

Indonesia: Metropolitan Sanitation Management Investment Project

May 2017

CURRENCY EQUIVALENTS

(as of 31 May 2017)

Currency unit	–	Indonesian rupiah (Rp)
Rp1.00	=	\$0.0000764935
\$1.00	=	Rp13,073

NOTE

- (i) In this report, "\$" refers to US dollars.

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Resettlement Planning Document

Land Acquisition and Resettlement Plan (Part 1)

Project Number:

May 2017

PALEMBANG CITY OFF-SITE WASTEWATER COLLECTION AND TREATMENT SYSTEM

Prepared by the Directorate General of Human Settlements, under the Ministry of Public Works of the Republic of Indonesia, for the Department of Foreign Affairs and Trade of the Australian Government

The Resettlement Plan is a document of the recipient. The views expressed herein do not necessarily represent those of the Department of Foreign Affairs and Trade and may be preliminary in nature.

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ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
AHs	Affected Households
APs	Affected Persons
BAPPEDA	Provincial/District/City Planning Agency
CMC	Construction Management Consultant
CPMU	Central Project Management Unit
DED	Detailed Engineering Design
DFAT	Department of Foreign Affairs and Trade of the Australian Government
DGHS	Directorate General for Human Settlements, Ministry of Public Works and Peoples' Housing
DMS	Detailed Measurement Survey
EA	Executing Agency
EM	Entitlement Matrix
GoI	Government of Indonesia
GRM	Grievance Redress Mechanism
IA	Implementing Agency
IMA	Independent Monitoring Agency
IndII	Indonesia Infrastructure Initiative
IOL	Inventory of Losses
IRR	Implementing Rules and Regulations
KJPP	<i>Kantor Jasa Penilai Publik</i> (Public Valuator)
LAC	Land Acquisition Committee
LARP	Land Acquisition and Resettlement Plan
LPIU	Local Project Implementation Unit
LPMU	Local Project Management Unit
MPWPH	Ministry of Public Works and Peoples' Housing
MSMIP	Metropolitan Sanitation Management Investment Project
PIB	Public Information Booklet
PISC	Project Implementation Supervision Consultant
PPIU	Provincial Project Implementation Unit
RP	Resettlement Plan
SATKER	<i>Satuan Kerja</i> (Local Government Working Unit)
SES	Socioeconomic Survey
SPS	Safeguards Policy Statement
SR2	Safeguards Requirement 2
TA	Technical Assistance
UPTD	<i>Unit Pelaksana Teknis Daerah</i> (Local Technical Implementation Unit)
WCS	Wastewater Collection System
WWTP	Wastewater Treatment Plant

DEFINITION OF TERMS

Affected Person (AP). 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 (e.g., residential, commercial, agricultural, and/or grazing land), water resources or any other 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 physical displacement. In the case of affected household (AH), it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by the project.

Compensation. This is payment given in cash or in kind to AP at replacement cost or at current market value for assets and income sources acquired or adversely affected by the project.

Cut-off Date. Refers to the date after which people will NOT be considered eligible for compensation i.e. they are not included in the list of APs as determined by a census of persons displaced from assets and livelihoods. In this Project, the DGHS and the Land Acquisition Committee (LAC) will disclose the cut-off-date to residents and local officials of each affected village which coincides with the conduct of the detailed measurement survey (DMS).

Detailed Measurement Survey (DMS). With the use of approved detailed engineering drawings, this activity involves the finalization and/or validation of the results of the IOL, severity of impacts, and list of APs done during the preparation of this resettlement plan (LARP). The final cost of resettlement will be determined after the DMS.

Entitlement. Refers to a range of measures, such as compensation in cash or in kind, income restoration support, transfer assistance, livelihood substitution, relocation support, etc., which are provided to the APs depending on the type and severity of their losses to restore their economic and social base.

Income Restoration. This involves re-habilitating the sources of income and livelihoods of severely affected and vulnerable APs to supplement compensation received for acquired assets, in order to achieve, at a minimum, full restoration of living standards and quality of life.

Inventory of Losses. This is the listing of assets as a preliminary record of affected or lost assets during the preparation of the LARP where all fixed assets (i.e., land used for residence, commerce, agriculture; dwelling units; stalls and shops; secondary structures, such as fences, tombs, wells; standing crops and trees with commercial value; etc.) and sources of income and livelihood inside the Project boundaries are identified, measured, their owners identified, their exact location pinpointed, and their replacement costs calculated. The severity of impact on the affected assets and the severity of impact on the livelihood and productive capacity of the APs are likewise determined.

Involuntary Resettlement. It is the displacement of people, not of their own volition but involuntarily, from their homes, assets, sources of income and livelihood from the site identified for the Project.

Land Acquisition. Refers to the process whereby a person in the WWTP site is compelled by the government through the LAC and DGHS to alienate all of the land owned by the AP or possesses, to the ownership and possession of the government for the Project in return for compensation at replacement cost.

Meaningful Consultation. A process that (i) begins early in the project preparation stage and is carried out on an on-going basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

Relocation. This is the physical displacement of the AP from his/her pre-project place of residence and/or business.

Replacement Cost. Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or depreciation and remaining values of salvageable materials, at prevailing market value, or its nearest equivalent, at the time of compensation payment.

Replacement Cost Study. This refers to the process involved in determining replacement costs of affected assets based on empirical data.

Resettlement. Refers to various measures provided to APs in mitigating any and all adverse social impacts of the project, including compensation, relocation (where relevant), and rehabilitation as needed.

Resettlement Plan. It is the social safeguards document that contains the policies and guidelines and time-bound action plan with budget, setting out the resettlement objectives and strategies, entitlements, activities and responsibilities, resettlement monitoring, and resettlement evaluation.

