

# Social Safeguards Due Diligence Report

#Social Safeguards Due Diligence Report on Resettlement and Indigenous Peoples  
March 2022

Indonesia: Coral Reef Rehabilitation and  
Management Program-Coral Triangle Initiative  
Project  
Gili Balu

Prepared by the National Development Planning Ministry – Indonesian Climate Change  
Trust Fund for the Asian Development Bank.

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Indonesia: Coral Reef Rehabilitation and Management: Coral Triangle Initiative Project (INO- COREMAP-CTI) – Gili Balu

**Due Diligence Report on Resettlement and Indigenous Peoples**



# Abbreviations

ADB	Asian Development Bank
BAPPENAS	Badan Perencanaan Pembangunan Nasional / Indonesia National Development Planning Ministry – Executing Agency
BPSPL	Technical Unit of Coastal and Marine Management
CBA	Cakra Buana Aghna – Project Implementation Partner
CDD	Community Driven Development
COREMAP-CTI	coral reef rehabilitation and management: coral triangle initiative project
CTC	Coral Triangle Center – Project Implementation Partner
CTI	Coral Triangle Initiative
DGCF	Directorate General of Capture Fisheries
EA	Executing Agency
GOI	Government of Indonesia
IA	Implementing Agency
ICCTF	Indonesia Climate Change Trust Fund (Project Implementation Unit)
IP	indigenous people
IPP	indigenous peoples plan
IPPF	indigenous peoples planning framework
IR	Involuntary Resettlement
LIPI	Indonesian Institute of Sciences ( <i>Lembaga Ilmu Pengetahuan Indonesia</i> )
LKKPN	National Marine Conservation Areas ( <i>Loka Kawasan Konservasi Perairan Nasional</i> )
LPSTK	Coral Reef Management Board

# Abbreviations

MMAF	Ministry of Marine Affairs and Fisheries
MPAs	marine protected areas
NTB	Nusa Tenggara Barat / West Nusa Tenggara
PIU	Project Implementation Unit
Pokmas	Community groups (kelompok kerja masyarakat)
SIA	Social impact assessment
SPS	safeguards policy statement
TIA	Trans Intra Asia – Project Implementation Partner
UPTD	Regional Technical Implementation Unit ( <i>Unit Pelaksana Teknis Daerah</i> )

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# EXECUTIVE SUMMARY

1. The Coral Reef Rehabilitation and Management Program Coral Triangle Initiative (COREMAP CTI) is funded by Asian Development Bank (ADB) consists of three Marine Protected Areas (MPA) in Lesser Sunda seascape, Nusa Penida, Bali Province and Gili Mara and Gili Balu in West Nusa Tenggara (NTB) provinces. The representative subproject in MPA Gili Balu is the construction of Surveillance Towers in Paserang and Namu Islands, and Ecotourism Centre in Poto tano harbor complex. The design of the Ecotourism center is 7 x 6 m = 42 m<sup>2</sup> and the surveillance tower is 5 x 5 m = 25 m<sup>2</sup> with height of the tower is 12 m. The subproject aims to support ecotourism activities and community surveillance patrol in MPA Gili Balu.
- 2. Scope of impact.** Due diligence on land acquisition impacts and the impacts of the subproject on the local indigenous peoples was conducted in March-December 2021 by the project's social safeguards consultant team. Results of the due diligence show that, the subproject has no impact on the local indigenous peoples (IPs) as the IP communities are from 20km-50km far in distance from the subproject areas (Poto Tano harbor complex and Paserang and Namu islands). The subproject's investments and interventions do not impact on livelihood, cultural values or social system of the IP communities. There is no land of private individuals and or households affected by construction of the surveillance towers (two towers), and the ecotourism information center as these schemes will be constructed on the government owned land. The surveillance towers will be constructed on the land of the Forestry and Environmental District, under use by the Marine and Fisheries Agency while the information center will be built on the land of the Transportation agency of West Sumbawa District, under use by the Office of Poto Tano Harbor Complex.
- 3. Legal and policy framework:** The due diligence on resettlement and indigenous people is conducted following the requirements of the relevant policies and laws of Government of Indonesia and ADB's Safeguard Policy Statement (SPS, 2009) on Involuntary Resettlement (IR) and Indigenous Peoples (IP). The overall objective of these-above mentioned policies is to ensure that impacts on the IPs, if any, are screened and avoided. If the identified impacts are not possible to be avoided, suitable measures will be prepared and consulted with the IP communities and relevant agencies to mitigate of identified negative impacts of the subproject to ensure that IPs affected by the subproject shall (i) improve or at least restore



their living standards to at least pre-subproject levels; (ii) receive appropriate culturally socio-economic benefits from the subproject; (iii) not be negatively affected by the subproject; and (iv) actively participate in subproject that have impacts on them. With resettlement, land acquisition impacts by the subproject will be avoided. If it is not possible to avoid the impact, land acquisition impacts by the subproject will be mitigated – and if it is not possible to mitigate, the affected land and assets upon land will be compensated and suitable support and allowances will be provided to the affected households as envisaged in the relevant Government's laws and regulations and ADB's SPS.

- 4. Information disclosure, Community consultation and participation:** During conducting of the due diligence, village consultation meetings with the IP communities and the communities in the subproject's area where the subproject's schemes will be constructed – were conducted (March-September 2021). In addition, focused group discussions (FGDs) and key informant interviews (KIIs) were carried out with village heads of IP communities, fishing IPs, female IPs, local people in the subproject's area and local officials. The subproject's investments and interventions, the design of the schemes, the potential impacts of the subproject on IP communities and on land acquisition, community development plan and income restoration measures were discussed during the meetings, FGDs and KIIs. The project level grievance

redress mechanism is designed, consulted with and disclosed to the people to ensure that concerns and grievances of the affected persons and communities are addressed and resolved in a timely, culturally appropriate and satisfactory manner

- 5. Institutional Arrangements:** Bappenas is the Project Executing Agency (EA). The Project Implementing Agency (IA) is Indonesia Climate Change Trust Fund (ICCTF). The IA engaged the Project consultant to implement the COREMAP CTI Project including the subproject in Gili Balu. The project consultant, PT Cakra Buanaa Aghna (CBA) with its joint venture PT. Ciriayasa Engineering Consultant, Konsepsi NTB and PT. Sucofindo is responsible to construct the subproject infrastructures and conduct engagement to the affected community.
- 6. Implementation schedule:** The social management plan will be implemented along with the construction of subproject infrastructures. It is planned that the social management plan will be conducted from February up to September 2022.
- 7. Monitoring and evaluation:** The subproject is category B for both Involuntary Resettlement (IR) and Indigenous Peoples (IPs); therefore, the external monitoring is not required to perform of external resettlement and IP monitoring. During the subproject implementation, Bappenas ICCTF will conduct internal monitoring and evaluation to ensure the development of the subproject infrastructure under COREMAP CTI in Gili Balu in compliance with ADB's SPS and the relevant Government's laws and regulations.

## A. Subproject Description

### a. Background

8. The Coral Reef Rehabilitation and Management: Coral Triangle Initiative Project (COREMAP–CTI, the Project)<sup>1</sup> aims to manage coral reef resources, associated ecosystems and biodiversity in a sustainable manner for increasing the incomes of coastal communities. Indonesia is the world’s largest archipelagic nation, with 18% of the world’s coral reefs with the richest biodiversity in the world. Low coastal community awareness and inadequate institutional capacity to manage land and marine-based pollution, insufficient institutional framework to effectively manage marine protected areas (MPAs), and persistent poverty in coastal areas have resulted in 70% of Indonesian coral reefs becoming degraded. To address these root causes, the Government of Indonesia has taken a three-phased incremental approach with interventions focusing on: (i) institutional capacity building; (ii) development of models for MPAs; and (iii) reduction of coastal poverty through income generating infrastructure and sustainable alternative livelihoods. The Project is the third and final phase of the three phases and will follow a sector financing modality with a community driven development (CDD) approach.
9. Consistent with the successful implementation arrangements under COREMAP Phase II, the Bappenas ICCTF will serve as the executing agency and Implementing Agency. COREMAP-CTI upholds the objective of strengthening capacities of key stakeholders with respect to decentralized co-management of Marine Protected Areas through a Community Driven Development (CDD) approach. Communities will have a role in the selection of subprojects and participate in the development of coral reef management plans and policies. Communities will be involved in the planning, designing, implementation/construction, and monitoring of (i) small-scale infrastructures specifically through a community contracting process; (ii) alternative livelihood development by taking a lead role in its development, promotion and implementation; and (iii) biodiversity management in partnership with NGOs, private sector and any other local stakeholders.
10. The objective of the proposed Project is to build on Phase II interventions to deliver three effective MPA models that can be replicated to more than 100 MPAs in Indonesia for sustainable coral reef management. These

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<sup>1</sup> The Government requested to change the Project title to Coral Reef Rehabilitation and Management: Coral Triangle Initiative (COREMAP-CTI) from COREMAP3-CTI Support Project, as reflected in ADB. 2012. *Country Operations Business Plan: Indonesia, 2013–2014*. Manila.

<sup>2</sup> Subprojects within, but not limited to the following sectors/concerns: infrastructure, livelihoods, and bio-diversity management.

<sup>3</sup> Examples are integrated coastal management, MPA management and zoning plans, integrated coastal management plans, sustainable fisheries regulations, etc.

Project interventions will move MPAs to improve management effectiveness (MPA managed optimally). The Project will align with Indonesia's National Plan of Action (NPOA) for the Coral Triangle Initiative (CTI)

11. Sustainable management of the coral reef ecosystem is a major objective of Indonesia's subsector goal of marine and coastal resources protection

### **The Project's Impact and Outcome.**

The impact of the Project will be sustainable management of coral reef ecosystems in selected project areas. The outcome of the Project will be enhanced capacity to manage coral reef ecosystems inside target MPAs.

### **The Project's Outputs.**

The Project has four outputs:

#### **(i) Output 1: coral reef management and institutions strengthened**

12. This Project will focus on strengthening and institutionalizing capacities developed under COREMAP Phase II to institutionalize Phase I and II community-based coral reef management initiatives with existing Government's legal systems and institutions. Significant key targets under this output are (i) Provincial and other Government staff trained sub-themes related to integrate coastal management; (ii) Post graduate degree obtained by 4 mid-career government staff; (iii) Guidance for co-management agreement between district, provincial and central government developed; (iv) Integrate eco-tourism capacity enhanced in selected area (with gender proportionate representation), (i) at least 20 staffs trained in marine ecotourism (tour-guide, community-based, dive tour), (ii) at least 50 staffs trained and certified on MPA rangers, (v) sustainable financing mechanism legitimized, strengthened and operation in 2 MPAs

#### **(ii) Output 2: Ecosystem based resources management developed**

13. The Project will strengthen MPA management effectiveness and biodiversity conservation. Under this output, identified targets are (i) at least two (2) endangered/threatened species action plans developed and implemented; (ii) 25-30% women participation in conservation training and implementation management groups; (iii) at least 20% of degraded mangrove areas in Nusa Penida and Gili Balu restored / rehabilitated; (iv) at least 5% of degraded coral reef restored/rehabilitated in Nusa Penida

**(iii) Output 3: sustainable marine-based livelihoods improved**

14. Sustainable marine-based livelihoods improved by promoting sustainable livelihood and income generating infrastructure. Targets under this output are (i) sustainable fishery management / supply chains for tuna and snapper fisheries in selected communities improved; (ii) sustainable seaweed farming / supply chain for seaweed enterprise in selected communities improved; (iii) enhance livelihood capacity for at least 3 community-based enterprise with training for home industry in 10 villages and at least 100 participants

**(iv) Output 4: project management**


15. The Project applies the project performance monitoring system and quarterly project monitoring and evaluation reports.

16. The Project will be implemented in three Marine Protected Area (MPA) that include Gili Matra and Gili Balu in West Nusa Tenggara province and Nusa Penida, Bali Province.

