairs and National Land Agency No. 1 of 1994, lies on the fact that they have not been conceived and planned to address a multi-faceted social phenomenon known as *involuntary resettlement*. Said laws are concerned, more than anything else, with acquiring in the most expeditious way properties needed for the right-of-way (ROW) of government projects. But as explained at length in earlier sections, acquisition and/or clearing of project ROW may involve displacement of people from both material and non-material assets. These people, most of whom are already poor to begin with, are at risk of further impoverishment in the form of landlessness, joblessness, homelessness, economic marginalization, increased morbidity and mortality, food insecurity, loss of access to common property, and disintegration of community and social ties and organizations. Certainly, existing laws and policies on land acquisition cannot address these risks.

36. With regard to comparison of Indonesian Law and ADB policies, to begin with, the two are not similar. On the one hand, Indonesian laws on property acquisition for ROW are principally an exercise of the State power on eminent domain. In the acquisition process, government agencies invoking the State power on eminent domain are guided by other laws and regulations pertaining to ownership over the acquired assets and the level of compensation to be provided. Existing financial and auditing procedures must be followed, notwithstanding the fact that the affected property is not being acquired by Government on a “willing seller – willing buyer” situation. Moreover, the focus of the acquisition activity is the object to be acquired; the social situation of the person to be dispossessed of an asset is, by and large, irrelevant to the whole

transaction.

37. On the other hand, the focus of ADB Policy is the affected person or household; concerns are raised on whether or not acquiring an asset for the project ROW, regardless of the tenure status of the household, would adversely impact the AHs current living standards. Questions on whether such acquisition would put the AH at risk of impoverishment and on whether it would bring in an opportunity for the AH to improve its present status are asked. Thus, ADB's *Policy on Involuntary Resettlement* (1995) seeks to restore the pre-project living standard of the AH through the replacement of lost assets in conjunction with other measures that are all aimed at rehabilitating the affected person.

38. The following legal and operational restrictions quite aptly provide a picture of how wide the gap is between existing Indonesian laws and regulations and ADB's *Policy on Involuntary Resettlement*:

- a. Government auditing policies compel Executing Agencies not to compensate at replacement rates for affected fixed assets, such as buildings. The value of the affected asset, even if lost involuntarily, is depreciated and the value of salvageable materials deducted from the amount of compensation.
- b. In the absence of a law for the purpose, Executing Agencies are not compelled to pay informal settlers any compensation for affected fixed assets. In fact, it is up to the Implementing Agency to decide if these AHs would receive anything at all.
- c. In the absence of a law that provides for, or prohibits, the granting of income loss arising from business and work disruption, the Implementing Agency in general would rather not grant said compensation entitlement for fear of any legal backlash.
- d. Current legal framework does not include a definition of non-physical losses or how to apply a value to them, no requirement to identify or address vulnerable groups, no provision for any affected people other than title holders, no requirement for disclosure to affected people, and no opportunity for affected people to participate in planning, implementation or monitoring, and no requirement to develop resettlement plans.

39. It is precisely because of the limitations of and gaps in law that could comprehensively address the complex social issues attendant to ROW acquisition that the Project policies in this Resettlement Plan and Resettlement Framework have been adopted. This is discussed in Section III.

### III. PROJECT OBJECTIVES AND POLICIES

#### A. OBJECTIVES

40. The Government of Indonesia will use the Project Resettlement Policy (the Project Policy) for the ICWRMIP specifically because existing national laws and regulations have not been designed to address involuntary resettlement according to international practice, including ADB's policy. The Project Policy is aimed at filling-in any gaps in what local laws and regulations cannot provide in order to help ensure that AHs are able to rehabilitate themselves to at least their pre-project condition. This section discusses the principles of the Project Policy and the entitlements of the AHs based on the type and degree of their losses. Where there are gaps between the Indonesian legal framework for resettlement and ADB's *Policy on Involuntary Resettlement*, practicable mutually agreeable approaches will be designed consistent with Government practices and ADB's Policy.

#### B. PRINCIPLES

41. The core principle of the Project Policy is anchored on the philosophy that Government development projects must serve the public good and that, in the design and implementation of such projects, all efforts will be exerted to help ensure that AHs are not worse off. Moreover, the ICWRMIP should provide an opportunity for the local population to derive benefits from it. Likewise, the ICWRMIP should serve as an occasion for the local population to participate in its planning and implementation, thereby engendering a sense of ownership over the Project, subprojects and other components. Towards this end, the PIUs will endeavor to carry out the ICWRMIP and any of its subprojects and components based on the following principles:

- a. Acquisition of land and other assets, and resettlement of people will be avoided or minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operation and engineering solutions that have the least impact on populations in the project area.
- b. All AHs residing, working, doing business and/or cultivating land within the project impacted areas as of the date of the latest census and inventory of lost assets(IOL), are entitled to compensation for their lost assets (land and/or non-land assets), at replacement cost and restoration of incomes and businesses, and will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity and production levels.
- c. All affected people will be eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that may discriminate against achievement of the objectives outlined above. Lack of legal rights to the assets lost or adversely affected tenure status and social or economic status will not bar the AH from entitlements to such compensation and rehabilitation measures or resettlement objectives.

- d. AHs will be fully consulted and given the opportunity to participate in matters that will have adverse impacts on their lives during the design, implementation and operation of the Project. Plans for the acquisition of assets will be carried out in consultation with the AHs who will receive prior information of the compensation, relocation and other assistance available to them.
- e. Any acquisition of, or restriction on access to, resources owned or managed by the AHs as a common property, e.g., communal forest, communal farm, will be mitigated by arrangements that will ensure access of those AHs to equivalent resources on a continuing basis.
- f. Payment for land and/or non-land assets will be based on the principle of replacement cost (local regulations, where available and applicable, shall be fully followed in the implementation process).
- g. Shop owners and operators will be encouraged and facilitated to start construction of a replacement of their stalls before fully demolishing the existing ones in order to minimize, if not avoid, income loss arising from the disruption of business operation.
- h. AHs that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- i. Temporarily affected land and communal infrastructure will be restored to pre-project conditions.
- j. There shall be effective mechanisms for hearing and resolving grievances during implementation of the land acquisition and resettlement plans.
- k. Existing cultural and religious practices shall be respected and, to the maximum extent possible, preserved.
- l. Special measures will be incorporated in the RPs and in complementary mitigation and enhancement activities to protect socially and economically vulnerable groups at high risk of impoverishment, such as ethnic minorities, women-headed families, disabled-headed households, landless households, children and elderly people without support structures, and people living in poverty. Appropriate assistance will be provided to help them improve their socio-economic status.
- m. Adequate resources will be identified and committed during land acquisition and resettlement planning. This includes adequate budgetary support fully committed and made available to cover the costs of land acquisition, compensation, resettlement and rehabilitation within the agreed implementation period for the Project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- n. Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Monitoring and evaluation of the land acquisition, resettlement and

rehabilitation processes and the final outcomes will be conducted by an independent monitoring agency and/or NGO.

- o. The RPs summary in the form of a Project Information Booklet (PIB) will be translated into Bahasa and placed in the village offices for the reference of AHs as well as other interested groups. A copy of the RP in the local language will be placed in Project Implementation Unit (PIU) and district offices.
- p. Whilst Construction Contracts may be awarded EA will not issue notice to proceed for any civil works in any given Construction Works Zone (CWZ) unless the Government has satisfactorily completed, for that given CWZ, payment of compensation for affected assets and facilitate any relocation to new sites, in accordance with the approved RP for that geographic location, or CWZ. Livelihood restoration measures must also be in place but not necessarily completed, as these may be ongoing activities.
- q. The PIU will carry out its best efforts to minimize the resettlement transition period. Acquisition of assets, payment of compensation, and the resettlement and start of the livelihood rehabilitation activities of AHs, will be completed prior to any construction activities taking place in a designated constructions works zone<sup>7</sup> (CWZ). , except when a court of law orders so in expropriation cases. (See item r below)
- r. In the event that the AH and the Implementing Agency fail to agree on the replacement cost for a given property, the procedures on grievance redress spelled out in Section X will be followed. Should a negotiated settlement fail, the Implementing Agency will initiate expropriation proceedings as provided for by Presidential Decree No. 65/2006 and based on the rules of court of Indonesia. Under no circumstance will the AH be evicted from his/her property nor will the Government take over his/her property without the explicit permission of the court. Moreover, the Government will deposit in an escrow account to be designated by the court the proffered replacement cost of the subject property. Within 120 days following the adjudication of the expropriation case, the Implementing Agency will pay the AH the amount decided by the court.

### **C. CUT-OFF DATE OF ELIGIBILITY**

42. The cut-off-date of eligibility refers to the date prior to which the occupation or use of the project area (i.e., area within the COI) makes residents/users of the same eligible to be categorized as AH and be eligible to Project entitlements. The establishment of the eligibility cut-off date is intended to prevent the influx of ineligible non-residents who might take advantage of Project entitlements

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<sup>7</sup> A CWZ shall be a designated zone defined during detailed design and clearly identified in the RP update that will divide the WTC into convenient stretches for construction implementation. AHs will be resettled from CWZ in a systematic way so as to optimize implementation of project whilst paying due consideration to AHs rights under the RP implementation. Notice to Proceed with civil works for a complete CWZ will only be issued after completion of the aforementioned RP activities.

#### D. PRINCIPLE OF REPLACEMENT COST

43. Affected land within government land (e.g. WTC right-of-way <ROW>), all compensation for non-land assets owned by households/shop owners who meet the cut-off-date will be based on the principle of replacement cost and existing government regulations for compensation calculations for building, crops and trees will be used if available. Replacement cost is the amount calculated before displacement which is needed to replace an affected asset as follows:

- a. Existing local government regulations for compensation calculations for building, crops and trees will be used where ever available.
- b. Houses and other related structures based on actual current market prices of affected materials;
- c. Annual crops equivalent to current market value of crops at the time of compensation;
- d. For perennial crops, cash compensation at replacement cost is equivalent to current market value given the type and age at the time of compensation.
- e. For timber trees, cash compensation at replacement cost will be equivalent to current market value for each type and age at the time of compensation based on the diameter at breast height of each tree.

44. In any case that private land will be affected outside government land as per final detailed design, replacement land for affected households households who have formal legal rights (*hak milik*) and customary and traditional rights (*adat* or *ulayat*) and those whose claim over the affected land is under application for full title, replacement cost is the amount calculated before displacement which is needed to replace an affected asset as follows:

- a. Productive Land (agricultural, aquaculture, garden and forest) based on actual current market prices that reflect recent land sales in the area, and in the absence of such recent sales, based on recent sales in comparable locations with comparable attributes, fees and taxes or in the absence of such sales, based on productive value;
- b. Residential land based on actual current market prices that reflect recent land sales, and in the absence of such recent land sales, based on prices of recent sales in comparable locations with comparable attributes; fees and taxes.

45. Non-land assets on affected private land will also be at replacement cost as defined above.

## IV. PROJECT ENTITLEMENTS AND IMPLEMENTATION ARRANGEMENTS

46. The project entitlements developed and presented in the entitlement matrix below correspond to the potential impacts identified during the census and inventory of losses. It should be noted that these entitlements may be revised or enhanced, as necessary, following the conduct of detailed measurement survey (DMS) and consultation with APs to ensure that losses are restored, if not improved. Any revisions/enhancement in the entitlements will be reflected in the updated RP for ADB review and approval.

Where there is a gap on the local government legal background for compensation to informal settlers or users of land, the Project will consider mutually acceptable mechanisms to cover the difference for example under a “special program” under a Livelihood Restoration Program (LRP).