Severely Affected Person. This refers to APs who will (i) lose 10% or more of their total productive assets, (ii) have to relocate, and/or (iii) lose 10% or more of their total income sources due to the project.

Vulnerable Groups. These are distinct groups of people who might suffer disproportionately or face the risk of being further marginalized due to the project and specifically include: (i) households that are headed by women with dependents, (ii) household heads with disabilities, (iii) households falling under the generally accepted indicator for poverty, (iv) elderly households who are landless and with no other means of support, and (v) landless households.

I. EXECUTIVE SUMMARY

1. This updated Land Acquisition and Resettlement Plan (LARP) is the social safeguards document for the Palembang City Off-site Wastewater Collection and Treatment System in Palembang City, South Sumatra Province. An initial LARP for the project was approved in 2013. Due to the implementation of new legislation (Presidential Decree 71 of 2012 and related decrees), an adjustment of the boundary of the land acquired for the WWTP and delays in preparation activities for construction, substantial revisions became necessary.

Project Description

2. The Palembang City Off-site Wastewater Collection and Treatment System (or the Project) is located in Palembang City, South Sumatra Province, and is one of five subprojects which have been assisted by the Asian Development Bank under TA № 7993 – INO: Metropolitan Sanitation Management Investment Project (MSMIP). The Project, financed through an Australian Grant and national and municipal budget allocations, has two components; the Wastewater Treatment Plant (WWTP) Component and the Wastewater Collection System (WCS) Component. The WWTP shall be located on land at *Kelurahan* Sei Selayur in Kalidoni District. The effluent shall be treated in the WWTP prior to discharge into the Musi River. The WCS shall be constructed along roads and alleys in the center of the City to collect wastewater and bio-solids from business establishments, public markets, and households through the sewers to be treated in the WWTP.

Scope of Land Acquisition and Resettlement

3. A total of 58,230 m² (5.8 ha) of land has been permanently acquired for the Project in 2012/2013. The November 2012 Inventory of Losses and Socioeconomic Survey covered 24 households. Three of the Affected Households (AHs), the land owners, were not living on the site. In November 2013, an additional public consultation identified a total of 21 AHs living in 17 structures on the site with corrected borders. According to pertinent regulations, the result of the appraisal carried out in 2013 is only valid for one year. Therefore, the City Government contracted another independent evaluator (*Kantor Jasa Penilai Publik, KJPP*) in 2016 to prepare an updated assessment. In the course of a final public consultation in February 2017, the Construction Management Consultant (CMC) in cooperation with the *kelurahan* administration of Sei Selayur updated the data of Affected Households/Affected Persons (AHs/APs) through interviews with APs. The evaluator adjusted the calculations of compensation amounts accordingly. The detailed APs data, losses and proposed compensation for the AHs are as shown in Appendices 6 and 7.

Socioeconomic Information

4. The 24 AHs identified in the 2012 Socio-economic Survey (SES) were headed by 16 males and 8 females. The 2013 Inventory of Losses (IOL) and SES update, coinciding with the agreed cut-off date of November 27, 2013, covered 21 households who were living on the site with corrected borders. The 21 AHs lived in 17 structures and were headed by 16 males and 5 females. An update of demographic data in February 2017 showed that 27 AHs, totaling 98 persons (52 females and 46 males), were residing and/or had been residing in the affected houses. The main household heads remained the same as those on the cut-off date.

5. By February 2017, of total household members, 60 persons (61.2%) are in the labor force (age range of 15 to 55 years). Except for 12 APs (12.2%), all household members are literate with elementary as the lowest level of education.

6. Following the comparison of their monthly incomes vis-à-vis the monthly poverty threshold in the City, 9 AHs have income deficits. Additionally, there are 7 female headed households and 13 elderly headed households that would also be considered as vulnerable. Four of these are also below the poverty line and 2 are both elderly and female headed. Therefore, a total of 23 vulnerable households are affected by the Project.

Information Disclosure, Consultation and Participation

7. Public consultation and information dissemination in the project has been an ongoing activity and will continue throughout the project cycle. Households affected by acquisition of land and the communities along the project roads have been fully informed about the project from the beginning of the fieldwork. In October 2012, an initial meaningful consultation and disclosure of information was held to inform the community about the project.

8. During the period 2013 until 2015, three further consultations with the Affected Households and the local authorities, the head of Sei Selayur *kelurahan* and the head of Kalidoni Sub district on the status of AHs were carried out. A Baseline Survey of Traffic Interaction with Business was also conducted in 2015 to obtain people's perception along the planned pipelines about the project and to be able to estimate temporary impacts and damage from the construction of the WCS.

9. In addition, IndII¹ contracted another consultant in early 2015 to carry out an assessment of viable options for the relocation of AHs. In discussion with the Palembang Local Government (LG), the consultant evaluated several options, (i) an off-site option in which the city would be required to find additional land away from the WWTP site within 3 kms of the proposed site, (ii) on-site options for housing, i.e. utilizing an unused part of the land acquired for the WWTP, (iii) cash only. The report concluded that only two options were considered feasible, (i) cash only or (ii) housing with a long-term lease arrangement. Further consultations between the LG and DFAT resulted in an understanding that cash payment was considered the only viable option.

10. In October 2016, IndII mobilized the Construction Management Consultant (CMC) team for the project. Among other tasks, the CMC is responsible for assisting the Palembang LG with further updating and finalizing the LARP and monitoring the implementation of the plan. In consultation with the APs, the KJPP and the Local Project Management Unit (LPMU), the team's national safeguards specialist adjusted data related to AHs/APs, the value of compensations and the overall resettlement budget.