**17. Subproject Location.** The Subproject is in Marine Protected Area in Namo island, Paserang islang and Poto Tano, Gili Balu

**18. Subproject Infrastructure.** According the preliminary design, the infrastructures of the subproject in Gili Balu, West Sumbawa, NTB are listed in the following table:

**Table 1 List of Infrastructures in Gili Balu Subproject**

No	Grant Package	Location	Type of Infrastructure	land owner / land status	Estimated Land Requirement (m2)
1	GP-3 Support for MPA Management and ETP NOPA Implementation	Gili Balu, NTB	- Ecotourism Centre - Mooring Buoy	West Sumbawa Regency	Est 8x8m = 64m2 8 units
2	GP-6 Support for Ecosystem Based Resources Management Plan and Sustainable		- Surveillance Post (Two unit)	P. Paserang P. Namo under Environment and Forestry Agency (DLHK), West Nusa Tenggara province	5x5m = 25m2 2 units
<i>Documentary area for Infrastructure</i>					
					
Location for Ecotourism Information Centre					



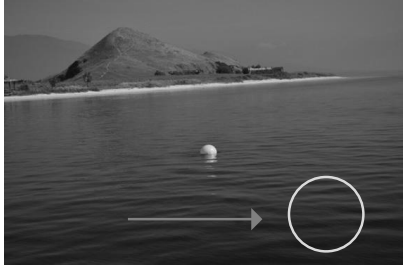
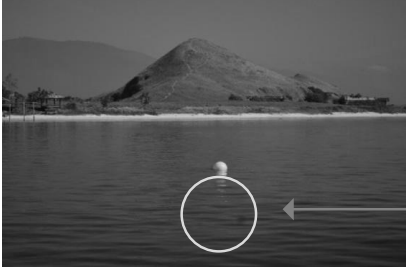
	
<p>The building will be renovated for Information Centre</p>	
	
<p>Area for installment Mooring Buoy in Kenawa Islands, Gili Balu</p>	



Figure 1 DED Ecotourism Center and Surveillance Post in MPA Gili Balu

## b. Scope of Due Diligence Activity and requirement

		
<p>Area for Development of Surveillance Post in Paserang island, Gili Balu</p>		

19. After implementation, the subproject will assist the community to improve the management effectiveness of Marine Protected Area (MPA) Gili Balu, West Sumbawa, NTB. Further, the surveillance tower aims to support the operational of Community Surveillance Group in Gili Balu.
20. The ADB's SPS 2009 defines "indigenous peoples" as a distinct, vulnerable, social and members of a distinct indigenous cultural group and recognition of this identity by others; (ii) collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and (iv) distinct language, often different from the official language of the country or region. This may cover a group that has lost collective attachment to geographically distinct habitats or ancestral territories within a project area because of forced severance. For the purpose of this project, the term of indigenous peoples (masyarakat adat) will be used.
21. The Due diligence was conducted to examine (i) if there are IP groups/communities residing within the subproject area and if any potential impacts, (including positive and negative impacts, direct and indirect impacts) caused by the subproject on the local IP communities; and (ii) whether there is land acquisition and resettlement impacts that will be caused by construction of the subproject's infrastructures with the private land of individuals and or households in the subproject's area. If there are IPs groups/communities residing within the subproject area, meaningful consultation and identification of impacts on the local IP communities will be conducted and safeguard document will be prepared. If there is land acquisition impact of the subproject - inventory of losses, meaningful consultation, and socioeconomic survey of affected persons will be conducted for preparing the safeguard document following the requirements of ADB's SPS and the laws and regulations of the Government. The due diligence activities conducted, the findings obtained and the results of consultation with local authorities, IP communities and local people in the subproject area are described in this report.

## B. Legal and Policy Background

### a. ADB Safeguards Policy Statement of 2009

22. The Due Diligence on Resettlement and Indigenous Peoples is conducted following the requirements of relevant policies and laws of Government of Indonesia and ADB's Safeguard Policy Statement (SPS 2009) on Involuntary Resettlement and Indigenous Peoples.
23. Should ADB's financed projects affect IPs, a set of general policy requirements will be observed to maintain, sustain, and preserve the IPs' cultural identities, practices, and habitats (SPS 2009, SR-3). The requirements include (i) Consultation and Participation; (ii) Social Impact Assessment; (iii) Indigenous Peoples Planning; (iv) Information Disclosure; (v) Grievance Redress Mechanism; (vi) Monitoring and Reporting; and (vii) Unanticipated Impacts.
24. The SPS 2009 provides a set of special requirements should a project (i) be within ancestral domains, lands and related natural resources; (ii) involve commercial development of cultural resources and knowledge of IPs; (iii) be one that causes physical displacement from traditional or customary lands; and (iv) involve commercial development of natural resources within customary lands, which would impact on livelihoods or cultural, ceremonial, or spiritual uses that define the identity and community of IPs.
25. With involuntary resettlement, the objectives of the ADB safeguards policy are to avoid involuntary resettlement whenever possible; to minimize involuntary resettlement by exploring project and design alternatives; and to enhance, or at least restore, the livelihoods of all displaced and vulnerable persons in real terms relative to pre-project levels, and to improve the standards of living of the displaced poor and other vulnerable groups.
26. The ADB Policy on Gender and Development adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities.
27. The ADB Public Communications Policy seeks to encourage the participation and understanding of people and other stakeholders affected by ADB-assisted activities. Information on ADB-funded projects should start early in the preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected people and other stakeholders.

## b. Equivalence and Gap Analysis

28. An equivalence-gap analysis of requirements is presented in Table 2 as a result of the legal considerations on IR and IPs by the GOI and ADB SPS 2009.

Table 2. Equivalence-Gap Analysis

Requirement	GOI Anchored on the Constitution	ADB SPS 2009	Gap Filling/ Project Policy
Consultation and Participation	<p>Recognized under GOI laws, more recently under Law 27</p> <p>Article 7: The inclusion of the public based on principles, standard, and guidelines is carried out through public consultations and/or Adat consensus, be it formal or non- formal</p> <p>Law 27, Chapter 11, Article 62: (1) The public has the same opportunity to participate in the planning, implementation, and control of the Management of Coastal Zone and Small Islands; (2) Provision on public participation in the Management of Coastal Zone and Small Islands as is stipulated in paragraph (1) shall be further regulated by a Minister Regulation.</p>	<p>Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development.</p>	<p>Equivalence noted: Project policy: The EA/IA will undertake meaningful consultation with affected IPs to ensure their informed participation.</p>
Social Impact Assessment	<p>Recognized under GOI law specifically under climate change initiatives of Regulation No. 30/2010, Article 20 states The adaptation and mitigation of climate change as meant in Article 18 shall be executed by observing aspects:</p> <ol style="list-style-type: none"> <li>1. Social, economy and culture of communities;</li> <li>2. Environmental conservation;</li> <li>3. Benefit and effectiveness; as well as</li> <li>4. Scope</li> </ol>	<p>Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits</p>	<p>Partial equivalence, not specific: Project policy: When screening confirms likely impacts on IPs, the EA/IA will retain qualified and experienced experts to carry out social impact assessment (SIA).</p>



<p>Consultation and Participation</p>	<p>Recognized under GOI laws, more recently under Law 27  Article 7: The inclusion of the public based on principles, standard, and guidelines is carried out through public consultations and/or Adat consensus, be it formal or non- formal  Law 27, Chapter 11, Article 62: (1) The public has the same opportunity to participate in the planning, implementation, and control of the Management of Coastal Zone and Small Islands; (2) Provision on public participation in the Management of Coastal Zone and Small Islands as is stipulated in paragraph (1) shall be further regulated by a Minister Regulation.</p>	<p>Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development.</p>	<p>Equivalence noted:  Project policy: The EA/IA will undertake meaningful consultation with affected IPs to ensure their informed participation.</p>
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<p>Consultation and Participation</p>	<p>Recognized under GOI laws, more recently under Law 27</p> <p>Article 7: The inclusion of the public based on principles, standard, and guidelines is carried out through public consultations and/or Adat consensus, be it formal or non- formal</p> <p>Law 27, Chapter 11, Article 62: (1) The public has the same opportunity to participate in the planning, implementation, and control of the Management of Coastal Zone and Small Islands; (2) Provision on public participation in the Management of Coastal Zone and Small Islands as is stipulated in paragraph (1) shall be further regulated by a Minister Regulation.</p>	<p>Undertake meaningful consultations with affected Indigenous Peoples communities and concerned Indigenous Peoples organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected Indigenous Peoples communities in a culturally appropriate manner. To enhance Indigenous Peoples' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development.</p>	<p>Equivalence noted: Project policy: The EA/IA will undertake meaningful consultation with affected IPs to ensure their informed participation.</p>
<p>Social Impact Assessment</p>	<p>Recognized under GOI law specifically under climate change initiatives of Regulation No. 30/2010, Article 20 states The adaptation and mitigation of climate change as meant in Article 18 shall be executed by observing aspects:</p> <ol style="list-style-type: none"> <li>1. Social, economy and culture of communities;</li> <li>2. Environmental conservation;</li> <li>3. Benefit and effectiveness; as well as</li> <li>4. Scope</li> </ol>	<p>Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Indigenous Peoples. Give full consideration to options the affected Indigenous Peoples prefer in relation to the provision of project benefits</p>	<p>Partial equivalence, not specific: Project policy: When screening confirms likely impacts on IPs, the EA/IA will retain qualified and experienced experts to carry out social impact assessment (SIA).</p>

Requirement	GOI Anchored on the Constitution	ADB SPS 2009	Gap Filling/ Project Policy
	<p>of territory size.</p> <p>Law 27 Part III Article 9: The planning for RZWP-3-K shall be carried out, taking into consideration: a. harmonization, synchronization, and balance with the carrying capacity of the ecosystem, the functions of exploitation and protection, space and time dimensions, socio- cultural and technological dimensions, and the security and defense functions;</p> <p>Law 27, Chapter VII, Article 42: (2) The Government shall regulate, encourage, and/or carry out research and development of the Management of Costal Zone and Small Islands, to produce the necessary science and technology for the management of Costal Zone and Small Islands, to make it more effective, efficient, economic, highly competitive and environment friendly, while respecting traditional wisdom or localculture.</p>	<p>and the design of mitigation measures. Identify social and economic benefits for affected Indigenous Peoples that are culturally appropriate and gender and inter- generationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on Indigenous Peoples.</p>	

<p>Indigenous Peoples Planning</p>	<p>Regulation No. 30/2010 Article 29: (1) Regional governments shall involve communities and stakeholders in every activity of planning and management of resources in maritime territory, (2) Regional governments, legal entities and individuals managing resources in maritime territory shall observe traditional law and custom effective in local communities.</p>	<p>Prepare an Indigenous Peoples plan (IPP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Indigenous Peoples communities. The IPP includes a framework for continued consultation with the affected Indigenous Peoples communities during project implementation; specifies measures to ensure that Indigenous Peoples receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.</p>	<p>Equivalence noted.</p> <p>Project policy: If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on IPs, the EA/IA will prepare an IPP in the context of the SIA and through meaningful consultation with the affected IP communities.</p>
	<p>Law 27 Chapter 11, Article 60: (2) In the Management of Coastal Zone and Small Islands, the public has the obligation to: d. monitor the implementation of the plan for the Management of Coastal Zone and Small Islands; Government Regulation Number 8 Year 2008 on Phases of Procedures for Formulating, Controlling and Evaluating the Implementation of Regional Development Plan (Statute Book of the Republic of Indonesia Year 2008 Number 21, Supplement to Statute Book of the Republic of Indonesia Number 4R17)</p>		

## Involuntary land acquisition and resettlement - Gap analysis

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
1	<b>Objective</b>	<ul style="list-style-type: none"> <li>To avoid involuntary resettlement (IR) wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups.</li> </ul>	<ul style="list-style-type: none"> <li>With regard to avoiding involuntary resettlement wherever possible to minimize involuntary resettlement by exploring project and design alternatives, the Appendix II of Government Regulation No. 22/2021 requires assessment of alternatives (project and / or design) for the analysis of the project environmental and social impacts assessment.</li> <li>Article 3 of Law No. 2/2012 stipulates that one of the objectives of land acquisition in the public interest shall have the objectives is to improve the welfare and prosperity of the people, state, and society by guaranteeing the legal interest of the entitled party.</li> </ul>	<ul style="list-style-type: none"> <li>There is no explicit requirement to improve the living standards of the displaced poor and other vulnerable groups after involuntary resettlement.</li> </ul>	<ul style="list-style-type: none"> <li>The subproject shall try to avoid IR impacts from the feasibility stage of the design by exploring alternatives. If unavoidable to avoid, then minimize and if minimization is not possible, then mitigate. Measures are taken to prevent or minimize involuntary resettlement impacts with qualifiable data on impacts will be described in Resettlement Plans (RPs).</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
2	<b>Scope and Triggers</b>	<ul style="list-style-type: none"> <li>▪ The involuntary resettlement safeguard covers physical displacement (relocation, loss of residential land, or loss of shelter) and economic displacement (loss of land, assets, access to assets, income sources, or means of livelihoods) because of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or access to legally designated parks and protected areas. It covers whether such losses and involuntary restrictions are full or partial, permanent or temporary.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Article 7 of Government Regulation No. 19/2021 stipulates that the Land Acquisition Plan shall be prepared based on feasibility studies, including social impacts resulting from land acquisition and development.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is no explicit requirement to cover any impacts caused by land-use restrictions or access to legally designated parks and protected areas.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The scope shall include both economic displacement and physical displacement because of (i) involuntary acquisition of land or (ii) involuntary restrictions on land use or access to legally designated parks and protected areas. It covers whether such losses and involuntary restrictions are full or partial, permanent or temporary.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
3	<b>Screening of the project</b>	<ul style="list-style-type: none"> <li>Screen the project early on to identify past, present, and future involuntary resettlement</li> </ul>	<ul style="list-style-type: none"> <li>Article 14 of Government Regulation No. 19/2021 stipulates that every agency that requires land for public-interest development shall prepare a Land Acquisition Plan which is based on (i) spatial plan, (ii) development priorities as stated in the medium-term development plan, the strategic plan, and the working plan of the relevant agencies.</li> <li>Article 7 of Government Regulation No. 19/2021 sets out that the Land Acquisition Plan shall be prepared based on feasibility studies which include (i) socio-economic survey; (ii) location feasibility; (iii) analysis of development costs and benefits for the region and community; (iv) estimated land value; (v) environmental impacts and social impacts that may arise as a result of land acquisition; and (vi) other necessary studies.</li> </ul>	<ul style="list-style-type: none"> <li>Government Regulation No. 19/2021 requires a feasibility study for land acquisition that must include a socio-economic survey and discussion of social impacts but does not explicitly require screening for involuntary resettlement. The depth of screening for socio-economic impacts as mandated for a feasibility study is not stipulated in the law. There is no explicit requirement to conduct screening and assessment of impacts when land acquisition involves easement rights, land purchase, or land use restrictions, as opposed to direct acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>Screen the Project to identify involuntary resettlement impacts and risks in accordance with the requirements of ADB's SPS.</li> </ul>