Table 4.1 Entitlement Matrix

ITEM	CATEGORY OF IMPACTS/LOSSES	Entitled Persons	PROJECT ENTITLEMENTS	Notes/ Implementation Arrangement
<b>A. Impacts on LAND</b>				
1	<b>Permanent loss of paddy/residential/commercial land</b>	who have formal legal rights ( <i>hak milik</i> ) and customary and traditional rights ( <i>adat</i> or <i>ulayat</i> ) and those whose claim over the affected land is under application for full title	<ul style="list-style-type: none"> <li>Cash or in kind compensation at replacement cost which is based on market value that reflect recent land sales and in the absence of such recent sales, based on productive value (for productive/agricultural) or based on similar location attributes (for residential and commercial land)</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process.
2	<b>Temporary loss of paddy/residential/commercial land</b>	who have formal legal rights ( <i>hak milik</i> ) and customary and traditional rights ( <i>adat</i> or <i>ulayat</i> ) and those whose claim over the affected land is under application for full title	<ul style="list-style-type: none"> <li>Payment of rent for residential land based on existing or ongoing rental agreement in the area or as per negotiation with AHs. For productive land, rental will be no less than the net income that would have been derived from the affected property during disruption.</li> <li>Compensation for affected crops at</li> </ul>	Contractor will be responsible for returning land to pre-project/better condition Local regulations, where available and applicable, shall be fully followed in the implementation process.

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ITEM	CATEGORY OF IMPACTS/LOSSES	Entitled Persons	PROJECT ENTITLEMENTS	Notes/ Implementation Arrangement
			replacement cost for the duration of the impact, and <ul style="list-style-type: none"> <li>Land will be restored to pre-project condition or better</li> </ul>	
3	<b>MARGINAL IMPACTS due Permanent Loss of Land Use</b>	Users/Occupants who have NO formal legal rights ( <i>hak milik</i> ) nor customary and traditional rights ( <i>adat</i> or <i>ulayat</i> ) : <u>Marginal impacts</u> :	<ul style="list-style-type: none"> <li>No compensation for land,</li> <li>Compensation for crops and trees based on replacement cost principle</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process. Not their main source of income
4	<b>Temporary Loss of Land Use</b>  Due to spoil dumping on ex-river bed or due to construction activities.	Users/Occupants who have NO formal legal rights ( <i>hak milik</i> ) nor customary and traditional rights ( <i>adat</i> or <i>ulayat</i> ):	<ul style="list-style-type: none"> <li>No compensation for land,</li> <li>Compensation for affected crops at replacement cost for the duration of the impact, and</li> <li>The project will facilitate formal leasing if requested by user/occupant. The potential identified land will be assessed for any contamination and certified as safe for use.</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process. APs to re-use after dredged material has been dumped and assessed for any contamination and certified safe for use. Should the land be deemed unusable AHs will be entitled to livelihood restoration under a LRP  Contractor will be responsible for returning ex-river bed land to pre-project/better condition.
<b>B</b>	<b>Relocation of AHs</b>			
1	<b>Relocation of AHs and Shop Owners due to Permanent Loss of Land Use</b>	who have formal legal rights ( <i>hak milik</i> ) and customary and traditional rights ( <i>adat</i> or <i>ulayat</i> ) and those whose claim over the affected land is under application for full title	<ul style="list-style-type: none"> <li>Compensation for crops and trees based on replacement cost principle</li> <li>Provision of transport allowance based on actual cost of moving to new site (labor, transport cost) or provision of transport assistance will be provided in the form of program within the LRP.</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process.  The LRP allowance shall be based on poverty threshold for an average 5 household members. A single person household

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ITEM	CATEGORY OF IMPACTS/LOSSES	Entitled Persons	PROJECT ENTITLEMENTS	Notes/ Implementation Arrangement
			<ul style="list-style-type: none"> <li>• Provision of transition subsistence allowance will be provided in the form of program within the LRP.</li> <li>• Entitled to participate in Livelihood restoration program</li> </ul>	will receive 1/5 of said amount.
2	<b>Relocation of AHs and Shop Owners due to Permanent Loss of Land Use</b>	Informal Dwellers but <u>Have Other Land</u> on Which Outside the Project Area	<ul style="list-style-type: none"> <li>• No compensation for land,</li> <li>• Compensation for structures based on replacement cost principle</li> <li>• Compensation for crops and trees based on replacement cost principle</li> <li>• Provision of transport allowance based on actual cost of moving to new site (labor, transport cost) or provision of transport assistance will be provided in the form of program within the LRP.</li> <li>• Provision of transition subsistence allowance will be provided in the form of program within the LRP.</li> <li>• Entitled to participate in Livelihood restoration program.</li> </ul>	<p>Local regulations, where available and applicable, shall be fully followed in the implementation process.</p> <p>The LRP allowance shall be based on poverty threshold for an average 5 household members. A single person household will receive 1/5 of said amount.</p>
			<ul style="list-style-type: none"> <li>•</li> </ul>	
3	<b>Relocation of AHs and Shop Owners due to Permanent Loss of Land Use</b>	Informal Dwellers but <u>Have NO Other Land</u> Outside the Project Area	<ul style="list-style-type: none"> <li>• No compensation for land</li> <li>• Compensation for structures based on replacement cost principle</li> <li>• Compensation for crops and trees based on replacement cost principle</li> <li>• For house and house-cum-shop, the Project will</li> </ul>	<p>Local regulations, where available and applicable, shall be fully followed in the implementation process.</p> <p>Individual or small group relocation sites as per AHs' final option. AHs have the option to have a access to a place to rent</p>

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Resettlement Framework

ITEM	CATEGORY OF IMPACTS/LOSSES	Entitled Persons	PROJECT ENTITLEMENTS	Notes/ Implementation Arrangement
			<p>facilitate to find access to a residential plot (and with commercial advantage for house-cum-shops) within the village or nearby, with affordable renewable lease or lease-to-buy agreement. The area will be with similar or better conditions as before with latrine</p> <ul style="list-style-type: none"> <li>For shops, the Project will facilitate to find access to a place/plot to lease/rent with similar commercial advantage either in existing market sites or a plot of land suitable for putting up stalls/shops (new market). Lease arrangement will be with a provision to renew and shall be facilitated by the project.</li> </ul> <p>Provision of transport allowance based on actual cost of moving to new site (labor, transport cost) or provision of transport assistance will be provided in the form of the LRP.</p> <ul style="list-style-type: none"> <li>Provision of transition subsistence will be provided in the form of the LRP.</li> <li>Entitled to participate in Livelihood restoration program.</li> </ul>	<p>outside the residential plot that will be facilitated by the PIU.</p> <p>The Project will assist AHs in the determination of lease amount. For vulnerable AHs who may not have the ability to generate much income, the LRP will be designed to increase income levels sufficiently to be able to pay the full local market leases.</p> <p>The LRP allowance shall be based on poverty threshold for an average 5 household members. A single person household will receive 1/5 of said amount.</p>
<b>C</b>	<b>NON-LAND ASSETS</b>			
1a	<b>Houses/Shops and Secondary Structures</b>	Owners regardless of whether or not the owner has hak guna bangun (building permit)	<ul style="list-style-type: none"> <li>Compensation at replacement cost based on actual current market prices of materials and actual cost of</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process.

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ITEM	CATEGORY OF IMPACTS/LOSSES	Entitled Persons	PROJECT ENTITLEMENTS	Notes/ Implementation Arrangement
			labor for dismantling, transfer and rebuild	
1b		Renters of Structures (house/shops)	<ul style="list-style-type: none"> <li>Assistance to tenants/renters to find a new place to live or do business</li> <li>Assistance to find new rental property</li> <li>Entitled to participate in Livelihood restoration program.</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process.
2	<b>Public Infrastructure and Facilities</b>	Owner (Government)	<ul style="list-style-type: none"> <li>Rebuild the facilities based on agreement by both parties..</li> </ul>	
3	<b>Crops and Trees</b>	Owners	<ul style="list-style-type: none"> <li><u>Annual Crops</u>. If standing crops are destroyed or cannot be harvested, compensation based on replacement cost principle</li> <li><u>Perennial Crops</u>. Compensation based on replacement cost</li> <li><u>Timber Trees</u>. Compensation at current market rates based on type of tree and diameter of trunk at breast height</li> </ul>	Local regulations, where available and applicable, shall be fully followed in the implementation process.
<b>D</b>	<b>INCOME LOSS</b>			
1	<b>Significant Impact Due to Relocation of Shops or House-cum-shops</b>	House-cum-shop and shop-owners whether or not with land outside the Project Area	<ul style="list-style-type: none"> <li>Entitled to participate in the Livelihood Restoration Program (LRP)</li> </ul>	The LRP allowance shall be based on poverty threshold for an average 5 household members. A single person household will receive 1/5 of said amount.
<b>E</b>	<b>HIGH RISK OF IMPOVERISHMENT /HARDSHIP</b>			
1	Due to loss of resource base	Poor and vulnerable Households even if marginally affected	<ul style="list-style-type: none"> <li>Entitled to participate in the Livelihood Restoration Program and LRP Allowance.</li> </ul>	“LRP allowance” will be provided to participants using a poverty threshold for an average 5 household members. A single person household will receive 1/5 of said amount. AHs are taking part

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<b>IT E M</b>	<b>CATEGORY OF IMPACTS/LOSSES</b>	<b>Entitled Persons</b>	<b>PROJECT ENTITLEMENTS</b>	<b>Notes/ Implementation Arrangement</b>
				in the program and in the process of restoring their income.
<b>F</b>	<b>LOSS OF ACCESS</b>			
<b>1</b>	Restricted Use of Waterway for Toilet and Laundry Purposes and source of HH water		<ul style="list-style-type: none"> <li>Provision of Communal Sanitary Toilet and Safe water facilities in selected points along the canal/river as included in the project design activities.</li> </ul>	As per consultation with AHs, residents and local government The budget for the planning and construction of the aforementioned will come from the Community Rural Water Supply and Sanitation component of ICWRMIP.
<b>2</b>	Restricted Access to resources		<ul style="list-style-type: none"> <li>Community decision making on what resource use shall be restricted and identification of alternative livelihoods to replace the lost resources.</li> <li>Community design of alternative livelihoods to replace the restricted use of resources.</li> </ul>	
<b>G</b>	<b>IMPACTS DURING CONSTRUCTION</b>			
<b>1</b>	Non-Land Assets	Owners of affected non-land assets	<ul style="list-style-type: none"> <li>Compensation at Replacement Cost as indicated above</li> </ul>	

47. Implementation arrangements will be based on the entitlement matrix and existing local government regulations, basic considerations for implementation are summarized below:

- a. In the case that there are no local regulations available regarding compensation, APs will be entitled to replacement cost as described in the entitlement matrix
- b. In the case that there are local regulations available regarding compensation APs will be entitled to compensation as stipulated in the existing local government regulation available at the time of implementation.
- c. Any gaps in the local regulation on providing replacement cost compensation will be fulfill in the form of a special program a LRP.

- d. Allowances defined in the entitlement matrix may be provided as cash or in kind or alternatively may be provided in the form the LRP (community empowerment program).
- e. Monitoring and evaluation of the resettlement activities should refer to the implementation approach defined in the above points (a), (b), (c) and (d).