11. Another public consultation was conducted on 14 February 2017. An updated version of the Public Information Booklet prepared by the CMC was distributed to the APs. Representatives of DFAT, IndII and the Ministry of Public Works and Peoples' Housing attended the meeting. The LG, assisted by the KJPP, explained the compensation to be paid

¹ The Indonesia Infrastructure Initiative (IndII) is an Australian Government-supported initiative. Its primary goal is to promote economic growth by working with the Government of Indonesia to enhance infrastructure policy, planning, delivery and investment.

to each AH based on the recent reassessment carried out by the KJPP. All of the AHs agreed with the solution offered and signed a related statement.

Grievance Redress Mechanisms

12. The Palembang City Government acquired the land for the WWTP in 2012 and 2013. The 2013 LARP detailed a grievance redress mechanism based on pertinent Indonesian laws and regulation and ADB's Safeguards Policy Statement in section V.B. of the document. Land acquisition was completed without complaints from the owners.

13. For the outstanding relocation and compensation of APs, the Palembang City LPMU will ensure that any grievances and complaints are addressed in a timely and satisfactory manner. Complaints can be submitted orally or in writing. Complaining APs will not be charged any fee during the resolution of their grievances and complaints. Nothing in this grievance redress mechanism removes the APs' right to pursue the matter through Indonesia's legal system. The GRM for land acquisition, relocation and compensation shall be implemented by the City Government's LPMU.

14. As discussed with the LPMU of the City of Palembang, to the extent possible complaints should be resolved through consultations involving the LPMU and the *kelurahan* administration to address complaints at the local level and thereby preclude their elevation to higher levels. In case no solution can be achieved, procedures stipulated in *Perpres* 71/2012 and *BPN* regulation 5/2012 shall be applied.

Legal Framework, Compensation Policy and Eligibility

15. Indonesia has legislated a regulation for acquiring land for public use activities under Law No. 2 of 2012 on Implementation of Land Acquisition for Development in the Public Interest (Land Acquisition Law) and related implementing regulations.

16. Law No. 2 of 2012 is applicable in projects where the land acquisition has not been completed as of 31 December 2014. While the purchase of the land for the WWTP was carried out in 2012/2013, the related resettlement and provision of other compensation has not been completed, which means that stipulations of the new law and associated regulations are relevant for the finalization of the process.

17. Law 2 of 2012 has significantly improved the Country Safeguards System for resettlement with greater protection of the rights of property owners through consultation and fair compensation, and it also deals with compensation for non-titled property holders if there is land acquisition required. However, there are some principles not covered in the land acquisition law. In order to bridge gaps between ADB's safeguards policy and Indonesian legislation, the Directorate General for Human Settlements, Ministry of Public Works and Peoples' Housing (DGHS) has formulated specific policies for the MSMIP.

Entitlements, Assistance and Benefits

18. APs are entitled to compensation as follows:
- a. WWTP site:
 - (i) Permanent loss of land, (ii) Loss of Houses and Other Structures, (iii) Loss of Small Business, (iv) Loss of Trees and/or Crops, and (v) Assistance to vulnerable AHs.
 - b. Residents of streets along the sewer pipe network:
 - (i) Temporary limitation of use of land, (ii) Damage to structures, (iii) Temporary loss or limitation of access, (iv) Disruption of business.

Relocation of AHs

19. While initially several options had been explored, consultations between the LG and DFAT resulted in an understanding that cash payment was considered the only viable option. During the February 2017 Public Consultation the AHs agreed with this solution.

Income Restoration and Rehabilitation

20. The two AHs owning small eateries cum coffee shops already had moved their businesses by the time of the February 2017 consultation. Nevertheless, they are still entitled to business compensation amounting to the equivalent of 3 months' previous income.

21. The 23 vulnerable AHs in the project will be provided assistance in addition to their entitlements for compensation.

LARP Implementation Budget

22. The overall cost of updating and implementing the LARP amounts to Rp 29,019,380,7872 = AUD 2,901,938, comprising: Compensation for WWTP Rp 25,055,045,010 = AUD 2,505,505; Allowances & Assistance Rp 69,960,000 = AUD 6,996; Administration and Monitoring Rp 1,256,250,251 = AUD 125,625; and Contingencies Rp 2,638,125,526 = AUD 263,813. The City Government of Palembang will ensure timely provision of funds and will meet any unforeseen obligations in excess of the resettlement budget in order to meet the social safeguards objectives of the Project.

Institutional Arrangements

23. The DGHS is the Executing Agency of MSMIP while the implementing agencies at the Project level are two units working together, the *Satuan Kerja* (SATKER) for South Sumatra Province as the Provincial Project Implementation Unit (PPIU) and the Palembang City Local Project Management Unit (LPMU). The DGHS will be responsible for the management of LARP and social issues which shall be updated by the CMC and implemented by SATKER and the LPMU. The DGHS has established a Central Project Management Unit (CPMU). The CMC team includes two qualified and experienced resettlement specialists, one international resettlement expert and a national resettlement specialist.

Implementation Schedule

24. As envisaged, the LARP for WWTP Sei Selayur shall be implemented within seven months starting as of May/June 2017, including (i) approval of the budget by LG (done), (ii) approval of the LARP by ADB/DFAT, (iii) issuance of No Objection by DFAT, (iv) issuance of public notice on the implementation of the LARP, (v) award of civil works contracts, (vi) compensation payment, update of SES, inventory of housing arrangements made by the AHs and resolution of grievances filed by APs and/or AHs affected by the WWTP construction, (vii) clearing and handover of the WWTP site. The CPMU, in close coordination with PPIU, LPMU and the LAC, will implement the LARP upon receipt of official approval from DFAT/ADB. It will only award the civil works contracts to the contractors after the LARP has been approved.