No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
4		<ul style="list-style-type: none"> <li>▪ Determine the scope of resettlement planning through a survey and/or census of displaced persons (DPs), including gender analysis, related explicitly to resettlement impacts and risks</li> </ul>	<ul style="list-style-type: none"> <li>▪ Article 6 of Government Regulation No. 19/2021 requires identification of land possession, ownership, use, and utilization.</li> <li>▪ Article 7 of Government Regulation No. 19/2021 requires a socio-economic survey and analysis of social impacts that may arise as a result of land acquisition.</li> <li>▪ Article 32 of Government Regulation No. 22/2021 requires the involvement of a community that is directly affected through public consultation, including vulnerable groups, indigenous peoples, and/or men's groups, and women's groups by considering gender equality. Therefore, determination of the scope of resettlement planning, including gender analysis, may be addressed.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No gaps identified.</li> </ul>	

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
5	<b>Meaningful consultation</b>	<ul style="list-style-type: none"> <li>▪ Carry out meaningful consultations with DPs, host communities, and concerned non-government organizations.</li> <li>▪ Pay particular attention to the needs of vulnerable groups</li> </ul>	<ul style="list-style-type: none"> <li>▪ Articles 29, 30, 31, 32 of Government Regulation No. 19/2021 describe in detail the requirements of public consultation with entitled parties, property managers, and/or property users and/or affected communities during land acquisition preparation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is no mention of requirements on public consultation and community participation during land acquisition implementation and monitoring.</li> <li>▪ Government Regulation No. 19/2021 requires public consultation before a decision of location determination for land acquisition; however, the law does not require consultations with host communities.</li> <li>▪ Article 30 of Government Regulation No. 19/2021 stipulates that affected communities and those who are directly affected are invited to participate in consultations. Still, there is no mention of ensuring that vulnerable groups are involved as per the definition of ADB's SPS (2009).</li> <li>▪ Article 32 of Government No. 22/2021 requires the involvement of the vulnerable community in the public consultation. However, "vulnerable community" refers to the layer of the community most potentially affected by the business and/or activity. It requires more attention so that it does not adversely affect their lives – the definition is not clear.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Meaningful consultation and participation of DPs will be conducted in accordance with the requirement of the ADB's SPS during RP planning and implementation stages.</li> <li>▪ Vulnerable groups (the poor, the landless, the elderly, women and children, Indigenous Peoples, and those without legal title to land) will be paid particular attention.</li> <li>▪ Ensure their participation in consultations</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
6	<b>Information disclosure</b>	<ul style="list-style-type: none"> <li>Inform all DPs of their entitlements and resettlement options and ensure their participation in planning, implementation, monitoring, and evaluation of resettlement;</li> </ul>	<ul style="list-style-type: none"> <li>Article 55 of Law No. 2/2012 regulates that the entitled parties shall have rights to (i) have knowledge of the performance of the land acquisition; and (ii) receive information about the land acquisition.</li> <li>Article 31 of Government Regulation No. 19/2021 regulates that a Land Acquisition Plan shall be explained during public consultation, including (i) purpose and objectives of public-interest development plan; (ii) stages and time of the land acquisition process; (iii) roles of the appraiser in determining the value of compensation; (iv) incentives to be granted to entitled parties; (v) affected assets; (vi) form of compensation; and (vii) rights and obligations of entitled parties, property managers and/or property users and affected communities.</li> </ul>	<ul style="list-style-type: none"> <li>There is no explicit provision that entitled parties under the laws and regulations of the GOI include DPs without titles to land.</li> </ul>	<ul style="list-style-type: none"> <li>All the DPs, including DPs without titles to land, will participate in planning, implementation, monitoring, and evaluation of resettlement and be informed of and consulted about their entitlements on compensation and assistance and resettlement options during consultation activities.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
7	<b>Participation</b>	<ul style="list-style-type: none"> <li>▪ Ensure their participation in planning, implementing, and monitoring and evaluating resettlement programs.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Article 2 of Law No. 2/2012 stipulates that land acquisition shall be implemented under the principle of participation, which means any support through public involvement in the performance of land acquisition, either directly or indirectly, from planning to construction activity.</li> <li>▪ Article 55 of Law No. 2/2012 stipulates that the public may participate by providing inputs either in writing or orally of the land acquisition and supporting the performance of the land acquisition.</li> <li>▪ Article 32 of Government Regulation No. 19/2021 requires that the presence of the entitled parties and affected communities shall be proven with a list of attendees and documentation in the form of photos and/or videos.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No gaps are identified</li> </ul>	

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
8	<b>Grievance redress mechanism</b>	<ul style="list-style-type: none"> <li>Establish a grievance redress mechanism to receive and facilitate resolution of the DPs' concerns. Support the social and cultural institutions of DPs and their host population.</li> </ul>	<ul style="list-style-type: none"> <li>Article 135 of Government Regulation No. 19/2021 stipulates that if there are reports and/or complaints from the community to the head of ministries/ agencies, the Attorney General's Office of the Republic of Indonesia, the Indonesian National Police, governors, or regents/ mayors regarding deviations or abuse of authority in the implementation of Land Procurement for Public-Interest Development and Nationally Strategic Projects, the settlement shall be conducted by prioritizing the administrative process in accordance with provisions of laws and regulations in the field of government administration.</li> <li>Government Regulation No. 19/2021 stipulates some provisions regarding resolution of objections of DPs regarding the location of the development plan, results of the inventory, a form of compensation, compensation amounts.</li> </ul>	<ul style="list-style-type: none"> <li>There is no requirement of GRM establishment based on the project.</li> </ul>	<ul style="list-style-type: none"> <li>A Project-level GRM will be established in accordance with ADB requirements and the Government procedures. The GRM is a systematic process for receiving, recording, evaluating, and addressing an affected person's project-related grievances transparently and within a reasonable period.</li> <li>The project-level GRM will be consulted with and agreed upon by DPs and relevant stakeholders during consultations.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
9	<b>Compensation unit rates</b>	<ul style="list-style-type: none"> <li>▪ The calculation of full replacement cost will be based on the following: elements: (i) fair market value; (ii) transaction costs; (iii) interest accrued, (iv) transitional and restoration costs; and (v) other applicable payments if any. Depreciation of structures and assets should not be taken into account</li> <li>▪ The replacement cost shall be determined by an independent appraiser experienced in assessing acquired assets.</li> </ul>	<ul style="list-style-type: none"> <li>▪ According to Article 1 of Government Regulation No. 19/2021, compensation is reasonable and fair compensation to the entitled parties, managers, and/or users of goods in the land acquisition process.</li> <li>▪ According to Article 68 of Government Regulation No. 19/2021, an independent and professional appraiser who obtained a license of assessment practice from the minister in charge of government affairs in the state finance sector must appraise the amount of compensation per land plot covering (i) lands; (ii) aboveground space and underground spaces; (iii) buildings; (iv) plants; (v) objects related to land; and (vi) other assessable losses</li> <li>▪ Article 69 of Government Regulation No. 19/2021 states that compensation to be appraised by the Appraiser is the value of the time of announcement of the Determination of Location of Public-interest development by considering the waiting period at the time of compensation payment.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Government Regulation No. 19/2021 is silent on the application of depreciation when calculating compensation for affected structures. The valuation standard set by the Independent appraisers' association (MAPPI, 2018) does not apply depreciation for the physical condition of the affected building<sup>1</sup> MAPPI uses solatium (emotional compensation) of 10% - 30% of the total compensation for physical loss for affected buildings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Compensation will cover all the impacts set forth in Article 68 of Law No. 19/2021.</li> <li>▪ Compensation at full replacement cost will be applied. Depreciation of structures and assets shall not be taken into account.</li> <li>▪ An independent and qualified appraiser will be mobilized to appraise the replacement cost of affected lands and non-land assets.</li> <li>▪ In case of involuntary resettlement, capital gains tax and the costs of transferring ownership, including the cost of new land certificates, will not be deducted from the compensation of those who will lose lands.</li> <li>▪ In case there will be a tax deduction for negotiated land acquisition, the deduction should be clearly consulted and agreed upon by the affected persons.</li> </ul>

<sup>1</sup>Indonesia Valuation Standards 306 (SPI 306). Land Acquisition Assessment for Development for the Public Interest. Code of Ethics Indonesia Appraisers and Indonesia Standard, 2015, Jakarta, GeloraKarya Bharata, 2015.

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
10	<b>Negotiated Land Acquisition</b>	<ul style="list-style-type: none"> <li>Develop procedures in a transparent, consistent, and equitable manner if the land acquisition is through a negotiated settlement</li> </ul>	<ul style="list-style-type: none"> <li>Article 126 of Government Regulation No. 19/2021 states that land acquisition of an area not exceeding five (5) hectares may be carried out directly by the agency that requires land with the entitled parties, by way of sale and purchase, exchange, or other agreed methods; or by using the land acquisition stages for public-interest development including (i) planning; (ii) preparation; (iii) implementation; and (iv) handover of results.</li> </ul>	<ul style="list-style-type: none"> <li>There are no requirements for transparent, consistent, and equitable procedures in the negotiated land acquisition.</li> </ul>	<ul style="list-style-type: none"> <li>Negotiated land acquisition shall be undertaken in a transparent, free from intimidation. A negotiated settlement will offer an adequate and fair price for land and/or other assets.</li> <li>An independent external party shall be mobilized to document the negotiation and settlement process.</li> </ul>
11	<b>Compensation for land users (tenant farmers / croppers / sharecroppers)</b>	<ul style="list-style-type: none"> <li>Compensation for affected land and non-land assets should be provided at replacement cost</li> </ul>	<ul style="list-style-type: none"> <li>Perpres 62/2018 stipulates that compensation should consider the cost of mobilization, the cost for moving, house rent during the transition period, and loss of income according to valuation by an independent appraisal</li> <li>Government Regulation No. 19/2021 stipulates that owners of trees/plants are entitled to compensation of affected trees/plants.</li> </ul>	<ul style="list-style-type: none"> <li>No gaps are identified.</li> </ul>	<ul style="list-style-type: none"> <li>Compensation for sharecroppers will be provided based on losses at replacement cost prior to economic and physical displacement.</li> </ul>
12	<b>Compensation and assistance to DPs without legal title or any recognizable legal rights</b>	<ul style="list-style-type: none"> <li>Ensure DPs without titles or any recognizable legal rights to land are eligible for resettlement assistance and compensation at replacement cost for loss of non-land assets</li> </ul>	<ul style="list-style-type: none"> <li>The legal framework provides compensation and assistance for DPs without title or recognizable legal rights unless their legitimate claims cannot be proven/recognized prior to land LAR implementation.</li> </ul>	<ul style="list-style-type: none"> <li>Application of full replacement cost for DPs without legal title or any recognizable legal rights is unclear.</li> </ul>	<ul style="list-style-type: none"> <li>Compensation for non-land assets of DPs without title or any recognizable legal rights at replacement cost will be applied. However, the eligibility of the DPs will be defined by the cut-off date. Any informal settlers encroached on to the project area after the declaration of the cut-off date will not be eligible for any compensation.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
13	<b>Provide physically and economically DPs with needed assistance</b>	<ul style="list-style-type: none"> <li>Provide physically and economically DPs with needed assistance, including the following:               <ul style="list-style-type: none"> <li>(i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host communities;</li> <li>(ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities;</li> <li>(iii) civic infrastructure and community services, as required.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Law No. 1/2011 and Government Regulation 88/ 2014 on Housing and Settlement Area stipulate general and technical guidelines applicable to housing and settlement projects for persons displaced due to land acquisition for public purposes. Central, provincial, regency, and city governments are responsible for developing norms, standards, procedures, and criteria for housing development. Provisions on settlement, housing, basic facilities, supporting facilities, general utilities, and other related requirements sufficiently stipulate that relocation must be conducted in an appropriate manner, including by providing secured tenure, decent housing, civic infrastructure, and community services.</li> <li>Article 76 and Article 80 of Government Regulation No. 19/2021 regulate resettlement as one of the forms of compensation, however, they do not contain specific language regarding the issues of securing tenure to land ensuring better housing for DPs in resettlement sites and public facilities as stipulated by Law No. 1 (2011).</li> <li>There is no mention of additional transitional support/allowance</li> </ul>	<ul style="list-style-type: none"> <li>The laws and regulations state on resettlement support, yet it is limited to support for housing and settlement area development and moving cost but does not include secured tenure to relocation land, transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Compensation for income loss at full replacement cost based on the duration of business disruption, development assistance in the form of allowance for basic services, such as connection to the grid, water, etc., will be included in the entitlement matrix.</li> <li>Secured tenure to relocation land will be ensured through covering the cost of registration fees and facilitating the process of securing land tenure.</li> <li>Relocation households will be provided with transitional support and be entitled to participate in the Income Restoration Program.</li> </ul>