## **V. RELOCATION AND REHABILITATION STRATEGY**

### **A. RELOCATION STRATEGY**

48. Households will be consulted with regard to their option for relocation. For households who are entitled to payment for land, it will either be land-for-land in a resettlement site or individual site or cash/in-kind compensation or in the form of a special program under the LRP at replacement cost. For those who have no rights to their land, the implementing agencies will facilitate in finding replacement land for these AHs in a resettlement site, group or individual sites. The arrangements will be on a renewable lease agreement, lease-to buy arrangements. The area will be with similar or better conditions as before. They will also be provided transport and transitional assistance in the form of a special program under the LRP while relocating and re-establishing their houses. For independent shops/stalls, the Project will facilitate access to a place/plot to lease/rent with similar commercial advantage either in existing market sites or a plot of land suitable for putting up stalls/shops (new market) with lease arrangement with a provision to renew. They will also be provided transport and transitional assistance in the form of a special program under the LRP while relocating and re-establishing their businesses. Thus, they will be in a position to be able to re-establish and restore their income sources and their income losses will be minimized.

49. The amount of the lease will be determined in consultation with AHs, and will take into account the ability of each AH to pay. For vulnerable AHs who may not have the ability to generate much income, consideration will be given to either adjusting the lease amount accordingly until they are able, in the form of a special program under the LRP, to increase their income level sufficiently to be able to pay the full amount of the lease.

### **B. LIVELIHOOD/INCOME RESTORATION STRATEGY**

50. Where the policy requirements and implementation arrangements deem necessary and appropriate the RP will contain a Livelihood Restoration Program tailor made to suit the AHs compensation and livelihood restoration needs and the specific regulations and policies of the local government in which the RP activities are to be implemented. In general a LRP will be divided into two sections: (i) special program (if there is a gap) and (ii) general program.

51. A joint PIU-local government working group (Resettlement Working Group-RWG) will coordinate the identification of those eligible under the LRP, assistance to the RWG may be provided from a Project Implementation Consultant (PIC).

52. Where required a special program under the LRP will include an allocation of an amount to cover any specific gaps in local government regulation on providing for

compensation related to losses from (i) affected structures, crops and trees, required during relocation. The level of actual impacts, costs and level of assistance will be determined during RP preparation and will be assessed in close cooperation with project implementing Unit (PIU) of the implementation agency and local government..

53. The LRP general program will provide suitable livelihood related activities under the LRP for AHs including the severely affected and vulnerable AHs, and may include: (a) general allowances (e.g. transport and transitional) related to relocation and livelihood restoration, and (b) livelihood activities aimed at income generating and poverty reduction.. The program will be based and designed according to the results of needs assessment to be carried out by the local organization with the AHs during the updating of the RP. In deciding on an appropriate livelihood activities, the following factors will be taken into account: (i) the nature of loss and/or situation of the AH; (ii) preference of the AH, (iii) level of preparedness of the AH to participate in the livelihood activity, and (iv) economic viability of the livelihood activity. The PIU will engage the services of a local NGO or any organization who have expertise in social development and training. Participating AHs will also receive transition subsistence allowance in form of a program for a maximum of 6 months sufficient to provide the minimum basis needs of a household of 5 members. This is also based on the assumption that it will take a maximum of 6 months in order for these AHs to start earning income from the program. It should be noted that the local organization or NGO will review and adjust if necessary depending on the final design of the livelihood activities as per consultation with AHs. To ensure the benefits of the project reach local inhabitants and no social jealousies develop, selective activities under the LRP related to livelihood improvements will be available for poor inhabitants of villages living in the vicinity of the canal. The RWG will coordinate the identification of those eligible with assistance from the PIC.

## **VI. RP PREPARATION AND IMPLEMENTATION**

### **A. INITIAL SCREENING**

#### **6.1.1 Screening and Condition for Appraisal of ICWRMIP Subprojects**

54. During preparation of each Periodic Financing Request each Project, subproject or project component shall undergo an initial screening to determine the nature of any impact and the need for specific resettlement plans.

55. Any subproject that is to be considered for inclusion in ICWRMIP will be screened and prioritized based on technical and socio-economic criteria agreed between the Government of Indonesia and ADB. Moreover, consistent with the overriding concern of the RF that every effort must be exhausted to ensure that any and all adverse social impacts of subprojects are avoided or mitigated, a candidate subproject will have to be evaluated using the screening matrix in **Table 6.1** below. The screening matrix aims to provide the Executing Agency and the ADB preliminary information on involuntary resettlement that will aid them to decide on whether or not a candidate subproject is worth pursuing. Specifically, the screening matrix will provide a preliminary estimate of the scale and magnitude of involuntary resettlement, coupled with an assessment of the

capacity and preparedness of the Government to address said adverse social impacts, if there are any.<sup>8</sup> Additionally, based on the number and severity of adverse social impacts, the Executing Agency would know whether or not a full or a short RP has to be prepared for the candidate subproject.

56. The Government of Indonesia is aware of the policy of ADB that requires the review and approval by the ADB of the RP for a particular subproject as a precondition for appraisal of the same.

**Table 6.1 Screening Questions for Resettlement Categorization<sup>9</sup>**

Probable Involuntary Resettlement Effects	Yes	No	Not Known	Possible
Will the subproject include any physical construction work?				
Does the subproject include upgrading or rehabilitation of existing physical facilities?				
Will carrying out the subproject lead to loss of housing, other assets, resource use or incomes and livelihoods?				
Is land acquisition, titled and non-titled properties, required?				
Is the ownership status and current usage of the land known?				
Will easements be utilized within the existing Right-of-Way (ROW)?				
Are there any non-titled people who live or earn their livelihood within the subproject ROW?				
Will there be loss of housing?				
Will there be loss of agricultural plots?				
Will there be losses of crops, trees, and fixed assets?				
Will there be loss of businesses or enterprises?				
Will there be loss of incomes and livelihoods?				
Will people lose access to facilities, services, or natural resources?				
Will any social or economic activities be affected by land use-related changes?				
If involuntary resettlement impacts are expected:				
<ul style="list-style-type: none"> <li>Is government prepared and willing to provide adequate resources, either from its own counterpart funds or from loan proceeds, to address said adverse social impacts as provided for in the RF?</li> </ul>				
<ul style="list-style-type: none"> <li>Is there sufficient skilled staff in the Executing Agency for resettlement planning and implementation?</li> </ul>				
<b>Information on Affected Persons and Households:</b>  Any estimate of the likely number of households that will be affected by the Project? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, approximately how many? _____  Are any of them poor, female-heads of households, or vulnerable to poverty risks? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, briefly describe their situation: _____  Are there affected persons (APs) or households (AHs) from indigenous or ethnic minority groups? If yes, briefly describe their situation:				

<sup>8</sup> A subproject that has high economic returns with minimal or no social costs will naturally be preferred.

<sup>9</sup> This is an adaptation of the *Involuntary Resettlement Categorization* form used by the ADB.

**Project Categorization and Resettlement Planning Requirements**

- Category A, Significant IR impact, a full Resettlement Plan is required.
- Category B, Non-significant IR impact, a short Resettlement Plan is required.
- Category C, No IR impact, no resettlement report is required.

**6.1.2 Decision on a Full or a Short RP**

57. The screening criteria based on the degree of resettlement impacts are:
- a. Significant - as a result of the subproject, 200 or more people (approximately 47 households) will experience major impacts, that is, being physically displaced from housing, or losing 10 per cent or more of their productive (income-generating) assets.<sup>10</sup> A full resettlement plan will be required;
  - b. Not significant - as a result of the subproject, fewer than 200 people will be physically displaced from housing or lose less than 10 per cent of their productive (income-generating) assets. A short resettlement plan or CDD Template Assessment equivalent (see below) will be required; or
  - c. No resettlement effect - the subproject does not require temporary or permanent land acquisition, and there are no impacts involving the loss of land, structures, crops and trees, businesses or income. No resettlement plan is required.

58. The same essential elements must be addressed in a full and short RP, however, the level of detail will differ depending on the level of impact. (Refer to **Appendix 4** for the format and scope of an RP).

59. There is no known ethnic minority group living in the Citarum River Basin which differs from the dominant Sundanese population in terms of culture, economic systems, and social institutions. ADB's Policy on Indigenous Peoples is not triggered by this Project

**B. COMMUNITY DRIVEN DEVELOPMENT (CDD)**

60. ICWRMIP supports a number of small scale home-based and community based activities which may require the use of small plots of land (e.g. individual or community septic tanks, household waste composting facility). Such activities are identified by communities with Project facilitation through NGOs, the selection criteria for such activities requires communities to participate in the development and also receive the assets and be responsible for future operations and maintenance. Subproject selection criteria also requires the community to provide any land needed for temporary disturbances during construction and that permanently required by the works. The land involved is small but the Project as part of the detailed design will require a short assessment and confirmation of the land required for the works and confirmation no voluntary contributions of land amount to more than 10% of any one individual's productive assets without compensation. A short template assessing any impacts and confirming conformity with the above selection criteria will be completed jointly with the involved communities with facilitation by the Project NGO, for all CDD, This assessment and community confirmation will be sufficient documentation to support implementation.

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<sup>10</sup> Paragraph 19, ADB Operational Manual Section F2/OP, issued on 25 September 2006.

Should CDD works not meet the above criteria a short RP may be considered as an alternative to rejecting the activities.

### C. RP PREPARATION

61. If resettlement impacts are unavoidable and preparation of a resettlement plan is therefore required, a RP will be prepared following detailed design using the following procedures:

- (i) Undertake a census of all APs.
- (ii) Undertake detailed measurement survey (DMS)<sup>11</sup> of all losses of all APs. At the same time, inform potential APs (without discrimination) of the subproject, its likely impacts, and principles and entitlements as per the RF.
- (iii) Undertake a socioeconomic survey (SES)<sup>12</sup> of at least 10% of all APs, 20% of severely affected AHs and ethnic minorities' population.
- (iv) Undertake a replacement cost survey for various types of affected assets as a basis for determining compensation rates at replacement cost. Determine the losses in accordance with the entitlement matrix.<sup>13</sup>
- (v) Provide project and resettlement information to all persons affected in a form and language that are understandable to them, and closely consult them on compensation and resettlement options, including relocation sites and economic rehabilitation.
- (vi) Prepare the draft RP with time-bound implementation schedule, procedures for grievance mechanism and monitoring and evaluation, and a budget.
- (vii) Finalize the subproject RP and translate the summary (PIB) in local language.
- (viii) Disclose the draft and final RP in accordance with ADB's policy on public communications<sup>14</sup> to the affected communities and on ADB's website. The draft RP will be disclosed to APs prior to submission to ADB for approval. The final RP will be disclosed after approval.

**Table 6.2 : Surveys for RP Preparation**

<b>Detailed Measurement Survey (DMS)</b>	<p>The <b>census and detailed measurement survey (DMS)</b> of lost assets will collect data on the affected assets from 100% of APs following detailed engineering design. The data collected during the DMS will constitute the formal basis for determining AP entitlements and levels of compensation. For each AP, the scope of the data will include:</p> <ul style="list-style-type: none"> <li>• Total and affected areas of land, by type of land assets;</li> <li>• Total and affected areas of structures, by type of structure (main or secondary);</li> <li>• Legal status of affected land and structure assets, and duration of tenure and ownership;</li> <li>• Quantity and types of affected crops and trees;</li> <li>• Quantity of other losses, e.g., business or other income, jobs or other productive assets; estimated daily net income from informal shops;</li> <li>• Quantity/area of affected common property, community or public assets, by type;</li> <li>• Summary data on AHs, by ethnicity, gender of head of household, household size,</li> </ul>
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<sup>11</sup> Data will be gender and indigenous peoples disaggregated.

<sup>12</sup> It will include gender analysis and data will be gender and ethnic minority disaggregated.

<sup>13</sup> If there are new categories of APs and/or losses identified during the DMS (other than those described in the entitlement matrix), the entitlements will be derived in a mutually acceptable way in accordance with Government's and ADB's policy and guidelines.