Monitoring and Reporting

25. The CPMU, PPIU and LPMU will have joint responsibilities in the internal monitoring of LARP implementation with results to be reported to DFAT on a monthly basis. All activities are time bound and the progress of implementation will be monitored by the CMC in the field on a monthly basis and reported to the CPMU for assessment, and adjustment of the work program if necessary. Indicators for the internal monitoring will be those related to process and immediate outputs and results, such as the following: (i) further consultations with APs if required; (ii) resolution of complaints (iii) status of payments of compensation; (iv) relocation of AHs. In line with DFAT and ADB safeguard requirements and as part of the LARP monitoring, the CMC will conduct a post-relocation socioeconomic survey by interviewing AHs who were relocated from the WWTP site.

II. PROJECT DESCRIPTION

26. This updated Land Acquisition and Resettlement Plan (LARP) is the social safeguards document for the Palembang City Off-site Wastewater Collection and Treatment System in Palembang City, South Sumatra Province. An initial LARP for the project was approved and published on the ADB website in June 2013 with the title: Indonesia: Metropolitan Sanitation Management Investment Project – Land Acquisition and Resettlement Plan, Palembang City Off-site Wastewater Collection System and Treatment.² Due to the implementation of new legislation (Presidential Decree 71 of 2012 and related decrees), an adjustment of the boundary of the land acquired for the WWTP and time lapse between LARP preparation and implementation, substantial revisions became necessary. This updated LARP is based on the agreed cut-off date of November 27, 2013, with demographic data updated on February 14, 2017.

27. The Palembang City Off-site Wastewater Collection and Treatment System in Palembang City, South Sumatra Province is among five Projects which have been assisted by the Asian Development Bank under TA № 7993 – INO: Metropolitan Sanitation Management Investment Project (MSMIP). The proposed MSMIP supports: (i) the National Policy for the Development of Community-Based Water Supply and Environmental Sanitation; (ii) ADB's Water Operational Framework 2011-2020, which has strong emphasis on sanitation and is directed toward efficient technologies and capacity development programs; (iii) ADB's Water for All Policy; and (iv) the draft Indonesia Country Partnership Strategy. The Project impact will be health improvement through the reduced occurrence of water-borne diseases and water-washed diseases in the areas it will serve in Palembang City. The outcome shall be increased access to sanitation services by the households.

28. The Palembang Project, financed through an Australian Grant and national and municipal budget allocations, has two components, which are: (i) the Wastewater Treatment Plant (WWTP); and (ii) the Wastewater Collection System (WCS). The proposed WWTP shall be located on land at Sei Selayur Village in Kalidoni District near the unpaved road that connects to the paved Dr. Insinyur Sutami Road. The effluent shall be treated in the WWTP prior to discharge into the Musi River. For an overview map of the project see Appendix 1.

29. The WCS, comprising of ± 60 km of pipes with a diameter larger than 150 mm, shall be constructed along the main roads of the City. This facility shall collect wastewater from business establishments, public markets, and households through the sewers to be treated in the WWTP. Based on the Detailed Engineering Design of the project, the service area comprises 5 catchments with 5 wastewater-pumping stations (WWPSs). The WWPSs are required to:

- i. minimize sewer and pump station depths for construction and operation;
- ii. transfer wastewater flows to the WWTP. Due to the limitation of the proposed investment amount, the project shall be staged. Stage one which is the current proposal only requires one pump station, and the land is already owned by the

² <http://www.adb.org/projects/documents/ino-metropolitan-sanitation-management-improvement-palembang-city-rp>

City of Palembang. Further stages will be implemented subject to additional investment decisions by the Government.

30. This updated Land Acquisition and Resettlement Plan (LARP) is the social safeguards document for the Palembang City Off-site Wastewater Collection and Treatment System (or the Project) in Palembang City, South Sumatera Province. The LARP contains the policies, guidelines and administrative processes and procedures, consistent with the relevant legislation being enforced in by the Government of Indonesia (GoI), ADB's 2009 Safeguard Policy Statement (SPS) as well as the other cross-cutting policy themes of ADB, and DFAT policy³.

31. The acquisition of 5.8230 ha of land for the WWTP, affecting a family of three owners, not residing in the location, has been completed in 2012/2013. No land acquisition is foreseen for the first stage of the wastewater collection system. Details of impacts are provided in the following section.

III. SCOPE OF LAND ACQUISITION AND RESETTLEMENT

A. Assessments of Impacts

32. The original assessment of impacts due to the acquisition of land for the WWTP component was carried through a detailed Inventory of Losses (IOL) and Socio-economic Survey (SES) during the period 14 – 17 November 2012 by the ADB PPTA consultant and updated by Cardno in February 2013. The questionnaire used is shown in Appendix 2.

33. As one of the tasks under IndII Activity W268.02: Environmental Impact Assessment for Sewerage in Three Cities (Palembang, Makassar and Cimahi), during the period 2013 until 2015 a series of consultations with the AHs and the local authorities, the head of Sei Selayur Village and the head of Kalidoni Subdistrict on the status of AHs were carried out in order to prepare a preliminary update of the LARP (see Appendix 3).

B. Description of Impacts

1. Permanent Impacts

34. **Loss of Land.** The land acquisition implementation process for the WWTP started when the Mayor approved and signed the decision to acquire land, under SK No. 420 of 2012 (see map in Appendix 4). The land acquired for the WWTP area is situated in Sei Selayur Village. The land is located near an existing road named Jl. Dr. Insinyur Sutami and main access to the site will continue from this road after construction. The land is not part of any ancestral domain.