No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
14	<b>High Risk of Impoverishment</b>	<ul style="list-style-type: none"> <li>▪ Pay attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land.</li> <li>▪ Improve the living standards of the displaced poor and other vulnerable groups, including women, to at least national minimum standards.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Article 5 of Law No. 39/1999 on Human Rights states that all members of vulnerable groups in society, such as children, the poor, and the disabled, are entitled to more excellent protection of human rights</li> <li>▪ Articles 5 to 12 of Law No. 11/2009 on Social Welfare prioritizes social welfare for people who have a lower standard of living because of conditions including displacement.</li> <li>▪ Law No. 13/2011 on Handling the poor stipulates that the poor are entitled to obtain adequate living standards.</li> <li>▪ Decree No. 39/2012 states: To cover or identify vulnerable / severely impacted people by the project as early as possible, it can be covered in the Social Impact Assessment of AMDAL as referred to in Environmental Law no. 32/2009 other relevant Government Regulation on Environmental Permits.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There is no mention of vulnerable groups and no requirement of improving the living standards of displaced, vulnerable groups in cases of involuntary resettlement in Government Regulation No. 19/2021 and Law No. 2/2012.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Livelihoods/ income restoration programs will be provided to severely affected households and vulnerable affected households. Programs for vulnerable groups refer to Law No. 11/2009 and implementing regulations. In this law, the local government is responsible for addressing these issues. The programs to be implemented are included in the Social Action Plan for DPs.</li> <li>▪ Severely affected households and vulnerable affected households will be identified during RP preparation. Livelihood enhancement assistance will be provided to them through: i) social programs implemented by local governments; ii) community development programs under the project component. The Director-General of Regional Development will facilitate the coordination of program implementation at the regional level.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
15	<b>Preparation of a resettlement plan</b>	<ul style="list-style-type: none"> <li>▪ Prepare a resettlement plan (RP) elaborating on DPs' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Articles 4 to 7 of Government Regulation No. 19/2021 require a Land Acquisition Plan preparation based on the feasibility studies. The Land Acquisition Plan shall at least contain the following (i) purposes, and objectives of the development plan; (ii) conformity of spatial utilization activities; (iii) national/regional development priorities; (iv) location of the land; (v) required land area; (vi) general description of land status; (vii) estimated period for the implementation of land acquisition; (viii) estimated land value; (ix) budgeting plan; and (x) preferred form of compensation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There are no requirements on mentioning the income and livelihood strategy, monitoring and evaluation framework, and institutional arrangements in the Land Acquisition Plan.</li> </ul>	<ul style="list-style-type: none"> <li>▪ A RP will be prepared in accordance with the requirements of ADB's SPS (2009).</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
16	<b>Disclosure of resettlement planning document</b>	<ul style="list-style-type: none"> <li>Disclose a draft RP, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final RP and its updates to affected persons and other stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>Articles 12 to 16 of Government Regulation No. 19/2021 regulate the requirements on development plan notification to the local communities.</li> <li>Article 31 of Government Regulation No. 19/2021 requires the explanation of the Land Acquisition Plan during public consultation, including (i) purpose and objectives of the public-interest development plan; (ii) stages and time of the land acquisition process; (iii) roles of the appraiser in determining the value of compensation; (iv) incentives to be granted to entitled parties; (v) affected assets; (vi) form of compensation; and (vii) rights and obligations of entitled parties, property managers and/or property users and affected communities.</li> <li>Planning for land acquisition by the Office of the Governor at the preparation stage and implementation of land acquisition by BPN will be carried out by holding public meetings and consultations, and results of surveys and appraisal of affected assets will be disclosed to the public.</li> </ul>	<ul style="list-style-type: none"> <li>A Land Acquisition Plan exists only at the feasibility and planning stage as one document. Government Regulation No. 19/2021 requires notifications and disclosure of information throughout the land acquisition process, but there is no requirement to disclose a complete draft Land Acquisition Plan as a single document. There is no requirement to disclose a final Land Acquisition Plan or to incorporate updated information and re-disclose a revised Land Acquisition Plan to DPs and other stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>The agreed RP will be disclosed to entitled parties and other stakeholders in accessible forms, languages, and places and posted on the ADB and EA's websites.</li> </ul>

No	Issues	ADB's SPS, 2009	GOI's Laws	Gaps between ADB's SPS and GOI's Laws	Proposed Gap-filling Measures
17	<b>Compensation and assistance payment</b>	<ul style="list-style-type: none"> <li>Pay compensation and provide other resettlement entitlements before physical or economic displacement.</li> </ul>	<ul style="list-style-type: none"> <li>Article 78 of Government Regulation No. 19/2021 stipulates that the provision of compensation shall be carried out simultaneously with the waiver of rights by entitled parties.</li> <li>Article 118 of Government Regulation No. 19/2021 regulates that in the event of an urgent situation due to natural disasters, widespread social conflicts, and disease outbreaks, public-interest development may be immediately implemented after a determination of location is issued by a governor/regent/ mayor in accordance with their authorities.</li> <li>Article 79 of Government Regulation No. 19/2021 stipulates that provision of replacement land shall be carried out no later than six (6) months since the determination of the form of compensation by the Land Acquisition executor.</li> </ul>	<ul style="list-style-type: none"> <li>There is no explicit requirement to pay compensation and other resettlement entitlements before physical or economic displacement.</li> </ul>	<ul style="list-style-type: none"> <li>Civil works at any affected area can only commence when(i) compensation is fully paid at replacement cost to all affected households; (ii) other RP entitlements are provided; (iii) relocation of physically displaced households have been fully completed; and (iv) the agreed comprehensive livelihood restoration program is in place.</li> </ul>
18	<b>Monitoring of Project Implementation</b>	<ul style="list-style-type: none"> <li>Monitor and assess resettlement outcomes, their impacts on the standards of living of DPs, and whether the objectives of the RP have been achieved by considering the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.</li> </ul>	<ul style="list-style-type: none"> <li>Article 119 of Government Regulation No. 19/2021 stipulates that monitoring and evaluation of the performance of land acquisition for public interest development shall be conducted by the Ministry of Agrarian Affairs and Spatial Planning/ National Land Agency, both physically and based on information technology.</li> </ul>	<ul style="list-style-type: none"> <li>There is no requirement to monitor and assess resettlement impacts on livelihoods and living standards of DPs and no requirement to assess progress achieved on resettlement outcomes and mitigating impacts on livelihoods and standards of living of DPs.</li> <li>There is no requirement to disclose monitoring reports.</li> </ul>	<ul style="list-style-type: none"> <li>External monitoring of RP implementation is required for a project categorized as Category A for involuntary resettlement.</li> <li>Resettlement monitoring reports will be posted on the ADB website.</li> </ul>

## c. Project Policies

29. COREMAP-CTI Under the ICCTF-BAPPENAS, shall uphold legal provisions of the GOI in harmony with ADB's SPS (2009) requirements applicable to indigenous peoples. With CDD as the overarching project approach, subprojects will only be undertaken on the basis of demand and agreement of the beneficiaries.

30. To recapitulate the equivalence-gap matrix, the following project policies will be upheld:

- Screening for IPs will commence at the early stages in conjunction with subproject selection.
- The Project consultant will undertake meaningful consultation with affected communities and IPs across subproject stages to ensure their informed participation.
- When screening confirms likely impacts on IPs, the EA/IA will retain qualified and experienced experts to carry out social impact assessment (SIA). The assessment will cover both positive and adverse impacts on the local IPs as well as to develop the measures to minimize the potential adverse impacts with full participation of local IPs.
- If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on IPs, the EA/IA will prepare an IPP in the context of the SIA and through meaningful consultation with the affected IP communities. Consultants will be recruited to assist in the IPP preparation, implementation and monitoring.
- The project will ensure the rights of local IPs to benefit from the use of their cultural resource and knowledge and in particular to protect local IP communities from commercial development of natural resources.
- The issues of access restriction and physical displacement from protected areas and natural resources will be avoided as much as possible by participatory zoning and mapping exercises. Local IPs will participate in the zoning and mapping activities in order to fully benefit from the subprojects.
- In full consultation with local IP communities, the zoning and mapping exercises will define the areas with customary rights of the local IP and reflect the issues in the IPP with particular actions to protect, or compensate IP communities
- (viii) If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on IPs, the EA/IA will submit to ADB IPP and affected community to disclose on ADB's website (upon completion; a new or updated IPP and a corrective action plan prepared during implementation, if any; and monitoring reports. The IPP and other project documents will be disclosed to IP communities in the language most understandable to them.

- The EA/IA will establish and disclose a mechanism to receive and facilitate resolution of the affected IP communities' concerns, complaints, and grievances. Said mechanism shall be culturally acceptable and gender sensitive.
- If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on IPs, the EA/IA will monitor and measure the progress of implementation of the IPP; EA/IA to ensure community involvement in monitoring.

31. Meanwhile, concerning the Involuntary Resettlement, following action should be observed

- Avoid involuntary resettlement as much as possible. If this is not possible, impacts shall be minimized by exploring project and design alternatives. Efforts to minimize resettlement impact will be continued during implementation;
- Screen subproject components during feasibility study or before preparation of resettlement plan to identify involuntary resettlement impacts and risks and the likelihood of impacts per subproject activity.
- Carry out culturally appropriate and gender-sensitive social impact assessments (SIA) to assess potential impacts on APs, particularly with affected vulnerable groups.
- Conduct meaningful consultations with affected APs, stakeholders, concerned NGOs, and community groups to solicit their participation across land acquisition and involuntary resettlement process and monitoring. Inform APs about the land acquisition and involuntary resettlement process, entitlements, and compensation and assistance options. Pay attention to the need of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and those without legal title to land, and ensure their participation in consultations.
- Establish a grievance redress mechanism to receive and facilitate the affected persons' concerns
- Improve or at least restore the livelihood of the APs through (a) land-based income and livelihood program; (b) replacement of assets with equal or higher value; (c) compensation at full replacement cost for lost assets; and (d) additional assistance through benefit-sharing where possible.
- Assist and compensate APs without title or any recognizable legal rights to land for non-land assets at replacement cost.
- Pay compensation for lost land and non-land assets prior to physical or economic displacement. Civil works will not commence until APs are fully compensated and other entitlements take place.
- Disclose the LARP document and its updates, if required to the APs and other stakeholders in an accessible place and a form and understandable language. The LARP will be disclosed on the subproject and ADB's website

- Negotiated land acquisition will follow the procedure in a transparent, consistent, and equitable manner principles and be confirmed through a written record and verified by an independent third party.
- Monitor implementation of the resettlement planning and resettlement outcomes and impacts on the standards of living of APs. Disclose the monitoring reports on the subproject's website and make them available on the project office;
- The EA will ensure that no physical displacement or economic displacement occur until (i) compensation at full replacement cost has been paid to each AP for subproject components that are ready to be constructed; (ii) other entitlements listed in the entitlement matrix have been provided to the APs; and (iii) livelihood restoration program is in place to help APs improve, or at least restore, their incomes and livelihoods
- Civil works can proceed in any given construction works zone (CWZ) when (i) all the AHs are fully paid compensation and assistance in accordance with the approved LARP; (ii) relocation of entitled parties to the new site is completed if any physical relocation; and (iii) income restoration program is in place.

#### **d. Subproject Screening Criteria**

32. Subproject are selected based on a set of criteria established, to with that the subproject (i) contributes directly to environmentally sound non-consumptive resource utilization across the MPAs (e.g. environmentally responsible eco-tourism); (ii) supports development of sustainable fisheries (enhancing fish market facilities, fish landing sites, fish catch monitoring and catch regulation); (iii) contributes to fostering alternative livelihoods that reduces fishing pressure or provides non-traditional gainful employment within the sub-sector; and (iv) enhances effectiveness, governance, and financial sustainability of co-managed marine protected area(s).

## C. Methodology

33. The project's social safeguards team adopted various approaches for identification of the existence of indigenous people (IP), involuntary resettlement (IR) impacts of the subproject's schemes including desk study, public consultation (village meetings, FGDs), obtaining and examination of existing data and information, and conducting of in-depth interviews with stakeholders.
34. Three village consultation meetings were organized in period from March-September 2021 with participation of 165 meeting participants, of which, 33 (thirty three) are females. Meeting attendants in 70 (seventy) local people in the subproject's areas, 3 (three) local authority leaders. In the meetings, design of the infrastructure schemes was presented and the land acquisition impacts as well as the potential impacts of the subproject on local IP communities were discussed. A part from the village meetings, the project's social safeguards team conducted 2 (two) FGDs and two interviews with head of village Poto tano and staffs of village of Tambaksari, West Sumbawa District, Province of West Nusa Tenggara.
35. To identify the existence of indigenous peoples, the Project's social safeguards consultants for Gili Balu, PT. CBA and PT. Sucofindo, conducted desk review including web-based data and the information gathered. In addition, the project's social safeguards consultants conducted in-depth interviews with Social Agency in Government of West Sumbawa District. Furthermore, consultation with the customary leaders was also conducted on the existence of the IPs in Sumbawa and the conservation of the traditional practices.
36. During the detailed design and the subproject implementation, information dissemination to all members of the IP and local people in the subproject areas will be continued conducting specifically targeting appropriate message routes in accordance with prevailing customs and traditions. The following shall be observed:
- Notices of meetings written in the commonly used IP language and authorized by IP community leaders shall be delivered and posted in conspicuous places or announced in the area where the meeting shall be conducted at least two (2) weeks before the scheduled meeting;
  - All meetings and proceedings shall be conducted in a process and language spoken and understood by the IPs and affected community; and
  - The minutes of meetings or proceedings conducted shall be written in English or Bahasa Indonesia and in the language of the IPs and shall be validated with those who attended the meeting or assembly before the finalization and distribution of the same.