<sup>14</sup> ADB, 2005, Public Communications Policy. Manila.

	<p>primary and secondary source of household income viz-a-viz poverty line, income level, whether household is headed by women, elderly, disabled, poor or indigenous peoples;</p> <ul style="list-style-type: none"> <li>• Identify whether affected land or source of income is primary source of income; and</li> <li>• AP knowledge of the subproject and preferences for compensation and, as required, relocation sites and rehabilitation measures.</li> </ul>
<b>Socioeconomic Survey</b>	<p>At a minimum, the socioeconomic survey (SES) will collect information from a sample of 10% of affected people and 20% of severely affected AHs, disaggregated by gender and ethnicity. The purpose of the socioeconomic survey is to provide baseline data on AHs to assess resettlement impacts, and to be sure proposed entitlements are appropriate, and to be used for resettlement monitoring. The scope of data to be collected includes:</p> <p>A. Household head: name, sex, age, livelihood or occupation, income, education and ethnicity;</p> <p>B. Household members: number, livelihood or occupation, school age children and school attendance, and literacy, disaggregated by gender;</p> <p>C. Living conditions: access to water, sanitation and energy for cooking and lighting; ownership of durable goods; and</p> <p>D. Access to basic services and facilities.</p>
<b>Replacement Cost Survey</b>	<p>The <b>replacement cost survey (RCS)</b> will be done in parallel with DMS and SES activities by collecting information from both secondary sources and primary sources (direct interviews with people in the affected area, material suppliers, house contractors, local governments), and from both those affected and those not affected. Compensation rates will be continuously updated to ensure that APs receive compensation at replacement cost at the time of compensation payment.</p>

#### **D. RP IMPLEMENTATION**

62. During the process of completion of detailed design, RP updating will commence. Subsequent resettlement activities will be coordinated with the schedule of civil works. Land acquisition and relocation of affected households cannot commence until the updated RP, for the subproject or designated constructions works zone<sup>15</sup> (CWZ), has been reviewed and Approved by ADB.

The EA will carry out its best efforts to minimize the resettlement transition period and undertake the acquisition of assets, payment of compensation, and the resettlement and rehabilitation of AHs, except for long-term rehabilitation measures, in a timely manner to be completed prior to any construction activities take place in a designated constructions works zone<sup>16</sup> (CWZ).

## **VII. VULNERABILITY, GENDER, AND ETHNICITY**

<sup>15</sup> A CWZ shall be a designated zone defined during detailed design and clearly identified in the RP update that will divide the river/canal into convenient stretches for construction implementation. AHs will be resettled from CWZ in a systematic way so as to optimize implementation of project whilst paying due consideration to AHs rights under the RP implementation. Notice to Proceed with civil works for a complete CWZ will only be issued after completion of the aforementioned RP activities.

<sup>16</sup> A CWZ shall be a designated zone defined during detailed design and clearly identified in the RP update that will divide the river/canal into convenient stretches for construction implementation. AHs will be resettled from CWZ in a systematic way so as to optimize implementation of project whilst paying due consideration to AHs rights under the RP implementation. Notice to Proceed with civil works for a complete CWZ will only be issued after completion of the aforementioned RP activities.

## ISSUES

63. Vulnerable AHs are distinct groups of people who might suffer disproportionately of face the risk of being further marginalized by the effects of resettlement. These are female-headed households with dependents, disabled household heads and households falling under the generally accepted indicator for poverty, children and elderly who are landless and with no other means of support, landless households, ethnic minorities. Particular attention will be given to poor and vulnerable AHs during RP preparation and implementation. Separate consultation meetings will be conducted with these households on specific resettlement concerns, such as compensation and entitlements, rehabilitation of livelihoods and relocation as relevant. All public information and consultation meetings will ensure that vulnerable households are present.

64. With regard to gender strategy, it includes specific activities to ensure project benefits for women as shown below.

- a) Consultation meetings on resettlement activities will be held separately with women, female headed households and elderly women;
- b) The resettlement working group will include women representatives from affected households;
- c) At the inception of the Project, a capacity building training program on resettlement activities will be designed for the women and men local officials, and women and men from affected households to orient them about resettlement activities. Participation of poor women, female headed households in the training will be ensured;
- d) The training will include information on resettlement activities, management of cash assistance received, grievance procedures and impact of the project on livelihood activities
- e) The capacity building training on resettlement issues will be conducted separately for women including the female-headed households;
- f) During the conduct of the DMS, men and women from the households will participate in the said activity;
- g) Livelihood activities will be planned with active involvement of women; need assessment for livelihood activities and skill development of livelihood activities will be conducted separately for women members, poor women, female-headed households, and elderly women;
- h) Assistance for affected non-land assets and other allowances will be given to both men and women from the households; Specific attention will be provided for the poor women headed households, elderly women in paying the compensation on time and developing suitable livelihood activities for elderly and poor female headed households;
- i) Separate discussion with women members, female headed households, elderly women, ethnic minority household for selection of relocation sites, housing structure, and other social infrastructures, including timing of relocation;
- j) Special measures will be taken in the relocation of elderly, disabled and female headed households in terms of location of new site together with their extended families/relatives.
- k) Disaggregated monitoring indicators by gender will be developed for monitoring of Social benefits, economic opportunities, livelihood program, and resettlement

activities.

## VIII. CONSULTATION AND DISCLOSURE

65. Consultations will be conducted with the AHs, particularly with the vulnerable and severely affected. All consultation and disclosure activities will be properly documented. All minutes of meetings, photos, attendance sheets will be prepared and recorded.

66. Following the socialization activities with the AHs and concerned groups, the issues and suggestions raised to ensure compliance to the Project policies will be incorporated in the draft RP. The said draft RP will be disclosed to APs prior to submission to ADB for review and approval. The EA will disclose (i) draft RP prior to submission for review and approval by ADB; (ii) final RP approved by both the EA and ADB, and (iii) any revisions to the RP as a result of design layout. Key information in the RP to be disclosed to the affected households will include (i) compensation, relocation and rehabilitation options, (ii) DMS results, (iii) detailed asset valuations, (iv) entitlements and special provisions, (v) grievance procedures, (vi) timing of payments, and (vii) displacement schedule. The information will be made publicly available in Project and commune offices and provided to the affected households in the form of a summary RP, an information leaflet or brochure. Social monitoring reports will also be made available to affected households and will be uploaded on ADB website.

## IX. GRIEVANCE REDRESS

67. Grievances related to any aspect of resettlement will be handled through negotiation aimed at achieving consensus within 120 calendar days referring to existing Indonesian regulations<sup>17</sup>. Complaints will pass through 3 stages before they could be elevated to a court of law as a last resort, thus:

### 1. First Stage

68. An aggrieved AH may bring his/her complaint before any member of the RWG or the area coordinator of SES, either in writing or verbally. It is incumbent upon said member of the RWG to notify the Village Chief about the complaint who, in turn, will inform the *Camat*. The Sub-district Chief together with the Village Chief will have 40 calendar days following the lodging of the complaint by the aggrieved AH to act on the case. He/she may call, as needed, any member of the LAC, to help him/her come up with an acceptable resolution of the complaint. The *Kecamatan* (Sub-district government) is responsible for documenting and keeping file of all complaints that it handles.

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<sup>17</sup> “Peraturan President Republik Indonesia Nomor 65 Tahun 2006 Tentang Perubahan Atas Peraturan President Nomor 36 Tahun 2005 Tentang Pengadaan Tanah Bagi Pelaksanaan Pembangunan Untuk Kepentingan Umum Nomor 36 Tahun 2005” and “Peraturan Kepala Badan Pertanahan Nasional Republik Indonesia Nomor 3 TAHUN 2007, Tentang Ketentuan Pelaksanaan Peraturan Presiden Nomor 36 Tahun 2005 Tentang Pengadaan Tanah Bagi Pelaksanaan Pembangunan Untuk Kepentingan Umum Sebagaimana Telah Diubah Dengan Peraturan Presiden Nomor 65 Tahun 2006 Tentang Perubahan Atas Peraturan Presiden Nomor 36 Tahun 2005 Tentang Pengadaan Tanah Bagi Pelaksanaan Pembangunan Untuk Kepentingan Umum”

## 2. Second Stage

69. If after 40 calendar days the aggrieved AH does not hear from the *Camat* or the *Desa/Lurah* about the complaint, or if the AH is not satisfied with the decision taken by the *Camat*, the AH may bring the complaint, either in writing or verbally, to the *Bupati* (Head of Regency or District) or the *Walikota* (City Mayor). The *Bupati* or *Walikota* in turn will have 40 calendar days following the lodging of the complaint by the aggrieved AH to act on the case. He/she may call, as needed, any member of the LAC, to help him/her come up with an acceptable resolution of the complaint. The *Kabupaten/Kota* (Regency/City Government) is responsible for documenting and keeping file of all complaints that it handles.

## 3. Third Stage

70. If after 40 calendar days the aggrieved AH does not hear from the *Kabupaten/Kota*, or if the AH is not satisfied with the decision taken by the *Bupati* or *Walikota*, the AH may bring the complaint, either in writing or verbally, to the Office of the Provincial Governor. The Governor has 40 calendar days within which to resolve the complaint to the satisfaction of all concerned. The Office of the Governor is responsible for documenting and keeping file of all complaints that reaches the same.

## 4. Final Stage, the Court of Law Arbitrates

71. If after 40 days following the lodging of the complaint, the aggrieved AH does not hear from the Office of the Provincial Governor or if he/she is not satisfied with the decision taken by the Provincial Governor, the complain may be brought to a court of law for adjudication. The rules of court will be followed in the adjudication of the complaint

## **X. IMPLEMENTATION ARRANGEMENTS**

### **A. EXECUTING AND IMPLEMENTING AGENCIES**

#### **1. Introduction**

72. The Directorate General of Water Resources (DGWR) within the Ministry of Public Works (MPW) will be the ICWRMIP Executing Agency. DGWR has established a Project Coordination and Management Unit (PCMU) within the Citarum River Basin Organisation Unit (Balai Besar Wilaya Sungai Citarum) to be responsible for overall management and coordination of all project activities. Program Management Consultants to advise the PCMU on safeguards, provide oversight of safeguard application, and provide long-term capacity building will consist of one national social and one national environmental safeguard specialist and an international resettlement specialist to provide periodic safeguard oversight, guidance and training. Project Implementation Units (PIUs) will be established in each Implementing Agency, and each PIU will establish and staff a Social and Environmental Section.

73. ICWRMIP Tranche 1 will be implemented over six years starting in FY 2009 (see Appendix 3). The PCMU and PIUs have been established; PIUs have commenced advance procurement and preparatory activities. Tranche 1 implementation will commence with (i) full operational effectiveness of PIUs and PCMU; (ii) engagement of Program Management Consultants and Project Implementation Consultants; (iii) detailed engineering design of the WTC; (iv) institutional assessments and diagnostics; (v) civil society organization (CSO) stakeholder analysis and media campaigns, (vi) identification of target villages for community-driven components of the ICWRMIP, (vii) capacity building, and (viii) data gathering, establishment of information systems and setting up PPMS systems and procedures.

74. Consulting support for most of the ICWRMIP component projects will be required. The requirement for consulting services cannot be exactly defined at this stage, due to the inherent flexibility of the MFF modality. However, consultant requirements for the first tranche have been identified, including nation resettlement specialists.

75. The Executing Agency will approve the RP for a particular subproject or component before this is endorsed to ADB for review and concurrence. Likewise, overall responsibility in ensuring that the approved RP is implemented satisfactorily rests on the Executing Agency. In the ICWRMIP, the Government bodies that will play a key role in the preparation and implementation of resettlement plans are the Implementing Agencies and the Land Acquisition Committee (LAC).