35. The land was owned by three persons named Drs Djaloeddin Janggoet, (late) H.J. Naro S.H and family who were represented by Drs Djaloeddin Janggoet, and Asmarullah, M.A, all owned the land parcel for the WWTP which was registered under a certificate numbered SHM 375 (GS 2378/1977). The City of Palembang has completed the land acquisition with two payments, one in fiscal year 2012 and the other one in 2013. The

³ Displacement and Resettlement of People in Development Activities. Australian Government Department of Foreign Affairs and Trade, July 2015.

total acquired land is 58,230 m² and the total payment for the land was Rp. 23,302,000,000. The details of the payments are as listed in Table 1. Copies of the related documents are shown in Appendix 5.

Table 1: Details of the Land Acquisition implemented for the WWTP

No	Item	12 December 2012	07 February 2013
1	Land to be Acquired (m ²)	10,920	47,310
2	Land Price (Rupiah)	4,368,000,000	18,934,000,000
3	Operational Cost (Rupiah)	174,720,000	461,000,000
<hr/>			
1	Total Acquired Land (m ²)		58,230
2	Total Land Price (Rupiah)		23,302,000,000
3	Total Operational Cost (Rupiah)		635,720,000

36. **Affected Persons.** The 2013 LARP stated that based on the detailed IOL and SES done during 14 – 17 November 2012, “...the land was occupied by 25 households, 24 of which live in 21 structures constructed on the site and one household lives outside the area but owns 5 structures built on the land, four of which are rented out”⁴. Due to errors concerning the proposed site boundaries, the number of structures affected was later reduced to 18 (SES/ILO, November 2013). This includes part of a saw mill (timber factory). Also an inventory of trees was conducted, 201 AH owned trees were identified (see Appendix 7 for a detailed listing).

37. Based on the agreed map of the proposed area to be developed as the WWTP (see Appendix 4 for a map detailing the WWTP design and the plot boundary), a consultation meeting with the AHs was advertised by the local government and held on 27 November 2013. In the meeting the AHs agreed that the list of AHs produced by the *Lurah* as shown in Figure 1 was the correct and latest inventory of AHs in the area, and there would be no additional AH claims. Based on the AHs’ statement, the consultant announced to the AHs that the list consisted of the names of a total of 21 AHs living in 17 structures which would be used as the final list of updated AHs for the Final Resettlement Plan process and the date of the meeting was considered as the cut-off date for the AHs list⁵. All houses and households were anticipated to be severely affected as their houses would be impacted 100%. Minor impacts were foreseen on the saw mill as its operation would not be affected and the affected structure (a guard shed and a drying kiln) could be re-erected at the remainder of its site.

⁴ Resettlement Plan June 2013, Scope of LA and Resettlement, page 2.

⁵ See the Appendix 3, List of Consultation, dated 27 November 2013.

Figure 1: List of AHs – Signed

No.	NAMA RUMAH	Alamat	WAKIL RUMAH
1	Taleng & Sulaiman 2 Bangunan		[Signature]
2	Pakxiy		[Signature]
3	Pey, Bourinab		[Signature]
4	Sofieyevak		[Signature]
5	M. Isy / Gasa		[Signature]
6	Abdulhak Karlin		[Signature]
7	Thomas Dargenti Harjo		[Signature]
8	[Illegible]		[Signature]
9	[Illegible]		[Signature]
10	[Illegible]		[Signature]
11	[Illegible]		[Signature]
12	[Illegible]		[Signature]
13	[Illegible]		[Signature]
14	[Illegible]		[Signature]
15	[Illegible]		[Signature]
16	[Illegible]		[Signature]
17	[Illegible]		[Signature]

Source: field visit report, 27 November 2013⁶

38. According to pertinent regulations, the result of the appraisal carried out in 2013 is only valid for one year. Therefore, the City Government contracted another independent evaluator (*Kantor Jasa Penilai Publik, KJPP*) in 2016 to prepare an updated assessment. During this appraisal process the independent evaluator established that one structure occupied by one AH was outside the land acquired by the Local Government and not eligible for compensation. In the course of a final public consultation on February 14th 2017, the CMC in cooperation with the *kelurahan* administration of Sei Selayur updated the demographic data of affected AHs/APs to reflect natural changes (births, marriages and deaths) to the household compositions. The evaluator adjusted the calculations of compensation amounts accordingly⁷. Table 2 shows the 2017 data of affected households

⁶ On the list, the person listed on No.1 has two names (Taleng and Sulaiman), makes the total AHs owning buildings are 17.

⁷ The validation included five buildings that had already been demolished at the time of the survey. Related compensation amounts were calculated based on data obtained from the LG. Also, changes in the composition of AHs were accommodated.

and persons, these now concern 98 APs from 27 AHs living in 16 affected structures. Of these AHs, 23 AHs occupying 16 structures are considered vulnerable; 9 due to low income, 7 because they are female headed households and 13 because of an elderly household head. 6 AHs fall into more than one category of vulnerability. The detailed APs data, losses and proposed compensation for the AHs are as shown in Appendices 6 and 7.