37. To examine if land acquisition is needed for construction of the subproject's infrastructures in Gili Balu, the Project's safeguards consultants visited the area and document the land use and land ownership status in the locations of the subproject's schemes. The Consultants, PT. CBA and PT Sucofindo also conducted community meetings in the villages of Poto Tano on the utilization of Ecotourism Information Office in Poto Tano and if land is required to construct the schemes in the proposed locations.

38. Consultation was also conducted with authorized agencies in the NTB Province and the West Sumbawa District.

**Table 2 List of Public Consultation in Gili Balu**

Date	Public Consultation	Location	Number of participants		Representative of local government	Representative of Community Group
			Female	Male		
22 Mar 2021	Consultation and introduction to Pokmaswas regarding project in Gili Balu	CDK Office Poto Tano	-	20	CDK Officer Police	Bajo, Bugis, Selayar, Madura, Jawa.
6 May 2021	Stakeholder meeting ICCTF, Project consultant, Surveillance group, representative of community	CDK Office Poto Tano	-	11	CDK Officer Rep of Tourism Agency	Bajo, Bugis, Selayar, Madura, Jawa.
14 Jun 2021	Coordination with Pokmaswas regarding surveillance boat	The Consultant office	4	13	CDK Officer Police	Bajo, Bugis, Selayar, Madura, Jawa.
15 Jun 2021	Coordination with Pokmaswas related to mangrove forest restoration	The Consultant office	4	13	Officer CDK Police	Bajo, Bugis, Selayar, Madura, Jawa.
12 Juni 2021	Community Meeting	Senayan village	4	12	-	Bajo dan Sumbawa
14 Juni 2021	Community meeting on patrol boat for surveillance group	Poto Tano	4	16	2 person (KCD, and Police)	Bajo dan Sumbawa
15 Juni 2021	Community meeting on Mangrove with community surveillance group	Poto Tano	4	16	3 person (2 person KCD, and 1 person police)	Bajo dan Sumbawa
3 Agusut 2021	Community Meeting	Poto Tano	4	10	CDK Officer,	Bajo, Bugis, Selayar, Madura
12 August 2021	Consultation Meeting	Poto tano	4	10	CDK Officer	Bajo, Bugis, Selayar, Madura
22 September 2021	Consultation Meeting	Poto Tano	5	12	CDK Officer	Bajo, Bugis, Selayar, Madura

Source: Consultants for Gili Balu, PT. CBA and PT. Sucofindo

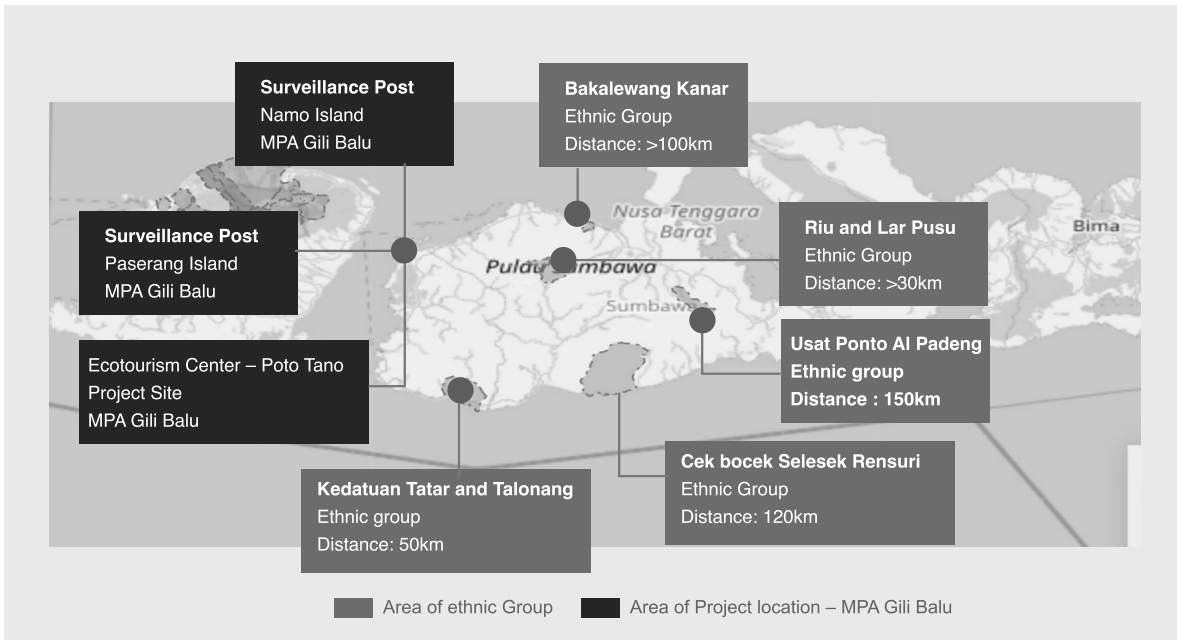
## D. Finding

### a. IP Screening

39. The presence of six (6) known/documented IPs Groups in Sumbawa and West Sumbawa as COREMAP-CTI target districts is presented in Table 3 with the Figure 2. The maps of the seven (7) areas (out of the subproject area) are IP communities namely Cek Bocek, Bakalewang Kanar, Ponto Ai Padeng, Pekasa, Pusu, Koeng Tatar, and Talonang - the areas of these seven (7) IP groups are approximately more than 30km – 100km in distance from the subproject area.
40. According to the interviews with representatives of West Sumbawa Social Agency, NTB, heads and the secretaries of Poto Tano and Tambaksari villages - about 90% of people in The Poto Tano village came from Bajo and Bugis ethnic, and about 50% of people in Tambaksari came from Sumbawa. The consultation results show that construction of the subproject's schemes does not impact on livelihood of the IP community. There is no income generating activity of the IP community in the subproject's area. As the hamlets are far from the subproject area (30km – 100km in distance from the subproject area), there is no impact by land acquisition and construction activities, neither the impacts on cultural values and heritages as well as social system of the IP community by the subproject.

Tabel 3. Ethnic Group in District Sumbawa - West Sumbawa

	Ethnic Group	District
1.	Cek Bocek Selesek Rensuri	Sumbawa
2.	Bakalewang Kanar	Sumbawa
3.	Usat Ponto Ai Padeng	Sumbawa
4.	Pekasa	Sumbawa
5.	Lar Pusu	Sumbawa
6.	Kedatuan Tatar	West Sumbawa, Sekongkang
7.	Talonang	West Sumbawa, Sekongkang



Source: Map of Badan Registrasi Wilayah Adat (BRWA) <https://www.brwa.or.id/sig/>

Figure 3 Existence of Ethnic Minority Group in Sumbawa and West Sumbawa island (estimate distance from the project site)

## b. Identification of involuntary resettlement and affected community

41. Based on the letter of approval on the utilization of land signed by the Head of District of West Sumbawa, West Nusa Tenggara (Document No. 1245, Year 2021) on the utilization of land of Government of West Sumbawa for development subproject infrastructures (the Information of Ecotourism Centre in Small Island Park Gili Balu in Poto Tano Village, Sub-district Poto Tano, District of West Sumbawa); dated on October 22th, 2021 - the subproject's infrastructures will be located in the following area:

- Surveillance Post (two units) will be located in Paserang and Namo Islands - the property of Forestry and Environmental district
- The Information Centre will be built in area of Office of Poto Tano Harbour Complex - the property of Transportation agency of West Sumbawa District.

42. There is no land of private individuals and or households that will be acquired for construction of the subproject's schemes.

## b. Community Development Plan (CDP)

43. The purpose of the CDP is to develop for Gili Balu focusing on surveillance operational activities for marine conservation and rehabilitation, ecotourism development and marine-based livelihood activities, especially to the women groups as target beneficiaries.
44. The Project will support the CDK Sumbawa and West Sumbawa to conduct the Community Surveillance Group (Pokmaswas) routine operation activities, equipment, and trainings. The member of Pokmaswas, as representatives of community in Gili Balu, will be trained and provided by the equipment including patrol boat, and equipment for patrol, such as binocular.
45. Then, the community will be facilitated to establish the business unit for fisheries business unit. The Project supports and facilitates to establish the community groups, procure the equipment for business activities, including develop marketing strategy.
46. The proposed Community Development Plan for the Gili Balu, as follow:

No	Activities		Estimate Budget
1	Livelihood (Capacity Building and workshop)	Rp.	460,352,000
2	Surveillance activities (capacity building)	Rp.	715,044,000
3	Surveillance infrastructure (Development of Surveillance post, procurement of equipment and patrol boat, and mangrove rehabilitation)	Rp.	2,420,000,000
4.	Integrate ecotourism element into MPA management plan implementation (Including workshop and training to support ecotourism)	Rp.	205,183,900
5	Infrastructure for Ecotourism and Information centre	Rp.	1,267,210,000
	<b>TOTAL</b>	Rp.	<b>5,067,790,900</b>

47. There is no affected person in Poto Tano and Paserang and Namo Islands in-terms of land acquisition for construction of the subproject's schemes under the COREMAP CTI in Gili Balu. There is no IP community residing within the subproject area, either. Therefore, there is no corrective action plan is required for Gili Balu. However, the subproject implementation will invite the local people to participate in the Surveillance Group, ecotourism groups and community groups on the marine based as business alternative in Gili Balu.

## E. Grievance Redress Mechanism

48. The ICCTF-BAPPENAS/PIU together with representation from concerned NGOs (includes academic and research entities) will ensure a culturally appropriate grievance redress mechanism to receive and address, in coordination with provincial authorities, project related concerns and to resolve IP related disputes that may arise during project implementation.

49. The grievance redress mechanism can be delivered through implementing partner as well as PIU. During this project preparation, the implementing partners develop the grievance redress mechanism that easily accessible to community and related stakeholders. The implementing partner should be able to solve the problem before proceeding to the PIU. However, there may be a need to escalate the grievance from the activity level to the project level due to vested interests. For this purpose, the PIU will have a team or channel to be a spokesperson and complaints manager for the whole project.

50. During the construction, when the community would like to express their concern due to disturbed by the construction activities, the process consists of following step:

- **Collecting the community concern**, in this stage, the affected community would address their concern through various media communication (form based, chat, or direct communication to the Project officer) that disturbed by the project construction activities.
- **Verification the concern**, in this stage, the Project officer including site coordinator, project consultant and representative of village officer would check the validity of the community complaints or concern, the project team would response to verified the concern is not more than two days.
- **Finding the solution**. When the concern or complaints from community is genuine and urgent to be solved, the project team with coordination with representative community leader and representative from local government will solve the complaints, with no more than 2 weeks
- **Close out the process**. When the complaints are solved and the community agreed with the process, the project team and representative of community leader will proceed the close out process with notification letter.

51. This grievance team is responsible for problem resolution and documentation of all grievance processes, from receiving, forwarding, responding, and closing of any grievance. This enables the PIU to track all grievances and take appropriate action. This channel or hotline number will be provided by both ICCTF-BAPPENAS and implementing partner. ICCTF-BAPPENAS has an email address (secretariat@icctf.or.id) for grievance redress on the existing ICCTF-BAPPENAS website (www.icctf.or.id).
52. At the village level, affected IPs (if any) through their facilitator or representative may bring the complaints to the village leaders and/or customary leaders, then they may bring it to the officers in project's field office or sub-project site office.
53. The Site coordinator(s) and the project consultant, safeguards consultant(s) will assist affected community in registering their complaints with PIU, field office or sub-project site office, and preparing their specific grievance. The PIU Team Leader will consider the complaint and within 15 working days will convey a decision to the APs. These staff, along with local government district officials, will assist the Project Manager in reviewing and addressing the complaint. Project's district officer will record/file keeping the complaint.
54. The safeguards staff will facilitate communication between the affected IPs and the PIU in this process. If the affected IPs are not satisfied with the PIU's decision, they may then take the grievance to the provincial government level, who will have two weeks to consider the complaint and following this will either instruct the PIU to rectify the situation or dismiss the complaint. If affected IPs are still not satisfied with the decision, they may take the grievance to the Indonesia judicial system through the State Court.
55. The above established project-level GRM was discussed with the IP communities and the local people in the subproject area during the consultation meetings. The GRM has been reflected in the information leaflet (Bahasa Indonesia as all the IPs can use the language) to deliver to all the participants in the consultation meetings and posted in the easily accessible places in the villages. During the detailed design and the subproject implementation, further information disclosure and consultation will be conducted with the IP communities and the GRM will be again discussed with IP communities and posted in the public places of the IP villages.