76. The Government instrumentality that has always taken the lead in land acquisition is the *Panitia Sembilan* (Committee of Nine) at the local government level. The creation of the Committee of Nine was first mandated by Presidential Decree 55/1995. Subsequent Presidential Decrees (i.e., 36/2005 and 65/2006) replaced the Committee of Nine with the LAC. The members of the LAC are still representative from the same

offices that constituted the *Panitia Sembilan* plus other stakeholders which the local government head (i.e., provincial governor, district regent, or municipal/city mayor) would appoint. The operation of the LAC is guided by existing national and local laws and regulations, some of which are not in accord with ADB's Policy on Involuntary Resettlement.

77. For each subproject or component of the ICWRMIP that entails involuntary resettlement, the PIU will work closely with the Land Acquisition Committee to ensure mutually agreeable RPs are designed and implemented consistent with the RF. For WTC RP included in the tranche Project 1 in Q1 2009 an interagency Resettlement Working Groups (RWG) was formed from representatives from local government (3 LGs Bekasi District, Karawang District and Bekasi Kota, the WTC Operations management organization PJT-2, and DGWR). The roll of the RWG is discussed below.

78. At the moment, however, the Executing Agency does not have any unit or section that handles social issues, including involuntary resettlement. For this reason, a section in the PCMU and in each Project Implementation Unit (PIU) that will be set-up for the overall operation and management of the ICWRMIP subprojects will be organized to handle involuntary resettlement. These sections may also handle environmental concerns and, as such, will bear the name Social and Environmental Section.

79. The following subsections present the key bodies involved in the preparation and implementation of subproject RPs. During Tranche Project 1 of the ICWRMIP, technical assistance in the form of institutional strengthening will be extended by the ADB to prepare these bodies to carry out their functions and responsibilities. Likewise, any new Implementing Agencies that enter the Project during subsequent tranches will also require strengthening to be able to address resettlement and other social issues. There is provision under the Project for consultant input and capacity strengthening as required under future tranches.

## **2. Institutions for Resettlement**

### **a. The Social and Environmental Section**

80. The Social and Environment Section at each PIU of the Implementing Agency will be organized and will take the lead in ensuring that an RP for a given subproject or component of ICWRMIP is prepared and implemented in accordance with the RF and the loan agreement. It is for this reason that the SES in each PIU will have at least one (1) senior staff who specializes in social development. Additionally during Tranche 1 of the ICWRMIP, each Tranche 1 PIU Social and Environment Section will be provided training sufficient for its staff to be able to satisfactorily discharge their duties. The task of setting-up and strengthening the Social and Environment Sections will be included in the terms of reference (TOR) of the Project Implementation Consultant of Tranche 1 of the ICWRMIP. Below are the responsibilities of the Social and Environment Section:

- a. Discuss the RF with concerned offices at the DGWR; relevant offices of the Provincial Government and concerned District Governments, such as the

Development Planning Agency (BAPPEDA); and the members of the LAC/RWG.

- b. Assist the district LAC/RWG to conduct census, IOL, and SES as discussed in line with the requirements of the RF.
- c. Assist the district LAC/RWG to initiate the conduct of replacement cost study (RCS) in the district where the subproject is located.
- d. Process the gathered data (i.e the results of the IOL and the SES of AHs) and set-up and maintain a data retrieval system.
- e. Assist the district LAC/RWG to conduct the needed consultations and meetings with stakeholders, especially the AHs, during the preparation of the RP of a subproject or component of the ICWRMIP, specifically discussing with the AHs the results of the impacts assessment, entitlements under the RF, for compensation, resettlement and rehabilitation options.
- f. Translate into *Bahasa Indonesia* the draft RP, the final approved RP, the summary RP, and the public information booklet (see **Item g** below).
- g. With the assistance of the district LAC/RWG, disclose the draft subproject RP to AHs in a form and manner they can understand and in a place accessible to them. This can be in the form of a summary RP or public information booklet (PIB). The following information will be included in the PIB: (i) a brief background of the ICWRMIP and the subproject, specifically the civil works to be undertaken and the anticipated adverse social impacts; (ii) IOL results, with a statement that detailed information is available at the village office; (iii) basis used for asset valuations, stating also that detailed information is available at the village office; (iv) the entitlements due to the AHs, included in a summary entitlement matrix; (v) timing of payments and displacement schedule; (vi) grievance redress mechanism; and (vii) contact persons at the Implementing Agency. A copy of the RP for the WTC is attached.
- h. With assistance from the LAC/RWG, distribute the PIB to the concerned local government offices and to all AHs the draft RP to the village chiefs for posting in the village office prior to appraisal of a given subproject, the final subproject RP, and any subsequent revised version of the RP that might result from the detailed technical design or change in scope of the subproject..
- i. Draft the subproject RPs according to the results of the consultations with the APs and consistent with the RF, and submit the same to the Executing Agency for endorsement to the ADB.
- j. Ensure the timely allocation of resources and budgetary provisions from the National Government for use in the preparation (which includes the operation of the Land Acquisition Committee) and implementation of the subproject RPs.

**Resettlement Framework**

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- k. Assist the LAC/RWG during the conduct of the impacts assessment, negotiation with AHs on compensation and other entitlements, and the implementation of resettlement, ensuring that these are done according to the RF. The Social and Environment Section will report to the Project Director at the Implementing Agency and to the PIU the progress in RP preparation and implementation, including problems encountered for appropriate action.
- l. Engage the assistance of experts to help, as necessary, in the planning and implementation of income restoration measures to help AHs rehabilitate themselves and address associated social issues, such as health and sanitation.

**b. Provincial Government**

81. The Provincial Government of West Java, through the BAPPEDA, will have the following functions relative to the preparation and implementation of subproject RPs, as requested by the District government or EA:

- a. Help ensure that the concerned Districts are able to organize and mobilize the Land Acquisition Committee;
- b. Facilitate the release of funds from the National Government needed in the preparation and implementation of the subproject RPs; and
- c. Assist in the expeditious and judicious resolution of complaints of AHs (See **Grievance Redress**).

**c. District/Municipal Government (Kabupaten/Kota)**

82. The *Kabupaten/Kota*, through the Office of the *Bupati* (Regent) or *Walikota* (Mayor) will provide the main workforce in the preparation and implementation of the RP. The *Kabupaten/Kota* will have the following functions:

- a. Organize the working group for resettlement by way of a Decree;
- b. Issue a Decree on the unit costs of affected assets based on replacement cost and/or market rates;
- c. Manage and disburse the funds for paying the compensation of AHs for lost assets; and
- d. Assist in the expeditious and judicious resolution of complaints of AHs.

**d. Land Acquisition Committee/Resettlement Working Group**

83. The LAC/RWG is the main workforce behind the preparation and implementation of subproject RPs.

84. The functions of the LAC/RWG include the following:

- a. Assist in the necessary surveys and field investigation needed in the updating of the RP;
- b. Carry out consultation-meetings with the AHs, including the distribution of the PIB/disclosure of the draft and final updated RP;
- c. Review and approve the results of the replacement cost survey;
- d. Plan restoration of land to its pre-project condition to ensure that AHs will be allowed to use affected land after it has been assessed for any contamination and certified as safe for use;
- e. Prepare relocation plan during RP updating. Activities include, facilitate in finding replacement plots for residential for all relocating AHs within or nearby villages with affordable and renewable lease or lease-to-buy agreement, with similar or better conditions as before, with latrine. For affected shops, facilitate to find suitable place/plot to lease/rent (existing/new markets) within/nearby villages, with a provision to renew. Ensure that no AHs will be displaced until suitable sites have been found and that updated RP has been approved by ADB;
- f. Provide special attention to poor and vulnerable AHs through consultation and ensure that their concerns and special needs are addressed during RP updating and implementation;
- g. Together with the PIC and NGO, design and implement the restoration and livelihood restoration program, and monitor said activities and provide modifications in the program to improve implementation as and when necessary;
- h. Prepare the necessary vouchers and other documentation to facilitate the expeditious processing of the compensation of the AHs and deliver compensation payment to the AHs;
- i. Receive complaints, verbal or written, from the AHs and ensure that these are brought to the attention of the *Bupati* or *Walikota* for appropriate action;
- j. Maintain a record of all public meetings, complaints, and actions taken to address complaints and grievances at the District/City level; and
- k. Submit quarterly progress reports on RP updating and implementation (payment, relocation, income restoration) to the PIU.

**e. Mobilization Of Project Implementation Consultants**

85. The PIC will in general be an integral part of the Detailed Engineering Design and Construction Supervision consultancy and will be composed of a team resettlement consultants to assist the PIU in the updating and implementation of the RP (including detailed measurement surveys and replacement costs surveys). The PIC resettlement consultants will also assess the capacity of the implementing agencies and provide the necessary capacity building interventions (such as orientation, workshops, on-the-job training). Composition of PIC consultants will be assessed during the initial screening of a subproject and may consist as follows:

- Resettlement consultant(s),
- Gender/social development consultant,
- Training program experts for LRP
- NGO subcontract
- Independent appraiser subcontract
- Detailed Measurement and Replacement Costs Surveyors

**f. Mobilization Of NGO/Local Organization**

86. To help ensure better management of the design and implementation of the relocation plan and Livelihood Program, the PIC will sub-contract this endeavor with a local NGO or professional group that has track record in resettlement and community-based socio-economic work.

87. The NGO may assist in group will (i) review and finalize special program with regard to supplementary assistance that cannot be covered under the existing laws and regulations of the Government (for example, payment of non-land assets and transition allowances) to meet the project objectives;(ii) design and implement alternative livelihood activities under the Livelihood Restoration Program; and (iii) assist in the design and implementation of relocation plan for affected households as this will be dependent on the design of livelihood activities.

88. This group will have (i) resettlement experts, (ii) social development experts whose field of specialization covers poverty, gender, and ethnic minority concerns; (iii) livelihood experts specializing in community-based micro-livelihood program and micro-financing; (iv) training program experts specializing in the planning and implementation of community-based vocational and skills training programs.

**g. Mobilization Of Professional Appraiser For Replacement Cost**

89. If there is no existing local government regulations for use in compensation calculations for, the PIC will engage resources to to carry out replacement cost survey (RCS) to verify and establish compensation rates for crops, trees, structures, and other non-land based income e.g. fishponds) to ensure that the APs are compensated at

replacement cost at the time of compensation payment. The PIC will review local government regulations and where adequate and appropriate align the updated RP RCS with these regulations. The RCS will be carried out in parallel with the DMS.

## **XI. MONITORING**

### **A. INTERNAL MONITORING**

90. The PIU will serve as the Project's internal monitoring body. Quarterly reports will be submitted to the DGWR starting from the commencement of RP updating, which coincides with the conduct of the detailed measurement survey and other RP updating activities. The DGWR in turn will include updates on resettlement in its regular progress reports to ADB. Social monitoring reports will be made available to the affected households and will be submitted to ADB for web posting.

91. Internal monitoring and supervision will have the following objectives:

- a. Compensation and other entitlements are computed at rates and procedures as provided in the approved RP, with no discrimination according to gender, vulnerability, or any other factor;
- b. Affected households are paid their compensation and other entitlements as per approved Updated RP, ensuring that all entitlements are delivered as planned and agreed, including compensation in cash or in kind, allowances, replacement land, resettlement sites developed and people moved onto them;
- c. Livelihood restoration programs designed and delivered including modifications in the programs and provision of additional cash and in-kind assistance to the participating affected households as and when necessary;
- d. Public information, public consultation and grievance redress procedures are followed as described in the approved RP;
- e. Capacity of APs to restore/re-establish livelihoods and living standards. Special attention given to severely affected and vulnerable households. Focus will also be given if the objective of improving socio-economic condition of vulnerable households is achieved.
- f. Affected public facilities and infrastructure are restored promptly; and
- g. The transition between resettlement and commencement of civil works is smooth and that sites are not handed over for civil works until affected households have been satisfactorily compensated and resettled.