Table 2: Household Composition Data (2017)

Household composition data (2017)									
No.	Name of Main HH Head	No. of HHs living in the house	Name of HH Head	No. of HH members	Total no of people in HH	Total no of people in house	Age of HH Head	Female headed HH	Remarks
1	Khusnun	1	Khusnun	5	6	6	59	No	on site
2	Iwan Adrianto	1	Iwan Adrianto	3	4	4	41	No	on site
3	Romi	1	Romi	4	5	5	42	No	on site
4	Abdul Karim	1	Abdul Karim	2	3	3	55	No	on site
5	Talleng	2	Talleng		1	6	69	No	on site
			Wikram	4	5		34	No	on site
6	Sulaiman	1	Sulaiman	4	5	5	40	No	on site
7	Sophia Alm (Acek Ramah)	1	Dirmansyah	3	3	3	38	Yes	on site
8	Yakub	1	Yakub	6	7	7	40	No	on site
9	Tobing	4	Tobing		1	11	71	No	on site
			Waluyo	3	4		34	No	on site
			Kms Muchsin	3	4		35	No	on site
			Andi Mandela	1	2		27	No	on site
10	Wancik Teguh	1	Wancik Teguh	1	2	2	55	No	on site
11	Abbas Alm (Misran)	4	Misran			12	62	No	not living on site
			Isnen	4	5		45	No	off site, moved
			Suwarti	4	5		45	No	off site, moved
			Daryuni	1	2		63	No	off site, moved
12	M. Isa Alm Nisa	2	Nisa		1	9	82	Yes	off site, moved
			Supriyatna	7	8		49	No	off site, moved
13	Sumanto	1	Sumanto	5	6	6	53	No	off site, moved
14	Nora	1	Yayat	2	3	3	26	No	off site, moved
15	Samsuri Alm (Turinik)	4	Samsuri		1	12	60	Yes	off site, moved
			Syarudi	3	4		40	No	off site, moved
			Apriyandi	3	4		28	No	off site, moved
			Robi	2	3		25	No	off site, moved
16	Hafizah	1	Jumain	3	4	4	49	No	on site
	Totals	27		73	98	98			

39. Compensation for lost trees is detailed in Table 3 below.

Table 3: Compensation for Lost Trees

No	Name	Coconut	Banana	Rambut-an	Mango	Guava	Starfruit	Jackfruit	Soursop	Papaya	Kedondong	Durian	Teak	Lime	Jengkol	Bread-fruit	Tamarind	Total Compensation for Tree and Crops
		No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	IDR
1	Khusnun	2	3	-	-	2	1	3	2	8	1	-	-	-	-	-	-	-
	Unit rate	406,455	17,335	-	-	159,467	159,467	159,467	159,467	274,259	109,680	-	-	-	-	-	-	4,444,403
2	Iwan Adrainto	-	-	1	2	-	-	2	-	-	-	-	-	-	-	-	-	-
	Unit rate	-	-	139,573	109,680	-	-	144,520	-	-	-	-	-	-	-	-	-	647,973
3	Romi	-	-	-	-	2	-	4	3	-	-	-	-	-	-	-	-	-
	Unit rate	-	-	-	-	144,520	-	159,467	144,520	-	-	-	-	-	-	-	-	1,360,468
4	Abdul Karim	10	40	3	-	-	-	-	-	-	-	1	1	-	-	-	-	-
	Unit rate	406,455	17,335	109,680	-	-	-	-	-	-	-	112,180	343,750	-	-	-	-	5,542,920
5	Taleng	2	20	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	223,603	17,335	-	-	-	-	-	-	-	-	-	-	-	-	-	-	793,906
6	Sulaiman	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7	Sopiah/ Acek	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8	Wiwik/ Yakub	-	5	-	-	1	-	-	-	1	1	-	-	-	-	-	-	-
	Unit rate	-	17,335	-	-	99,680	-	-	-	274,259	154,520	-	-	-	-	-	-	615,134
9	Tobing	3	5	-	2	2	-	-	-	-	-	-	-	2	1	1	-	-
	Unit rate	406,455	17,335	-	154,520	159,467	-	-	-	-	-	-	-	55,385	308,933	308,933	-	3,111,050
10	Wancik	1	10	-	4	1	-	-	-	-	-	-	-	1	-	-	-	-
	Unit rate	406,455	17,335	-	154,520	159,467	-	-	-	-	-	-	-	55,385	-	-	-	1,412,737
11	Abbas (Misran)	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	143,579	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	287,158
12	M. Isa (Supriyatna)	-	5	3	1	-	-	-	-	-	-	-	-	-	-	-	-	1
	Unit rate	-	17,335	169,467	109,680	-	-	-	-	-	-	-	-	-	-	-	-	308,933
13	Sumanto	-	5	5	-	1	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	-	17,335	109,680	-	84,733	-	-	-	-	-	-	-	-	-	-	-	719,808
14	Acok/ Nora	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
15	Samsuri (Syarudi)	1	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Unit rate	406,455	17,335	-	-	-	-	-	-	-	-	-	-	-	-	-	-	579,805
16	Hafizah	6	5	-	-	-	1	-	-	1	-	-	-	-	-	-	-	-
	Unit rate	406,455	17,335	-	-	-	39,893	-	-	99,259	-	-	-	-	-	-	-	2,664,557
TOTAL (Number)		27	108	12	9	9	2	9	5	10	2	1	1	3	1	1	1	23,193,608

40. **Loss of Structures:** the acquisition of land will lead to the demolition of 16 semi-permanent houses (also see footnote 7) and dryer kiln of the timber factory.

2. Temporary Impacts of the Wastewater Collection System

41. Besides permanent impacts due to the land acquisition for the WWTP, the project will also cause temporary impacts during the construction phase of the sewer pipe network. The sewage pipelines construction activities will be carried out along 60 km of roads and road medians in stage 1. The activities will not displace households or people nor will they have any permanent adverse socioeconomic impacts on the residences, shops and other commercial establishments along the project roads. However, during the construction phase the civil work activities may cause temporary impacts on the residences, vendors and shops along the roads in terms of inconvenience in access, parking, loading and unloading and also for traffic movement, particularly cars and trucks, etc. The wider roads will not face such problems as there will be sufficient ROW space for vehicular movement and for access to roadside businesses. However, small roads and narrow streets, particularly with clear road width of about 6.0 m and below may face some problem of traffic movement at the time of civil works.