## F. Monitoring and Evaluation

56. Bappenas-ICCTF will be responsible conducting of monitoring and submitting semi-annual safeguard monitoring reports to ADB covering both involuntary resettlement (IR) and indigenous people (IP).
57. Objective of the internal monitoring reports is to confirm (i) if land acquisition is required to construct the subproject's schemes, (ii) if there is any IP groups/communities residing within the subproject area and whether there are any impacts during the subproject construction on the local IP communities; and (iii) if the set-up institutional arrangement is functional and effective to manage the IR and the IP issues. The reports are also to confirm if there are any complaints or grievances of the local people in the subproject's area and the IP groups in the subproject's areas on any related issues of the subprojects during the monitoring periods. Outline of the Internal Monitoring Report is enclosed in the Appendix 6.
58. In case there are IP groups/communities identified residing within the subproject area, and there are impacts identified on the IP groups in the subproject area, an IPP will be prepared – and in that case, monitoring schedule and monitoring indicators will follow these that are specified in the IPP. Similarly, if there are land acquisition impacts of the subproject identified with land of private individuals and or households, monitoring schedule and monitoring indicators will follow these that are specified in the LARP.
59. As the Project is categorized B for both IR and IP safeguards, external monitoring on IR and IP is not required.

# APPENDIX

## Complete IR and IP Due Diligence Checklist Gili Balu

KEY CONCERNS (Please provide elaborations on the Remarks column)	YES	NO	NOT KNOWN	REMARKS
<b>A. Indigenous Peoples Identification</b>				
1. Are there socio-cultural groups present in or use the project area who may be considered as “tribes” (hill tribes, schedules tribes, tribal peoples), “minorities” (ethnic or national minorities), or “indigenous communities” in the project area?		X		There is no IP in the project area
2. Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to “ethnic minorities”, scheduled tribes, tribal peoples, national minorities, or cultural communities?		X		
3. Do such groups self-identify as being part of a distinct social and cultural group?		X		
4. Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?		X		
5. Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?		X		
6. Do such groups speak a distinct language or dialect?		X		
7. Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?		X		
8. Are such groups represented as “Indigenous Peoples” or as “ethnic minorities” or “scheduled tribes” or “tribal populations” in any formal decision-making bodies at the national or local levels?		X		
<b>B. Identification of Potential Impacts</b>				
9. Will the project directly or indirectly benefit or target Indigenous Peoples?		X		
10. Will the project directly or indirectly affect Indigenous Peoples’ traditional socio-cultural and belief practices? (e.g. child-rearing, health, education, arts, and governance)		X		



11. Will the project affect the livelihood systems of Indigenous Peoples? (e.g., food production system, natural resource management, crafts and trade, employment status)		X		
12. Will the project be in an area (land or territory) occupied, owned, or used by Indigenous Peoples, and/or claimed as ancestral domain?		X		
<b>C. Identification of Special Requirements</b>				
<i>Will the project activities include:</i>				
13. Commercial development of the cultural resources and knowledge of Indigenous Peoples?		X		
14. Physical displacement from traditional or customary lands?		X		
15. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of Indigenous Peoples?		X		
16. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?		X		
17. Acquisition of lands that are traditionally owned or customarily used, occupied or claimed by indigenous peoples ?		X		

#### D. Anticipated project impacts on Indigenous Peoples

Project component/ activity/output	Anticipated positive effect	Anticipated negative effect
1. Development subproject infrastructure: Information Centre and Surveillance Post,	None (as there is no IP in the subproject area)	None

**Screening Checklist:**

**Involuntary Resettlement Involuntary Resettlement Impact Checklist Facility/ Site Details**

**Involuntary Resettlement Impact Categorization Checklist**

Project : Coral Reef Rehabilitation and Management Program –  
Coral Triangle Initiative (COREMAP CTI)  
Subproject : Development of Information Centre and Surveillance Post  
Province : West Nusa Tenggara  
District : West Sumbawa  
Category : B

<b>Probable involuntary resettlement effects</b>	Yes	No	Not Known	Remarks
<b>Involuntary Acquisition of Land</b>				
1. Will there be land acquisition?				No land of private individuals and or households will be acquired by the subproject. The subproject's schemes will all be constructed on the land owned by the Government.
a. If yes, is the land acquired through a willing-buyer and willing seller arrangement?				
b. Is the land acquisition acquired through the government				
c. If the land is acquired through a willing-buyer and willing seller arrangement, is there any coercion or unfair practices?				
d. Is there an independent third party to document the negotiation and settlement processes?				
e. Is there a third-party to validate the process (d)?				
f. Are all affected people consulted?				
g. Has the compensation been offered?				
h. If so, is the compensation at a fair market value?				
2. Is the site for land acquisition known?				It is the Government's land
3. Is the ownership status and current usage of land to be acquired known?				Land is property of local government
4. Will easement be utilized within an existing Right of Way (ROW)?				The information center and surveillance post in Gili Balu will not be touched by other activities

5. Will there be loss of shelter and residential land due to land acquisition				Surveillance Post will be developed in Paserang and Namo islands which currently inhabitants, while Information center will be built in the empty area.
6. Will there be loss of agriculture and other productive assets due to land acquisition?				
7. Will there be losses of crops, trees, and fixed assets land acquisition?				
8. Will there be loss of business or enterprises due to acquisition?				
9. Will there be loss of income sources and means livelihoods due to land acquisition?				
Involuntary restriction on land use or an access to legally design parks and protected areas				
10. Will people loss access to natural resources, communal, facilities and services?				The government has provided the access road
11. If land use is changed, will it have and adverse impact on social and economic activities?				
12. Will access to land and resources owned communally or by information of Displaces persons				The infrastructure will be built in Paserang and Namo Islands which is inhabitants, and the information center in the property of Government of West Sumbawa District.
Any estimate of the likely numbers of person that will displaced by the project? [ ] No [ ] Yes If yes, approximately how many? _____				
Are any of them poor, female-heads of households, or vulnerable to poverty risks? [ ] No [ ] Yes				
Are any displaces person from indigenous or ethnic minority groups? [ ] No [ ] Yes				

Is a Resettlement Plan Required? No

Why? The subproject infrastructure will be developed in the property of Government of West Sumbawa Districts, which empty and inhabitants. The size of information center small or <100m2, which community access will be properly managed. Additionally, the area for information center in Poto Tano is part of the Development of Poto Tano Harbour Complex.

Prepared by: **PIU COREMAP CTI**

Organization: **ICCTF**

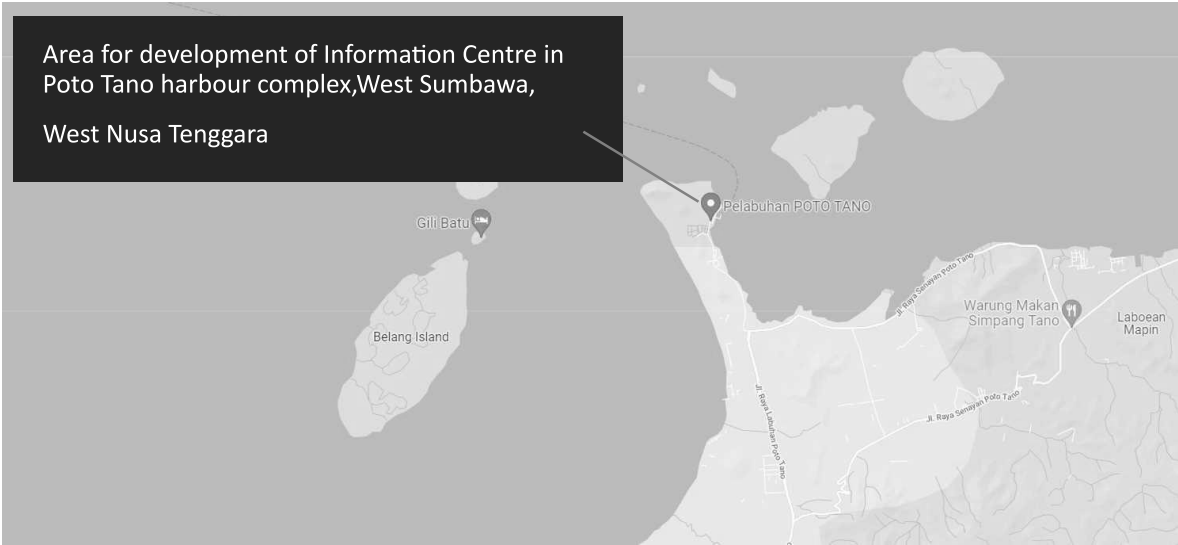
Date: January 28th, 2022

Facility/Site Records Attached (please tick and attach)

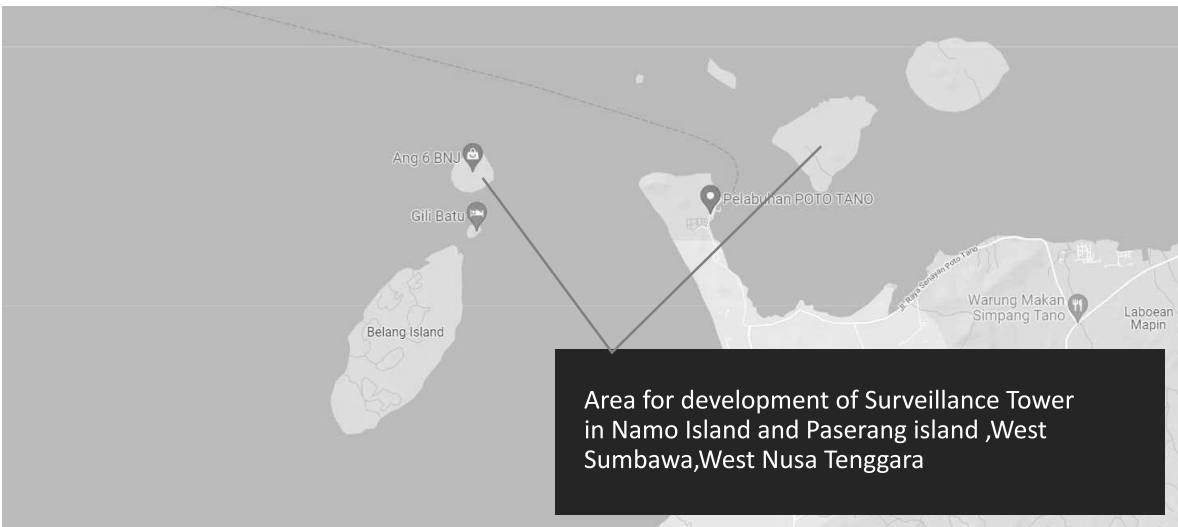
Land Ownership Title / Proof of Government Land

Photos of existing facility/site land

Area for development of Information Centre in Poto Tano harbour complex, West Sumbawa, West Nusa Tenggara




Area for development of Surveillance Tower in Namo Island and Paserang island, West Sumbawa, West Nusa Tenggara





# Land / Assets Ownership Record

  
**BUPATI SUMBAWA BARAT**  
**PROVINSI NUSA TENGGARA BARAT**  
**KEPUTUSAN BUPATI SUMBAWA BARAT**  
**NOMOR 1245 TAHUN 2021**

**TENTANG**  
**PENGUNAAN TANAH MILIK PEMERINTAH KABUPATEN SUMBAWA BARAT**  
**UNTUK PEMBANGUNAN INFRASTRUKTUR PUSAT INFORMASI EKOWISATA**  
**TAMAN PULAU KECIL GILI BALU DI DESA POTO TANO KECAMATAN POTO TANO**  
**KABUPATEN SUMBAWA BARAT**

**BUPATI SUMBAWA BARAT,**

**Menimbang :**

- a. bahwa untuk mendukung implementasi pariwisata berkelanjutan di kawasan konservasi perairan Gili Balu, perlu diberikan ijin penggunaan tanah milik Pemerintah Kabupaten Sumbawa Barat untuk pembangunan Infrastruktur Pusat Informasi Ekowisata Taman Pulau Kecil Gili Balu di Desa Poto Tano Kecamatan Poto Tano Kabupaten Sumbawa Barat;
- b. bahwa berdasarkan pertimbangan sebagaimana dimaksud pada huruf a, perlu menetapkan Keputusan Bupati;

**Mengingat :**

1. Undang-Undang Republik Indonesia Nomor 17 Tahun 2003 tentang Keuangan Negara;
2. Undang-Undang Republik Indonesia Nomor 30 Tahun 2003 tentang Pembentukan Kabupaten Sumbawa Barat di Provinsi Nusa Tenggara Barat;
3. Undang-Undang Republik Indonesia Nomor 1 Tahun 2004 tentang Perbendaharaan Negara;
4. Undang-Undang Republik Indonesia Nomor 23 Tahun 2014 tentang Pemerintahan Daerah sebagaimana telah diubah beberapa kali terakhir dengan Undang-Undang Nomor 11 Tahun 2020 tentang Cipta Kerja;
5. Peraturan Pemerintah Republik Indonesia Nomor 27 Tahun 2014 tentang Pengelolaan Barang Milik Negara/Daerah;
6. Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 19 Tahun 2016 tentang Pedoman Pengelolaan Barang Milik Daerah;
7. Peraturan Menteri Dalam Negeri Republik Indonesia Nomor 77 Tahun 2020 tentang Pedoman Teknis Pengelolaan Keuangan Daerah;
8. Peraturan Daerah Kabupaten Sumbawa Barat Nomor 8 Tahun 2012 tentang Sistem Pengelolaan Keuangan Daerah;
9. Peraturan Daerah Kabupaten Sumbawa Barat Nomor 7 Tahun 2018 tentang Pengelolaan Barang Milik Daerah;

**MEMUTUSKAN**


**Menetapkan :** KEPUTUSAN BUPATI TENTANG PENGUNAAN TANAH MILIK PEMERINTAH KABUPATEN SUMBAWA BARAT UNTUK PEMBANGUNAN INFRASTRUKTUR PUSAT INFORMASI EKOWISATA TAMAN PULAU KECIL GILI BALU DI DESA POTO TANO KECAMATAN POTO TANO KABUPATEN SUMBAWA BARAT

**ESATU :** Menetapkan Peraturan Tanah Milik Pemerintah Kabupaten Sumbawa Barat untuk Pembangunan Infrastruktur Pusat Informasi Ekowisata Taman Pulau Kecil Gili Balu di Desa Poto Tano Kecamatan Poto Tano Kabupaten Sumbawa Barat.