## B. EXTERNAL MONITORING

92. The main objective of external monitoring is to provide an independent periodic review and assessment of (i) achievement of resettlement objectives; (ii) changes in living standards and livelihoods; (iii) restoration and/or improvement of the economic and social base of the affected people; (iv) effectiveness and sustainability of entitlements; and (v) the need for further mitigation measures.

93. Strategic lessons for future policy formulation and planning will also be drawn from the monitoring and evaluation of resettlement. This is possible through a Post-Resettlement Implementation Evaluation Study that will be carried out carry out 6-12 months following completion of all resettlement activities.

94. The external monitoring agency (EMA) will be recruited by the PIU or PCMU prior to RP updating activities. Relative to compliance monitoring during resettlement implementation, the main activities of the EMA will revolve around the following:

- a. Review existing baseline data and gather additional socio-economic information, as necessary, on sample affected households;
- b. Monitor updating and implementation of the RP;
- c. Identify any discrepancy between policy requirements and actual implementation of resettlement;
- d. Monitor the resolution of complaints and grievances of affected households; and
- e. Provide recommendations for improving resettlement updating and implementation.
- f. Review compliance with regard to use of ADB loan funds for land acquisition and resettlement.
- g. Issue certification that each AP has received the full payment.
- h. Carry out resettlement audit

95. Specific to resettlement updating and implementation activities, the EMA will monitor and evaluate specific issues such as the following:

- Public consultation and awareness of resettlement policy and entitlements;
- Coordination of resettlement activities with construction schedule;
- Construction/Rebuilding of replacement houses and structures to new relocation sites (outside the ROW);
- Level of satisfaction of AHs with the provisions and implementation of the RP;
- Grievance redress mechanism (documentation, process, resolution);
- Effectiveness, impact and sustainability of entitlements and income restoration programs and the need for further improvement and mitigation measures
- Relocation site development (housing and market) from identification of sites in consultation with AHs, to resettlement site development and relocation of AHs.
- Capacity of affected households to restore/re-establish livelihoods and living standards. Special attention will be given to severely affected households and vulnerable households focusing on achieving project objectives of improving socio-economic stats of vulnerable households;

- Resettlement impacts caused during construction activities.
- Participation of AHs in RP updating and implementation

## **XII. RP BUDGET AND IMPLEMENTATION**

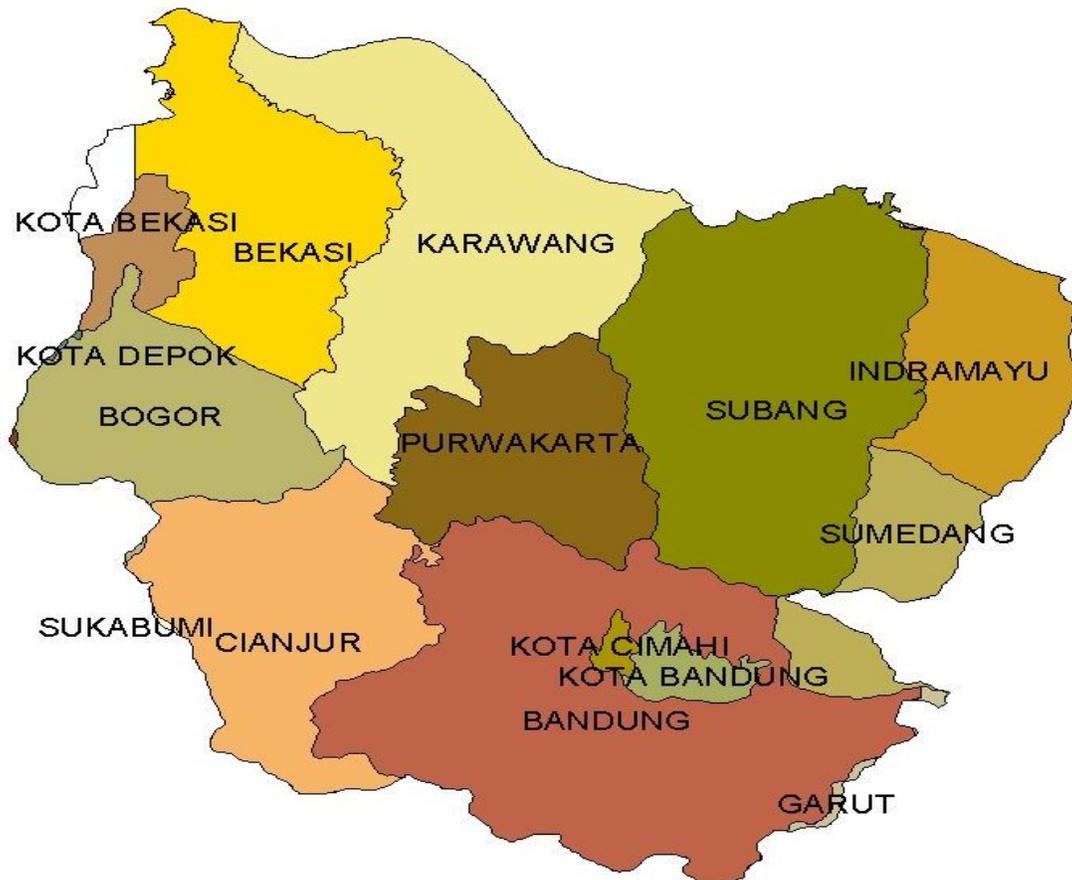
96. The budget will cover compensation costs, allowances, relocation and rehabilitation measures, administration costs, and contingency. RP cost or part of it will either be part of the Government's counterpart fund or ADB Loan. For counterpart fund, the Government will ensure timely provision of counterpart funds for resettlement to meet any unforeseen obligations in excess of the resettlement budget estimates in order to satisfy resettlement requirements and objectives.

97. The Resettlement Plan prepared for each subproject will identify key activities for which funds will be used, any disbursal milestones and auditing requirements that will facilitate appropriate and timely delivery.

98. The RP will be prepared following detailed design. All resettlement activities will be coordinated with the civil works schedule. Land acquisition and relocation of affected households cannot commence until the RP has been reviewed and approved by ADB. The IA and RWG will not allow construction activities in specific sites until all resettlement activities have been satisfactorily completed, agreed rehabilitation assistance is in place, and that the site is free of all encumbrances.

Appendix 1 Maps of the Project Area

**Political Subdivision of Project Districts**







Appendix 2: list of consultation meetings for the WTC rehabilitation RP

No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
<b>Consultation Meeting for Preparation Inventory Lost of Impact of WTC Rehabilitation</b>									
1	Bekasi	Consultation Meeting with Bekasi District, Preparation Inventory Lost of Impact of West Tarum Canal (WTC) Rehabilitation		2 Oktober 2006 09.00- 12.00	Bekasi Bappeda Hall	-	10	2	<ul style="list-style-type: none"> <li>- Explanation the ADB policy in involuntary resettlement for WTC</li> <li>- Discussion implementation sche inventory lost of impact of WTC rehabilitation in Bekasi area</li> <li>- To absorb information and opini from district team member in conducting inventory lost of imp WTC rehabilitation in Bekasi are</li> </ul>
2	Karawang	Consultation Meeting with Karawang District, Preparation Inventory Lost of Impact of West Tarum Canal (WTC) Rehabilitation		3 Oktober 2006 09.00- 12.00	Karawang Bappeda Hall	-	24	1	<ul style="list-style-type: none"> <li>- Explanation the ADB policy in involuntary resettlement for WTC</li> <li>- Discussion implementation sche inventory lost of impact of WTC rehabilitation in Bekasi area</li> <li>- To absorb information and opini from kabupaten team member in conducting inventory lost of imp WTC rehabilitation in Bekasi are</li> </ul>
<b>Socialization and Public Meeting RP of WTC Rehabilitation</b>									
1	Karawang			6 November 2006 09.00-12.00	Cibeet Syphon, Mulyajaya Village, Teluk Jambe Barat Sub District	71	11	2	<ul style="list-style-type: none"> <li>- Socialization for WTC Rehabilita</li> <li>- To absorb AHs opinion and information about WTC rehabili</li> </ul>
2	Karawang			6 November 2006 13.00-16.00	Mulyasari Village Hall, Ciampel Sub District	55	12	4	<ul style="list-style-type: none"> <li>- Socialization for WTC Rehabilita</li> <li>- To absorb AHs opinion and information about WTC rehabili</li> </ul>
3	Bekasi			8 November 2006 09.00-12.00	Cikarang Weir Office, Cikarang Utara Sub District	40	7	3	<ul style="list-style-type: none"> <li>- Socialization for WTC Rehabilita</li> <li>- To absorb AHs opinion and information about WTC rehabili</li> </ul>
<b>Socialization and Gender Public Meeting RP of WTC Rehabilitation</b>									
1	Karawang			16 November 2006 09.00-12.00	Cibeet Syphon, Mulyajaya Village, Teluk Jambe Barat	23	1	3	<ul style="list-style-type: none"> <li>- Socialization for WTC Rehabilita</li> <li>- To absorb special opinion from AHs of WTC rehabilitation</li> </ul>

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No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
					Sub District				
2	Karawang			16 November 2006 13.00-16.00	Mulyasari Village Hall, Ciampel Sub District	63	13	4	- Socialization for WTC Rehabilitation - To absorb special opinion from AHs of WTC rehabilitation
<b>Focus Group Discussion for Public Facilitation</b>									
1	Bekasi	Cikarang Pusat	Pasir Tanjung	Monday, 23 April 2007, 10.00-16.00	House of Chief RT	9	3	2	- Planning of clean water facility - Planning of public sanitary - Planning of septic tank
2	Bekasi	Cikarang Selatan	Jaya Mukti	Monday, 16 April 2007, 09.00-12.00	House of Mr.Ade	3	3	2	No plan for clean water facility, since people have dug wells.
3	Bekasi	Cikarang Selatan	Cibatu	Monday, 16 April 2007, 01.00-04.00	House of Chief RT	3	2	2	- Planning of clean water facility - Planning of public sanitary - Planning of septic tank
4	Bekasi	Cikarang Selatan	Pasirsari	Wednesday, 18 April 2007, 13.00-16.00	House of Chief RT	3	2	1	- Planning of clean water facility - Planning of public sanitary - Planning of septic tank
5	Bekasi	Cikarang Utara	Wangunharja	Wednesday, 11 April 2007, 10.00-15.00	House of Chief RT	4	2	2	- Planning of septic tank
6	Bekasi	Cikarang Utara	Sukadanau	Saturday, 7 April 2007, 09.00-12.00	Musholla As Sa'ad Rt 03/02 Sukadanau	43	1	2	To discuss the resolution problems embankment of WTC (BTB 35-35A) which domiciled by the Sukadanau people (Madura ethnic)
7	Bekasi	Cikarang Utara	Sukadanau	Thursday, 18 April 2007, 10.00-15.00	House of Chief RT	-	1	3	- Purpose to build bridge to cross in BTB 36a-36b, replacing the c craft
8	Karawang	Ciampel	Mulyasejati	Monday, 09 April 2007, 10.00-12.00	Deliberation Hall	5	1	1	- Planning of water treatment pro (WTP) - Planning of public sanitary
9	Karawang	Ciampel	Mulyasari	Monday, 09 April 2007, 13.00-16.00	Mulyasari Village Hall	12	1	4	- Planning of water treatment pro (WTP) - Planning of public sanitary - Purpose to build bridge to cross in BTB 3b (kampong Situ), repla the old bridge - Purpose to build bridge to cross in BTB 3, widening the old bridge
10	Karawang	Ciampel	Kutapohaci	Tuesday	Deliberation Hall	8	4	4	- Planning of water treatment pro