42. In Palembang, of the roads/streets covered under the WCS component, only one road, Jl. Ali Gatmir has a clear width of less than 6 m. Small shops, market, houses and other occupants along this road will face temporary impacts during the construction phase. A Baseline Survey of Traffic Interaction with Business was also conducted in 2015 under IndII Activity W268.02 to get people's perception along the pipelines about the project and to be able to estimate temporary impacts and damage from the construction of the WCS. See Appendix 8 for the results of the survey. The number of shops, food stalls, residences and businesses along the road is estimated to be between 700 and 800. These food and vegetable stalls and shops may need to be temporarily relocated to make way for civil works and will need relocation assistance. Providing physical assistance with temporary relocation is a contractual obligation of the contractor. With proper management of construction activities, the loss of incomes of shops can be avoided or minimized. All the other roads are much wider, more than 6 m ROW.

43. To avoid or minimize such temporary impacts on roadside businesses and traffic movement, the civil works will be carried out in small segments of about 50 m length at one time. It will take about 10-12 days to complete the work: excavation, laying of pipes and restoring the road, for one segment. Working on small road segments will make traffic management and provision of temporary access to roadside houses and businesses much easier. The contractors have a contractual obligation to ensure that while working on road segments, the shops and houses are provided with temporary access to avoid, or minimize, any loss of business incomes. Temporary road covers (steel or wood) over excavation trench could maintain local inhabitant daily access. Temporary stalls and vendors can be easily moved to an alternative location during the work and can be moved back when the work on a particular road segment is completed.

C. Updating the LARP

44. The Construction Management Consultant (CMC) has updated the LARP based on developments related to resettlement issues since 2013 consistent with the provisions and requirements in SR2 of the ADB's 2009 SPS and DFAT policy. The provisions of compensations (entitlement and eligibility) in the updated LARP are not lower than what was provided for in the 2013 LARP. The foregoing impacts will be monitored and updated to accommodate changes which could be the result of (i) final alignment of the sewers based on DED that may affect the entrance of the houses or business establishments; (ii) change in the scope of the WCS, and reported (in regular progress reports) during Project implementation.
45. A summary of resettlement impacts is given in the table below:

Table 4: Summary of resettlement impacts

No	Losses		
1	Loss of land	58,230 m ²	
2	Loss of structure/house	16 houses + 1 dryer kiln	
3	Loss of Trees	201 Trees	
		No of AHs	No of APs
4	Total no of AHs/APs	27	98
5	Severely affected AHs/APs	27	98
6	Vulnerable AHs/APs	23	76

IV. SOCIOECONOMIC INFORMATION

A. Affected Persons

46. At the time of the 2013 survey, the proposed WWTP land was occupied by 21 households, which lived in 17 houses, all of them without land title. All of the 17 AHs claimed that they were the owner of the houses. Besides those 17 houses or buildings, there was one sawmill (timber factory), part of the building would also be affected by the project. By 2015 of the 17 houses that had been on the site, 5 structures did not exist any longer, three houses still existed but were not occupied, and 9 AHs were still living in their structures. The households that moved voluntarily, adhering to an agreement with the original owners that they would move out in case the land was needed or sold, are still eligible to compensation. In 2016, the independent assessor established that one structure, occupied by one AH, was outside the boundary of the land acquired and not eligible for compensation. The timber factory was still using the affected building for their daily activity.

47. With the exception of the saw mill/timber factory, all structures within the site boundary will be completely affected. As a result, the 27 AHs, residing (15 AHs) or previously residing (12 AHs), in these structures will be severely affected as all their productive assets will be impacted. These productive assets include 201 productive trees owned by the AHs. Operation of the saw mill will not be affected and the impacted guard shed and dryer kiln can be re-erected at the remainder of its site.

48. The AHs length of stay in the area varied, out of 16 AHs: 9 AHs were staying there for more than 30 years; 3 AHs were there for 20 – 30 years; 3 AHs were there for 10 – 20 years and 1 AH stayed less than 5 years. For AHs living in with their parents, the length of stay of the main household head is used. The number of AHs that still lived in the area was 15 (in 11 houses), and the total number that were not there anymore was 11 (in 5 houses).

B. Profile of the AHs

49. The 2012 IOL and SES covered 24 households, 21 of which were living on the site. The 24 AHs were headed by 16 males and 8 females. Their households had total occupancy of 75 persons, or 3.12 persons per household, comprising 44 males and 31 females. The household members were at varying age levels, with the youngest below the age of 4 years while the eldest was at the range of 71 years old and above.

50. The 2013 IOL and SES update covered 21 households who were living on the site with corrected borders. The 21 AHs lived in 17 structures and were headed by 16 males and 5 females. The households totaled 76 persons, comprising of 34 males and 42 females.

51. In the course of the February 2017 public consultation, demographic information was updated through interviews with APs and confirmed by the Lurah (see Appendix 6). The heads/representatives of the main 16 household heads representing a total of 27 AHs and the owner of the timber factory attended the meeting. Table 2 (Section III.B) shows the household composition data, while the age and gender distribution are shown in Table 5 below.