**KEDUA :** Tanah sebagaimana dimaksud dalam Pasal ESATU adalah tanah milik Pemerintah Kabupaten Sumbawa Barat seluas 4.000 m<sup>2</sup> (empat ribu m<sup>2</sup>) yang terletak di Desa Poto Tano Kecamatan Poto Tano Kabupaten Sumbawa Barat dengan arsitek, sebagaimana tertera dalam lampiran Keputusan ini dan tidak akan dipungut biaya.

**Disahkan :** Jember, 05 Desember 2021  
**Tanda :** Jember, 05 Desember 2021  
**Asisten :** Tapani, 05 Desember 2021  
**Wakil :** Jember, 05 Desember 2021

**KETIGA :** Menetapkan ini menjadi landasan bagi setiap orang.

  
 Disahkan di Tualang  
 05 Desember 2021

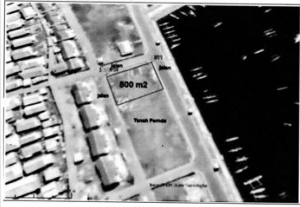
Disahkan, diumumkan kepada :  
 1. Bupati Kabupaten Sumbawa Barat di Tualang;  
 2. Bupati Kabupaten Sumbawa Barat di Tualang;  
 3. Bupati Kabupaten Sumbawa Barat di Tualang;  
 4. Bupati Kabupaten Sumbawa Barat di Tualang.

**LAMPIRAN KEPUTUSAN BUPATI SUMBAWA BARAT**

NOMOR : 1245  
 TAHUN : 2021  
 TANGGAL : 05 Desember 2021

**TENTANG**

**PENGUNAAN TANAH MILIK PEMERINTAH KABUPATEN SUMBAWA BARAT UNTUK PEMBANGUNAN INFRASTRUKTUR PUSAT INFORMASI EKOWISATA TAMAN PULAU KECIL GILI BALU DI DESA POTO TANO KECAMATAN POTO TANO KABUPATEN SUMBAWA BARAT.**



**"KETERANGAN GAMBAR"**

**"Plot Informasi Ekowisata Taman Pulau Kecil Gili Balu"**

Alamat : Desa Poto Tano

Luas : 4.000 m<sup>2</sup>


**Detail Data:**

Uraian : Jalan Desa

Tipe : Jalan Desa

Adanya : Tanah Milik Perseorangan

Revisi : Jalan Desa

**BUPATI SUMBAWA BARAT,**  
  
 MUBAYATIN

Letter of Head of District West Sumbawa for utilization of land for Ecotourism Centre in Poto Tano Harbour Complex, West Sumbawa



PEMERINTAH PROVINSI NUSA TENGGARA BARAT  
**DINAS KELAUTAN DAN PERIKANAN**

Jalan Semanggi Nomor 8 Mataram, Kode Pos 83125  
Telepon (0370) 625963 Faks. (0370) 623083  
Email : [dislutkantb@yahoo.com](mailto:dislutkantb@yahoo.com) Website : [dislutkan.ntbprov.go.id](http://dislutkan.ntbprov.go.id)

Mataram, 25 Oktober 2021

Nomor : 956/198.1/05/Dislutkan/2021  
Sifat : -  
Lampiran : 1 (satu) rangkap  
Perihal : **Surat pernyataan**

Kepada  
Yth. *Project Coordinator*  
*Grant Package #6 - Gili Balu*  
di -

T E M P A T

*Bismillahirrahmanirrahim*  
*Assalamuallaikum Warahmatullahi Wabarokatuh*


Saya yang bertanda tangan di bawah ini

Nama : MUSLIM ,ST, M,Si  
Nip : 19760601 200112 1 009  
Jabatan : Kepala Dinas Kelautan Dan Perikanan Provinsi NTB

Menyatakan bersedia menerima hibah 2 (dua) unit Menara pengawas/pantau di Pulau Paserang dan Pulau Namo yang berada di Kawasan Hutan Produksi Terbatas Kelompok Hutan Pulau Panjang (RTK 73), Kawasan Konservasi Perairan Gili Balu - Kabupaten Sumbawa guna mendukung pengawasan dan pengamanan lokasi perairan dan hutan mangrove di Kawasan dimaksud. Dalam rangka untuk akuntabilitas pengelolaan barang hibah, maka pihak pemberi dan penerima hibah pada saatnya nanti menandatangani berita acara dan Surat Perjanjian Kerja (SPK).

Demikian, atas perhatian dan kerjasamanya disampaikan terima kasih.

*Wassalamuallaikum Warahmatullahi Wabarokatuh*

Kepala Dinas,  
  
**MUSLIM, ST, M.Si**  
Pembina Tk. I/IVb  
NIP. 19760601 200112 1 009

Tembusan disampaikan kepada, Yth :

1. Sekretaris Daerah Provinsi Nusa Tenggara Barat di Mataram (sebagai laporan);
2. Arsip.

Letter of Head  
of Marine and  
Fisheries of  
NTB Provinces  
regarding  
acceptance of  
Surveillance  
Post in Marine  
Protected Area  
of Gili Balu

## List of Existing Assets in the Project Location

### Minutes of Meeting during Public community consultation

#### NOTULENSI ACARA

#### MONITORING EVALUASI COREMAP GILI BALU

Tanggal	16 September 2021
Waktu	13.00 – Selesai WITA
Tempat	Kantor CDK Sumbawa-Sumbawa Barat
Peserta	Terlampir Absensi

#### Peserta

Tim Konsultan COREMAP-CTI GP3

Tim Konsultan COREMAP GP6

Kepala Seksi Pengawasan CDK Sumbawa-Sumbawa Barat

Seksi Konservasi CDK Sumbawa-Sumbawa Barat

BPAD KSB

Dinas Perhubungan KSB

Dinas Perencanaan Umum, Penataan Ruang, Perumahan dan Pemukiman (PUPRPP) KSB

Pokmaswas Gili Balu

Polsus Poto Tano

ICCTF

BAPPENAS

#### Agenda:

Agenda Koordinasi Monitoring dan Evaluasi Program COREMAP-CTI Gili Balu sebagai berikut:

#### Diskusi

##### 1. Seksi Konservasi CDK Sumbawa-Sumbawa Barat

- Gili Balu Sudah Memiliki SOP Pengelolaan
- TPK Gil Balu sudah akan ditetapkan karena Peta Kawasan Akan ditandatangani oleh Gubernur NTB

##### 2. Tim Ahli Marine Management Expert GP3

- Hasil kordinasi dengan DKP di TPK Gili Balu hanya baru memiliki SOP Pengawasan
- TPK Gili Balu sudah akan ditetapkan karena Surat Keputusan Penetapan sudah masuk ke Biro Hukum Kementerian Kelautan dan Perikanan untuk di autentifikasi



### **3. Koordinator GP3 (Febrian Kusuma Atma Negara)**

- GP3 sudah mengirimkan surat Permohonan Izin Pinjam Pakai Lahan kepada Bupati KSB
- Kordinasi dengan Bidang Tata Ruang PUPRPP KSB akan ada perubahan lokasi sesuai dengan master plan Poto Tano yang telah dibuat oleh PUPRPP KSB
- Mooring dalam pengurusan dokumen Persetujuan Kesesuaian Ruang Laut dan akan titik-titik akan dikoordinasikan dengan DKP NTB dan CDK Sumbawa-Sumbawa Barat

### **4. Kepala Bidang Tata Ruang PUPRPP KSB**

- Bangunan memiliki nilai penting di dalam pembangunan Pariwisata KSB khususnya Poto Tano karena Bangunan pusat informasi ekowisata memungkinkan untuk diselaraskan dengan masterplan yang ada.
- Terdapat Lokasi yang tersedia sekitar lahan yang diminta sesuai dengan Master plan dengan lokasi sekitar pelabuhan Kapal Cepat

### **5. Dinas Perhubungan KSB**

- Bangunan Pusat infrastruktur ekowisata penting untuk pembangunan ekowisata dan secara khusus memohon 1 atau 2 ruang untuk ticketing dan kantor guna digunakan oleh dinas perhubungan KSB dalam mendukung pariwisata dan transportasi di KSB.

## **NOTULENSI KORDINASI KESESUAIAN RUANG PEMBANGUNAN INFRASTRUKTUR EKOWISATA COREMAP GP3**

Hari, Tanggal : Kamis, 12 Agustus 2021  
Waktu : 09.00 – Selesai  
Tempat : Hotel Grand Royal Taliwang, Taliwang,  
Kabupaten Sumbawa Barat

### **Peserta :**

Staf Ahli Ekonomi Sekertaris Daerah KSB  
Cabang Dinas Kelautan Dan Perikanan NTB  
Bagian Litbang BAPPEDALITBANG KSB  
Dinas Lingkungan Hidup KSB  
Dinas Perencanaan Umum, Penataan Ruang, Perumahan Dan Permukiman KSB  
Kepala Dinas Pariwisata Pemuda Dan Olah Raga KSB  
Dinas Penanaman Modal Dan Pelayanan Perijinan Terpadu KSB  
Kepala Bidang Pemasaran DISPARPORA KSB  
Kepala Bidang Destinasi DISPARPORA KSB  
Kepala Bidang Pengkajian Dan Pemantauan Lingkungan DLH KSB  
Polsus Perikanan Poto Tano  
Pokdarwis Sekitar Kawasan Gili Balu  
Perwakilan Boat Wisata Gili Balu

### **AGENDA:**

Kegiatan ini ialah kegiatan koordinasi Kesesuaian

### **DISKUSI**

#### **Sambutan dan Pembukaan Acara (Sekda Kabupaten Sumbawa barat diwakili Oleh Asisten I:**

#### **Hirawansyah Atta, SH. MH.)**

- Pemerintah Kabupaten Sumbawa Barat menyambut baik kegiatan COREMAP GP 3 karena melibatkan multipihak sekaligus perhatian pemerintah pusat terhadap untuk pembangunan khususnya pariwisata di Gili Balu
- Persoalan mendasar dari sisi kebijakan adalah lokasi Gili Balu yang merupakan Pulau Kecil dan bidang Kelautan, sehingga multipihak yang terlibat harus dapat bersinergi
- Keindahan dan dayatarik wisata di Gili Balu juga harus dinikmati oleh anak cucu kita, sehingga dapat dikelola secara berkelanjutan

### **Pemaparan Program GP3**

- Pemaparan Rencana Pembangunan Infrastruktur (Mooring buoys, Pusat infrastruktur Ekowisata dan pusat infrastruktur Kawasan Konservasi di GP3)
- Penjelasan mekanisme pemberian Saran dan Masukan masyarakat terhadap kegiatan GP3

### **Bappeda Litbang (Hermansyah – Kabid Fisik)**

- Terhadap lokasi yang sudah di rencanakan terkait kesesuaian tata ruang sebaiknya di bicarakan lebih mendalam kepada TKPRD.
- Adanya Undang-Undang Cipta kerja juga harus dipertimbangkan agar bisa disesuaikan di masa yang akan datang
- Terdapat PT NOP dan PT ESL yang menjadi pengelola di Gili Balu, sehingga perlu koordinasi yang mendalam dengan kedua pengelola tersebut
- kawasan ini sudah punya rencana kelola dan sudah direncanakan dengan detail terkait pembangunan infrastruktur ekowisata dan disambungkan dengan apa yang sudah termuat dalam perencanaan yang dibuat oleh dinas PU.
- Perencanaan detail juga sudah dibuat oleh kedua investor di atas, jadi tidak boleh ada tumpang tindih di dalam pengelolaan atau kegiatan terutama kegiatan fisik

### **Koordinator GP3 (Febrian Kusuma Atma Negara)**

- Sesuai dengan latar belakang dan tujuan COREMAP, maka GP 3 memastikan dalam prosesnya tidak pada pengelolaan tetapi hanya mendukung dalam Infrastruktur penunjang ekowisata di Gili Balu
- Posisi rencana pembangunan Infrastruktur di tunjuk langsung oleh Bappeda dengan alasan sudah ada masterplan dan juga dekat dengan dermaga penyebrangan wisatawan yang berkunjung ke pulau – pulau yang ada di Gili Balu serta lahan tersebut merupakan lahan daerah pemerintah kabupaten

### **Bidang Aset (Heri)**

- Setelah project COREMAP ini selesai, apakah Bangunan Infrastruktur Ekowisata akan diserahkan ke pemerintah kabupaten atau provinsi atau pihak lainnya seperti desa?
- Perlu ada rekomendasi dari TPKRD KSB agar sinkron dengan pembangunan lainnya karena sudah ada rencana detail untuk penggunaan lahan tersebut.
- Langkah-langkah untuk memperoleh rekomendasi tersebut yang harus dilakukan sejak awal adalah menyampaikan surat resmi yang di tujukan ke Bupati KSB untuk menyampaikan maksud dan tujuan serta perlakuan terhadap bangunan detail termasuk untuk pemanfaatannya.
- Jika bangunan tersebut diserahkan ke pemerintah kabupaten KSB, bidang aset meminta nilai dari bangunan sebagai dasar pencatatan atas bangunan.