No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
				10 April 2007 13.00-16.00					(WTP) - Planning of public sanitary
11	Karawang	Ciampel	Kutanegara	Tuesday 10 April 2007 10.00-13.00  Wednesday 11 April 2007 13.00-16.00	Deliberation Hall	38	3	3	- Planning of water treatment pro (WTP) - Planning of public sanitary - Purpose to build bridge to cross in BTB 5 (kampong Karehes), w the old bridge - Purpose to build bridge to cross in BTB 6a-6b (kampong Ciparay widening the old bridge
12	Karawang	Ciampel	Kutamekar	Wednesday 11 April 2007 10.00-13.00  Saturday 14 April 2007 09.00-17.00  Monday 16 April 2007 09.00-13.00	Deliberation Hall, Kutamekar Village Hall	49	2	4	- Planning of water treatment pro (WTP) - Planning of public sanitary
13	Karawang	Ciampel	Parungmulya	Tuesday 17 April 2007 13.00-15.00  Saturday 21 April 2007 09.00-13.00	Parungmulya Village Hall	32	10	2	- Planning of water treatment pro (WTP) - Planning of public sanitary
14	Karawang	Teluk Jambe Timur	Pinayungan	Tuesday 17 April 2007 13.00-17.00	Public Figure's house	6	1	2	- Planning of water treatment pro (WTP) - Planning of public sanitary
15	Karawang	Teluk Jambe Timur	Sirnabaya	Tuesday 17 April 2007 09.00-12.00 15.00-17.30	Public Figure's house	3	1	2	- Planning of water treatment pro (WTP) - Planning of public sanitary
16.	Karawang	Teluk Jambe Timur	Puseurjaya	Wednesday 18 April 2007 09.00-15.00	Public Figure's house	2	2	1	- Planning of water tower and tan the height of 4-5m - Planning of public sanitary
17.	Karawang	Teluk Jambe Timur	Sukaluyu	Wednesday 18 April 2007	Public Figure's house	4	2	1	- Planning of WTP - Planning of dug well and water p

No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
				12.00-13.00 Thursday 19 April 2007 13.00-16.00					- Planning of water tower and tank the height of 2-3m - Planning of public sanitary
18	Karawang	Teluk Jambe Timur	Wadas	Thursday 19 April 2007 09.00-13.00	Public Figure's house	1	2	1	- Planning of water treatment pro (WTP) - Planning of public sanitary
19	Karawang	Teluk Jambe Barat	Margakaya	Wednesday 4 April 2007 09.00-14.00	Margakaya Village Hall	35	6	1	- Planning of water treatment pro (WTP) - Planning of public sanitary - Purpose to build bridge to cross in BTB 19c (kampong Cisalak), replacing the emergency bridge (bamboo)
20	Karawang	Teluk Jambe Barat	Margamulya	Thursday 5 April 2007	Public Figure's house	26	3	2	- Planning of water treatment pro (WTP) - Planning of public sanitary
21	Karawang	Teluk Jambe Barat	Karangligar	Wednesday 4 April 2007 13.30-16.00	Karangligar Head Village's House	11	2	1	- Planning of water treatment pro (WTP) - Planning of public sanitary
22	Karawang	Teluk Jambe Barat	Karangmulya	Wednesday 4 April 2007 16.30-18.00  Thursday 5 April 2007 16.00-18.00	Public Figure's house	14	1	1	- Planning of water treatment pro (WTP) - Planning of public sanitary
23	Karawang	Teluk Jambe Barat	Wanasari	Tuesday 3 April 2007 13.30-17.00	Public Figure's house	19	3	1	- Planning of water treatment pro (WTP) - Planning of public sanitary - Purpose to build new bridge to c WTC in BTB 22, to connecting Pasircabe and Karangmulya Ha
24	Karawang	Teluk Jambe Barat	Mulyajaya	Tuesday 3 April 2007 09.00-12.00	Saung Cibeeet	7	2	1	- Planning of water treatment pro (WTP) - Planning of septic tank
RP Working Group Coordination									
1	Bekasi District, Karawang District, Kota Bekasi (RP			Friday	Bekasi Bappeda Hall				- Socialization of resurvey WTC

No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
	Working Group)			5 Juni 2008 09.00-11.30					<ul style="list-style-type: none"> <li>- Facilitation to establish the distr team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
2	Karawang	Teluk Jambe Timur		Monday 26 Mei 2008 09.30-12.00	Pinayungan Village Hall	-	18	-	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Sub team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
3	Karawang	Ciampel		Monday 26 Mei 2008 13.00-15.00	Ciampel Sub District Hall	-	20	2	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Sub team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
4	Karawang	Teluk Jambe Barat		Tuesday 27 Mei 2008 08.00-10.00	Teluk Jambe Barat Sub District Hall	-	18	-	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Sub team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
5	Bekasi	Cikarang Pusat, Cikarg Selatan, Cikarang Utara		Tuesday 27 Mei 2008 10.00-13.00	Bale Rakyat Hall, Cikarang Utara	-	32	-	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Sub team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
6	Bekasi	Tambun Selatan		Wednesday 28 Mei 2008 09.00-12.00	Tambun Selatan Sub District Hall	-	38	-	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Sub team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
7	Kota Bekasi			Wednesday 28 Mei 2008 09.00-12.00	Kota Bekasi Bappeda Hall	6	13	2	<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC</li> <li>- Facilitation to establish the Distr team work for resurvey WTC</li> <li>- To get feedback from meeting participant</li> </ul>
8	Bekasi	Cikarang Utara	Sukadanau	Saturday 7 Juni 2008	Musholla As Sa'ad Rt 03/02 Sukadanau				<ul style="list-style-type: none"> <li>- Socialization of resurvey WTC t from Sukadanau village people (Madura ethnic)</li> </ul>
Consultation Meeting with Karawang District, Bekasi District, and Kota Bekasi									
1	Karawang District, Bekasi District, and Kota Bekasi (RP			Thursday	Bekasi Bappeda Hall	-	42	1	- Presentation and discussion re

**ADB Project No. 37049-02 INO: Integrated Citarum Water Resources Management Investment Program (ICWRMIP)**

No	District	Sub District	Village	Date/Time	Venue	Number of participant			Issues/Raised by AHs and Other C
						AHs	LG	PJT	
	Working Group)			5 Juni 2008 09.00-12.00				<ul style="list-style-type: none"> <li>- resurvey WTC</li> <li>- To discuss rate compensation for</li> <li>- To get feedback from meeting participant</li> </ul>	
2	Karawang District, Bekasi District, and Kota Bekasi (RP Working Group)			Thursday 12 Juni 2008 09.00-14.00	Bekasi Bappeda Hall	-	32	1	<ul style="list-style-type: none"> <li>- Completing result of resurvey W</li> <li>- Following to discuss rate compensation for AHs</li> <li>- To get feedback from meeting participant</li> </ul>

Note: LG : local Government; AHs : Affected Households; PJT : West Tarum Canal (WTC) operator



Appendix 3 Indicative ICWRMIP Program

ICWRMP Indicative ICWRMIP Program

PROJECT	Year															
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	
<b>Tranche 1</b>																
<b>Loan Financed</b>																
Program Management	■	■	■	■	■	■										
Rehabilitation of West Tarum Canal	■					■										
Development and Implementation of a Basin River Quality Improvement Strategy and Action Plans	■	■	■	■	■											
Water Supply Options Management for Bandung		■	■	■	■	■										
Land and Water Managment		■	■	■	■	■										
Support for Community- and NGO-Driven Initiatives for Improved Water and Catchment Management		■	■	■	■	■										
<b>Parallel Financed</b>																
Institutional Strengthening for IWRM (ADB TA)	■	■	■	■	■											
Productive Reforestation of Degraded Catchments [Phase 1] (GEF)	■															
Project Preparation for Tranche 2 (ADB TA)		■	■	■	■											
<b>Tranche 2</b>																
<b>Loan Financed</b>																
Program Management				■	■	■	■	■	■	■						
Ongoing support for WRC and supporting office(s), and capacity building for WRM agencies at provincial and district level					■	■	■	■	■	■						



PROJECT	Year														
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
System Service Improvement – East Tarum Canal															
Development and implementation of a water entitlements and licensing system for surface water users															
Development and implementation of an IEA for capacity building of communities across the basin for improved participation in water resources policy development, planning and management															
<b>Parallel Financed (Indicative)</b>															
Policy development for appropriate water pricing, water allocation and balanced stakeholder participation															
Development of strategies and options for demand management and water conservation with respect to industrial and domestic use															
Productive Reforestation of Degraded catchments [Phase 2] (GEF)															
Protected Area Management (Biodiversity) [Phase 2] (GEF)															
Project Preparation for Tranche 3 (ADB TA)															
<b>Tranche 3</b>															
<b>Loan Financed</b>															
Program Management															
Mini- and Micro- Hydropower Basin Study															



PROJECT	Year															
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	
Development and Implementation of Integrated Coastal Zone Management Strategy and Action Plan for Citarum Coastline																
<b>Parallel Financed</b>																
Project Preparation for Tranche 4																
<b>Tranche 4</b>																
<b>Loan Financed</b>																
Program Management																
Raising of Cirata Dam																
Cisankuy Irrigation Improvement																
Development and Implementation of Preferred Bulk Water Supply Options for Bekasi & Karawang																
<b>Parallel Financed</b>																
Investigation of water supply and sanitation options for urban areas (apart from Bandung, Bekasi and Karawang)																
Development of an on-line flow forecasting system on unregulated rivers																
<b>589,500</b>																
<b>24,600</b>																
<b>61,410</b>																
<b>675,510</b>																





#### Appendix 4 Format and Scope of a full RP and a short RP

Topic	Contents
<b>Executive Summary</b>	
<b>Scope of land acquisition and resettlement</b>	<ul style="list-style-type: none"> <li>• Scope of and rationale for land acquisition</li> <li>• Alternative options, if any, considered to minimize land acquisition and its effects, and justification for remaining effects</li> <li>• Key effects in terms of land acquired, assets lost, and number of people affected.</li> <li>• Primary responsibilities for land acquisition and resettlement.</li> </ul>
<b>Socioeconomic information</b>	<ul style="list-style-type: none"> <li>• Population record of people affected</li> <li>• Data on existing economic and social conditions of affected people, including socio-economic survey. Gender disaggregated socio-economic data is necessary.</li> <li>• Asset inventory, land assessment and assessment of other losses resulting from land acquisition, taking into account social, cultural, and economic impact on people affected.</li> <li>• Details on common property resources, if any.</li> <li>• Project impact on the poor, indigenous people, ethnic minorities, and other vulnerable groups, including women,</li> <li>• Special measures needed to enhance economic and social base of vulnerable groups.</li> </ul>
<b>Objectives, policy framework, and entitlements</b>	<ul style="list-style-type: none"> <li>• Purpose and objectives of land acquisition and resettlement.</li> <li>• Borrower's policy and legal framework for resettlement, with any gaps in this framework as compared to ADB policy</li> <li>• Measures proposed to bridge the gap between ADB and borrower's policies</li> <li>• Principles, legal and policy commitments from executing agency for different categories of project impacts.</li> <li>• Eligibility policy and entitlement matrix for all categories of loss, including compensation rates at replacement costs.</li> <li>• Principles for determining valuation and compensation for assets, incomes and livelihoods</li> </ul>
<b>Gender Impact and Mitigati Measures</b>	<ul style="list-style-type: none"> <li>• Identification of socio-economic condition, needs, and priorities of women</li> <li>• Measures to ensure that process of land acquisition and resettlement does not disadvantage women</li> <li>• New land/house titles will be in the name of both spouses. For land/house given as replacement property, titles will be in the name of the person who brought in the original property.</li> </ul>