Table 5: Age and Gender Distribution of APs

Household composition data (2017)			Family members		Age group female					Age group male				
No.	Name of Main HH Head	Name of HH Head	Female	Male	0-4	5-14	15-18	19-55	>55	0-4	5-14	15-18	19-55	>55
1	Khusnun	Khusnun	4	2			1	3		1			1	
2	Iwan Adrianto	Iwan Adrianto	2	2		1		1			1		1	
3	Romi	Romi	2	3		1		1				2	1	
4	Abdul Karim	Abdul Karim	1	2				1				1	1	
5	Talleng	Talleng		1										1
		Wikram	1	4				1			3		1	
6	Sulaiman	Sulaiman	3	2		2		1		1			1	
7	Sophia Alm (Aceh Ramah)	Dirmansyah	1	2				1		1			1	
8	Yakub	Yakub	4	3	2	1		1			1		2	
9	Tobing	Tobing		1										1
		Waluyo	3	1	1	1		1					1	
		Kms Muchsin	3	1	1	1		1					1	
		Andi Mandela	1	1				1					1	
10	Wancik Teguh	Wancik Teguh	1	1					1					1
11	Abbas Alm (Misran)	Misran												
		Isnen	3	2		1	1	1			1		1	
		Suwarti	2	3				2					3	
		Daryuni	2					1	1					
12	M. Isa Alm Nisa	Nisa	1						1					
		Supriyatna	4	4		2	1	1		1	1		2	
13	Sumanto	Sumanto	3	3				3				2	1	
14	Nora	Yayat	1	2				1			1		1	
15	Samsuri Alm (Turinik)	Samsuri	1						1					
		Syarudi	2	2		1		1			1		1	
		Apriyandi	3	1	1			1	1				1	
		Robi	2	1				2					1	
16	Hafizah	Jumain	2	2				2			1		1	
	Totals		52	46	5	11	3	28	5	4	10	5	24	3
	Age Group	Totals	Female	Male										
	0-4	9	5	4										
	5-14	21	11	10										
	15-18	8	3	5										
	19-55	52	28	24										
	>55	8	5	3										
		98	52	46										

52. Of the total household members, 60 persons (61.2%) are in the labor force (age range of 15 to 55 years). Except for 12 APs (12.2%), all household members are literate with elementary as the lowest level of education.

53. **Occupations.** According to the 2013 survey data, there were 33.5% of the total AHs members in the labor force engaged in various livelihood occupations which did not depend on the lands they occupy.

54. As summarized in Table 6, in 2013 people 20 worked as laborers, 4 in trading, 3 were tending coffee shops cum restaurant, 3 were security guards, 2 were drivers and another 2 were salesladies. One AHs member worked outside the area as household helper.

Table 6: Occupations of Household Members

Occupations	Number	% of Total
Laborer	20	57.1
Trading	4	11.4
Small business	3	8.6
Security	3	8.6
Sales Clerk	2	5.7
Driver	2	5.7
Housemaid	1	2.9
Total	35	100.0

Source: IOL 2013

55. Equating the number of people who are in the productive age groups according to the recent updated APs/AHs profile (2017), i.e. people aged 15 to 55 years compared to the non-productive age groups population that are under 15 and above 55 years old, the dependency ratio is 1.6, meaning that two people working in the family have at least one dependent.

56. **Monthly Incomes.** In 2013, the AHs had average incomes of Rp 1,820,000 per month; the lowest is Rp 400,000 while the highest at Rp 3,900,000. Matched against the City's monthly poverty threshold of Rp 326,670 per person in a household (in 2011), there appear to be 6 AHs with income deficits and another one AH at the risk of falling below the poverty line because their excess incomes are less than Rp 100,000 a month. All AHs are receiving food subsidies from the local government while one AH is receiving additional subsidy for fuel. The three land owners are members of one business family and their household incomes are in excess of Rp. 15,000,000/month.

57. **Access to Social Services.** All AHs have access to social services like, electricity, schools and health services as well as means of communication and sources of information will not be disrupted. Likewise, their access to food and water is secured.

C. Gender Issues

58. A basic gender strategy is outlined in Section VIII soliciting for the active participation of men and women in the Project. During the implementation of the updated LARP, the Central Project Management Unit (CPMU) and the LPMU will comply with ADB's policy and DFAT/IndII policies and strategies⁸ to promote equity.

⁸ Asian Development Bank, Gender and Development, June 2003
 Australian Government Department of Foreign Affairs and Trade, Gender Equality and Women's Empowerment Strategy, February 2016
 Indonesia Infrastructure Initiative, Gender Strategy and Plan, May 2016

D. Vulnerable Households

59. Following the comparison of their monthly incomes vis-à-vis the monthly poverty threshold in the City, 9 AHs have income deficits. Additionally, there are 7 female headed households and 13 elderly headed households that would also be considered as vulnerable⁹. Four of these are also below the poverty line and 2 are both elderly and female headed. Therefore, a total of 23 vulnerable households are affected by the Project, see Table 7 below.

Table 7: Vulnerable Households

Household Name (2017)			Vulnerability			Family members		
No.	Name of Main HH Head	Name of HH Head	Income	Elderly	Female	Female	Male	No. of HHs living in the house
2	Iwan Adrianto	Iwan Adrianto	Yes			2	2	1
4	Abdul Karim	Abdul Karim	Yes			1	2	1
5	Talleng	Talleng		Yes (2)		1	5	2
6	Sulaiman	Sulaiman	Yes			3	2	1
7	Sophia Alm (Acek Ramah)	Dirmansyah			Yes	1	2	1
9	Tobing	Tobing		Yes (4)		3	8	4
10	Wancik Teguh	Wancik Teguh		Yes		1	1	1
11	Abbas Alm (Misran)	Misran				7	5	4
12	M. Isa Alm Nisa	Nisa		Yes (2)	Yes (2)	5	4	2
13	Sumanto	Sumanto	Yes			3	3	1
14	Nora	Yayat	Yes			1	2	1
15	Samsuri Alm (Turinik)	Samsuri	Yes (4)	Yes (4)	Yes (4)	6	6	4
	Totals	12	9	13	7	34	42	23

Note: figure in brackets indicates number of households in main household

⁹ See Definition of Terms, page vi.