Topic	Contents
<b>Information Dissemination, Consultation, Participatory Approaches and Disclosure Requirements</b>	<ul style="list-style-type: none"> <li>• Identification of project stakeholders.</li> <li>• Disclosure of project information</li> <li>• Consultations for determining principles</li> <li>• Mechanisms for stakeholder participation in planning, management, monitoring, and evaluation</li> <li>• Disclosure of RP to people affected</li> <li>• Local institutions or organizations to support people affected. Potential role of non-government organizations (NGOs), women's groups and community-based organizations (CBOs).</li> </ul>
<b>Grievance Redress Mechanisms</b>	<ul style="list-style-type: none"> <li>• Mechanisms for resolution of conflicts and appeals procedures</li> </ul>
<b>Relocation of housing and settlements</b>	<ul style="list-style-type: none"> <li>• Options for relocation of housing and other structures, including replacement housing, replacement cash compensation, and/or self selection.</li> <li>• Measures to assist with transfer and establishment at new sites.</li> <li>• Options for developing relocation sites, if required, in terms of location, quality of site, and development needs.</li> <li>• Plan for layout, design, and social infrastructure and services for each site.</li> <li>• Measures for planned integration with host communities</li> <li>• Special measures for addressing gender issues and those related to vulnerable groups.</li> <li>• Environmental risks identification and arrangements for environmental management and monitoring.</li> </ul>
<b>Income restoration strategy</b>	<ul style="list-style-type: none"> <li>• Identification of livelihoods at risk.</li> <li>• Income restoration strategy with options to restore all types of livelihoods.</li> <li>• Job creation plan, including provisions for income substitution, retraining, self-employment and pensions, where required.</li> <li>• Business relocation and restoration plan, including income substitution, where required.</li> <li>• Environmental risks identification and arrangements for environmental management and monitoring.</li> </ul>

Topic	Contents
<b>Institutional framework</b>	<ul style="list-style-type: none"> <li>• Main tasks and responsibilities in planning, negotiating, consulting, approving, coordinating, implementing, financing, monitoring and evaluating land acquisition and resettlement.</li> <li>• Review of mandate of the land acquisition and resettlement agencies and their capacity to plan and manage these tasks.</li> <li>• Provision for capacity building, including technical assistance, if required.</li> <li>• Role of NGOs, if involved, and organizations of affected persons in resettlement planning and management.</li> <li>• Involvement of women's groups in resettlement planning, management and operations, job creation and income generation</li> <li>• Female staff will be hired by the resettlement agency to work with and assist women in all aspects of resettlement activities, including planning and implementation of income restoration programs.</li> </ul>
<b>Resettlement budget and financing</b>	<ul style="list-style-type: none"> <li>• Cost estimates, budgets and cash flows for meeting the objectives of the RP according to established schedules</li> <li>• Land acquisition and resettlement costs.</li> <li>• Annual budget and timing for release of funds.</li> <li>• Sources of funding for all land acquisition and resettlement activities.</li> </ul>
<b>Implementation schedule</b>	<ul style="list-style-type: none"> <li>• Time schedule showing start and finish dates for major resettlement tasks.</li> <li>• Time bound actions for projected activities to ensure that people affected are compensated and assisted before award of civil works contracts or similar milestone, ensuring as a minimum that affected people will be provided with entitlements, such as land and asset compensation and transfer allowances, prior to their displacement</li> </ul>
<b>Monitoring and evaluation</b>	<ul style="list-style-type: none"> <li>• Plan for internal monitoring of resettlement targets, specifying key indicators of progress, mechanisms for reporting, resource requirements and database maintenance.</li> <li>• Plan for external and independent M&amp;E</li> <li>• Participation of affected people in M&amp;E</li> <li>• Impacts on women</li> </ul>



Appendix 5 Socio-economic Survey Instrument Used in WTC

Census No. ___/___/___/_____/_____/_____	Station: ..... km
Kelurahan: .....	Location of Affected Assets/s:
Kecamatan: .....	Left Embankment <input type="checkbox"/> Left side <input type="checkbox"/> Right side
Kabupaten: .....	Right Embankment <input type="checkbox"/> Left side <input type="checkbox"/> Right side

Appendix 4

CENSUS OF AHs

1. Information on Head of Affected Household (AH)

- 1.1 Name of respondent: .....
- 1.2 Is the respondent the household head? [1] Yes (If yes, go to 1.4) [2] No  
If no, what is the relationship to the household head? .....
- 1.3 Name of household head: .....
- 1.4 Gender of household head ..... [1] Male [2] Female
- 1.5 Age of household head: .....
- 1.6 Primary Occupation of household head: .....
  - 1- Farming/livestock
  - 2- Business/Trader/Vendor/Shop Owner
  - 3- Driver/Laborer
  - 4- Employee (private / government)
  - 5- Retired
  - 6- Unemployed looking for work
  - 7- Other: (specify) .....
- 1.7 Educational attainment of household head:
  - 1- No education
  - 2- Not completed Elementary
  - 3- Completed Elementary
  - 4- Not Completed High School
  - 5- Completed High School
  - 6- Not completed College
  - 6- Finished College
- 1.8 Religious Affiliation:
  - 1- Islam 2- Christian 3- Hindu 4- Buddhist 5- Other: (specify) ...

2. Ownership status household over the affected assets

2.1 Ownership status over the affected assets (fill in as appropriate)

Status of Ownership	Owner Yes or No	Renter Yes or No	Occupy with permission Yes or No	Encroacher/ Informal dweller Yes or No	Occupied since
Land					
House/Building					
Temporary Stall (warung)					
Other structures (fence, toilet, etc.)					
Crops and Tress					

2.2 If the AP is not the owner of the **house/building** ask information about the owner

- 2.2.a Name of the owner: .....
- 2.2.b Address of the owner: No. ... Kecamatan: .....  
Kabupaten: ..... Province/City: .....
- 2.2.c Occupation of the owner: .....
- 2.2.d **If renting** the affected structure/stall, how much do you pay per month?  
Rp .....

- 2.3 If AH is not the owner of the affected **land**, ask information about the owner
- 2.3.a Name of the owner: .....
- 2.3.b Address of the owner: No. .... Kecamatan: .....  
Kabupaten: ..... Province/City: .....
- 2.3.c Occupation of the owner: .....
- 2.3.d **If renting** the affected land, how much do you pay per month? Rp .....

**3. Type of use of the affected land and building/house by the household**

- 3.1 **Use of land:** [1] Residence [2] Commerce [3] Residence-cum-commerce  
[4] Agriculture [5] Other .....
- 3.2 **Use of main building/house:** [1] Residence Only [2] Commerce  
[3] Residence-cum-business [4] Government building [5] Other .....(specify)
- 3.3 Do you have sufficient land outside of the COI to re-organize? [1] Yes [2] No
- 3.4 Do you have sufficient land outside the ROW to shift back? [1] Yes [2] No
- 3.5 Do you have other lands located elsewhere that are not affected by this project?

**4. Information about Household members, income, and expenditure**

- 4.1 Number of people living with the household: .....
- 4.2 What is your household's primary source of income? .....
- 4.3 Distance to primary source of income from home: [1] at home [2] less than 1km  
[3] between 1 to 2km [4] between 2 to 4km [5] more than 4km
- 4.4 What is the average monthly income of your household? Rp .....
- 4.5 What is the average monthly expenditure of your household? Rp .....
- 4.6 Rank the following household expenses according to priority (1 = Top priority,  
2 = Second priority, 3 = Third priority, 4 = Least priority):  
Food:\_\_\_\_ Shelter (housing):\_\_\_\_ Health:\_\_\_\_ Education:\_\_\_\_
- 4.7 Profile of household members

HH Members	Relati on with HH head*	Sex 2*	Age	Marital Status 3*	Educa- tion 4*	Primary Occupati on 5*	Monthly income (Rp)	Work place 6*	Physica l Condi tion 7*
1									
2									
3									
4									
5									
6									
7									
8									
9									

10									
11									

- 1\* Relation with the HH head: [1] head [2] spouse [3] child [4] parents [5] other relatives
- 2\* Sex: [M] male [F] female
- 3\* Marital status: [1] single [2] married [3] divorced
- 4\* Education attainment: [1] No education [2] Not completed Elementary [3] Completed Elementary [4] Not Completed High School [5] Completed High School [6] Not completed College [7] Finished College
- 5\* Occupation: [1] Farming/ livestock [2] Business/Trader/Shop Owner [3] Driver / Laborer [4] Employee (private/government [5] Retired [6] Unemployed looking for work [7] Other: (specify) .....
- 6\* Workplace: [1] at home [2] less than 1km [3] between 1 to 2km [4] between 2 to 4km [5] more than 4km
- 7\* Physical condition: [1] normal [2] disabled [3] very old/chronically ill

**5. Loss of Business and Other Income (for AHs with affected businesses)**

	Type of business (code)	Number of years the business has been operating?	With Business License?		Average monthly gross income (Rp)
			Yes	No	
	1	2	2	3	6
5.1					
5.2					
5.3					

Type of business: 1- Small mobile kiosk 4- Other services (e.g., barber)  
 2- Market stall / Retail store 5- Garage / vehicle repair / Tire repair  
 3- Restaurant / guest house 6- Other: ..... (specify)

**6. Sanitary Facilities**

- 6.1 Where does the household get its water for drinking? [1] Pump well [2] Piped water from public utility company [3] Private water seller [4] Canal [5] Other\_\_\_\_\_ (specify)
- 6.2 Where does the household get its water for washing/bathing? [1] Pump well [2] Piped water from public utility company [3] Private water seller [4] Canal [5] Other\_\_\_\_\_ (specify)
- 6.3 Where does the household discharge/throw its used water? [1] Septic tank [2] Public drainage [3] Directly outside the house [4] Other\_\_\_\_\_ (specify)
- 6.4 What toilet facility does the household use? [1] Own toilet inside household property [2] Public toilet [3] In the field/open space [4] In the canal [5] Other\_\_\_\_\_ (specify)
- 6.5 How does the household get rid of its garbage? [1] Through the government garbage

collector [2] Burn it [3] Throw anywhere [4] Throw in the canal

### INVENTORY OF LOSSES

**1. Plot of Land, 2. Ground floor of the Structure**

Left hand side of Embankment

(.....) from CL

**0 m Centerline**

Right hand side of Embankment

Sketch indicates: [1] Plot of land [2] Floor of the structure [3] other structure [4] Crop/trees

Add Sketches here

**3. Other structures Affected**

Type of Structure	Unit	LM/m <sup>2</sup>	Type of Structure	Unit	L M/m <sup>2</sup>

**4. Affected annual/perennial crops**

Crop	Area (m <sup>2</sup> )	Crop	Area (m <sup>2</sup> )

Trees	Number	Trees	Number
<b>Total Number of Trees</b>		<b>Total Number of Trees</b>	

Date: .....

.....  
Signature and name of enumerator

Certifying that Mr./Ms. ....  
is truly the owner/occupier/user of the affected assets.

Appendix 6 Resettlement Plan for the WTC