### **Koordinator GP3 (Febrian Kusuma Atma Negara)**

- Bappenas menyarankan agar aset atau bangunan yang dibangun untuk kegiatan pariwisata untuk diserahkan ke pemda
- Status pembuatan mooring buoy sudah sampai UKL UPL di DLHK provinsi karena berada di kawasan konservasi sehingga koordinasinya ke DLHK Provinsi

### **Dinas Lingkungan Hidup (Sri Sulastri)**

- Dokumen perizinan pembangunan infrastruktur ekowisata pada Dinas Lingkungan Hidup di kabupaten Sumbawa Barat hanya dengan UKL UPL atau bahkan SPPL karena ukuran bangunan yang tidak terlalu besar yang terpenting adalah spesifikasi bangunannya.

### **Dinas Pekerjaan Umum (Novrizal)**

- Karena di lokasi sekitar rencana pembangunan infrastruktur ekowisata sudah ada detail engineering design nya maka sebaiknya di di sesuaikan dengan DED yang sudah di buat. Dan silahkan menghubungi dinas PU jauh hari sebelumnya agar bisa dipersiapkan DED nya dan disesuaikan detailnya.
- Perlu ada koordinasi lebih lanjut antar GP supaya bangunannya tidak tumpang tindih dengan peraturan yang ada dan tidak double dan koordinasinya lebih baik. Dan bangunan-bangunan tersebut harus dapat terintegrasi dengan kebutuhan daerah agar tidak sia-sia jika projek sudah selesai
- Para investor yang sudah mendapatkan ijin agar diberi penjelasan dan diikutsertakan dalam perencanaan pembangunan baik fisik maupun SDM nya.
- Jika memungkinkan bangunannya harus mencerminkan kearifan local dan melibatkan masyarakat local dalam pembangunannya supaya pelibatan masyarakat local harus ada sejak awal

### **Dinas Pariwisata (Ahmad Hidayat)**

- Pembangunan pariwisata tidak lepas dari UMKM pariwisata sehingga, harapan kedepannya adalah bisa membuat inisiatif paket wisata yang terdiri juga dari UMKM Pariwisata
- paket wisata perjalanan utuh berintegrasi karena kami (Dinas Pariwisata) juga sudah bekerja sama dengan pelaku industry usaha perjalanan wisata untuk menyusun kerangka paket perjalanan wisata
- perlu tempat promosi UMKM misalnya dengan menyandingkannya dengan TIC yang akan dibangun
- Saat ini perlu untuk bimbingan lanjutan yang secara berkelanjutan dan memberikan standar kompetesnsi bagi pelaku wisata atau masyarakat local melalui pelatihan-pelatihan.
- Upaya promosi wisata gili balu melalui paket wisata dan IT harus ditingkatkan terutama untuk wisman
- Standarisasi perhubungan, dari harga sampai kualitasnya agar satu harga dantidak terjadi konflik di masyarakat
- UMKM dan industry pariwisata lainnya harus berdampingan
- Membangun tata kelola destinasi yang harmonis

### **Dinas Pariwisata (Riyan)**

- Mengusulkan untuk membuat kerangka apung ikan hias untuk pemeliharaan dan pengawasannya sekaligus sebagai daya tarik wisata
- Dibutuhkan menara pengawasan yang sifatnya tidak hanya untuk konservasi laut saja tetapi juga untuk keselamatan pengunjung (Baywatch)
- Siapa SDM yang akan mengisi TIC dan bagaimana perekrutannya dan penyiapan SDM tersebut?

### **Koordinator GP3 (Febrian Kusuma Atma Negara)**

- Menara pantau akan di bangun oleh GP 6 (Sucovindo) terutama peruntukannya untuk keamanan laut dan konservasi.
- SDM yang akan mengisi TIC dan mengoperasikan ialah kelompok masyarakat (Pokdarwis) jika memungkinkan atau diserahkan kepada Pemda KSB (Dinas Pariwisata) yang penting berada di posisi pengelolaan yang tepat di kemudian harinya.
- Berbagai bentuk peningkatan kapasitas masyarakat yang terkait dengan pariwisata terutama pokdarwis akan dilakukan pada projek ini berupa pelatihan-pelatihan.
- Khusus untuk mendukung wisata bahari GP 3 akan mendukung Pokdarwis dengan mengadakan sertifikasi Menyelam dan menyediakan sertifikasi boatman.

### **Team Ahli Ekowisata (Putrawan Habibi)**

- GP 3 bersama STP mataram akan melakukan survey sapta pesona, survey 3A (amenitas, atraksi dan aksesibilitas), kesiapan/modality masyarakat dan SDM pariwisata, survey ini akan bersamaan dengan survey daya dukung lingkungan untuk pariwisata pada bulan September yang akan ditianggulasi melalui workshop scenario pariwisata berkelanjutan
- Team ahli ekowisata akan memetakan jenis pelatihan apa yang dapat mendukung SDM dalam mengelola destinasi wisata, serta melatih pengelola yang akan menerima atau mengisi infrastruktur ekowisata.
- Pembinaan kepada UMKM di kawasan gili balu terintegrasi dengan pasar dan wisatawan agar dapat meningkatkan harga dan dengan mengupayakan Joint Venture dengan investor
- Standarisasi terkait dengan harga kapal wisata dan perhubungan akan dilakukan riset ATP WTP terlebih dahulu dan tentunya akan disesuaikan dengan peraturan yang berlaku agar tidak disebut sebagai pungutan liar

LAMPIRAN 1  
ABSENSI KEGIATAN

LAMPIRAN DOKUMENTASI KEGIATAN



## NOTULENSI ACARA

### KORDINASI KESESUAIAN RUANG INFRASTRUKTUR TAMAN PULAU KECIL GILI BALU: PENENTUAN LOKASI LAHAN INFRASTRUKTUR PUSAT INFORMASI EKOWISATA COREMAP-CTI GP3

Kamis, 23 September 2021

Tanggal	23 September 2021
Waktu	09.00 – Selesai WITA
Tempat	Hotel IFA, Taliwang KSB
Peserta	Terlampir Absensi

#### Peserta

- Tim Konsultan COREMAP-CTI GP3
- Kepala Dinas Pariwisata, Pemuda dan Olahraga KSB
- Staff Dinas Pariwisata, Pemuda dan Olahraga KSB
- Dinas Perhubungan KSB
- Dinas Lingkungan Hidup KSB
- Dinas Pekerjaan Umum, Penataan Ruang, Perumahan dan Pemukiman (PUPRPP) KSB
- Badan Pengelolaan Aset Daerah
- Dinas Perizinan KSB
- Kepala Desa Poto Tano
- Site Koordinator ICCTF

#### Agenda:

Rapat Koordinasi Penentuan Lokasi Infrastruktur Ekowisata Gili Balu adalah sebagai berikut:

- Memberikan sambutan serta membuka acara koordinasi oleh Kadis Pariwisata Kab. Sumbawa Barat
- Melakukan Pemaparan rencana Infrastruktur Ekowisata Gili Balu oleh Koordinator Projek.
- Diskusi terkait pemaparan yang telah di sampaikan

#### Diskusi

- Kepala Dinas Pariwisata, Pemuda dan Olahraga KSB
- Sambutan dan Membuka Kegiatan Koordinasi

#### Koordinator GP3 (Febrian Kusuma Atma Negara)

- Pemaparan rencana Lokasi Infrastruktur Pusat Informasi Ekowisata (EIC)

**Kepala Dinas Pariwisata, Pemuda dan Olahraga KSB**

- Sebelum pembangunan supaya dipikirkan sistem pengelolaan dan pemanfaatan
- Dalam pemanfaatan bangunan supaya menjadi pemanfaatan edukasi bagi siswa siswi maupun masyarakat dan sebagai tempat penyampaian atraksi – atraksi yang bisa di tunjukkan di kawasan gili balu untuk daya tarik wisatawan

**Dinas Perhubungan KSB**

- Pembuatan ruang tunggu pada sisi luar bangunan

**Dinas Lingkungan Hidup KSB**

- Estetika pembangunan untuk di perhatikan sebagai nilai tambah dalam hal bentuk

**Dinas PUPRPP KSB**

- Titik lokasi yang sudah di rencanakan sudah ada DED dari Dinas Pekerjaan Umum ( PU )



# KESIMPULAN

Kesimpulan kegiatan Kordinasi Kesesuaian Ruang Infrastruktur Taman Pulau Kecil Gili Balu yaitu :

- Lokasi atau lahan pembangunan infrastruktur sudah mendapatkan surat pemanfaatan lahan dari PUPR
- Bangunan akan di serahkan ke Bupati untuk selanjutnya di serahkan ke SKPD yang berwenang.

## NOTULENSI ACARA

### RAPAT KOORDINASI KESESUAIAN RUANG LOKASI MOORING BUOYS GILI BALU

Rabu, 22 September 2021

Tanggal	22 September 2021
Waktu	09.00 – Selesai WITA
Tempat	Hotel Aston Inn Mataram
Peserta	

#### Peserta

- Tim Konsultan COREMAP-CTI GP3
- Kepala Cabang Dinas Kelautan Sumbawa-Sumbawa Barat
- Kepala Seksi Pengawasan CDK Sumbawa-Sumbawa Barat
- Kepala Seksi TU Sumbawa-Sumbawa Barat
- Kepala Seksi Pemberdayaan dan Konservasi Pesisir dan Pulau-Pulau Kecil, DKP
- Staff Seksi Pemberdayaan dan Konservasi Pesisir dan Pulau-Pulau Kecil, DKP
- Staff Seksi Perizinan Ruang Laut DKP NTB
- Staff Seksi Pengawasan DKP NTB
- WCS
- Konsepsi NTB
- WCS
- Site Koordinator ICCTF

#### Agenda:

- Agenda Koordinasi Kesesuaian Ruang lokasi mooring buoys Gili Balu sebagai berikut:
- Menentukan Kesesuaian Ruang Rencana titik Lokasi Mooring Buys sesuai dengan RZWP3K dan RPZ.

#### Diskusi

- Kepala Cabang Dinas Kelautan Sumbawa-Sumbawa Barat
- Sambutan dan Membuka Kegiatan Koordinasi

#### Koordinator GP3 (Febrian Kusuma Atma Negara)

- Pemaparan rencana titik pembuatan mooring buoys
- Praktek penggunaan Jangkar yang masih rawan merusak terumbu karang

#### **Kepala Cabang Dinas Kelautan Sumbawa-Sumbawa Barat**

- Melibatkan masyarakat sekitar dalam pembuatan mooring buys dan di pandu oleh Team Ahli
- Sosialisasi ke masyarakat terkait pembuatan mooring buoys harus dilakukan
- Satu mooring buys harus bisa mengikat lebih dari satu perahu

#### **WCS**

- Sebaiknya Titik yang mendekati Zona inti ditiadakan karena rawan digunakan untuk wisata dan nantinya wisatawan akan melanggar berbagai aktivitas larangan di zona inti
- Pemasangan Mooring harus memperhatikan rencana pengelolaan zonasi TPK Gili Balu

#### **Kepala Seksi Pemberdayaan dan Konservasi Pesisir dan Pulau-Pulau Kecil, DKP**

- Penggunaan warna pada pelampung harus sesuai dengan masing – masing spesifikasi
- Pemasangan mooring buys tidak boleh berada pada zona inti ( minimal 500 meter dari zona inti )
- Sebaiknya ada berita acara dari masyarakat atau surat persetujuan masyarakat terkait pembangunan mooring buys

#### **Kepala Seksi Pengawasan CDK Sumbawa-Sumbawa Barat**

- Dalam pembuatan mooring buoys sebaiknya melibatkan masyarakat di empat desa pesisir gili balu

#### **Staff Seksi Perizinan Ruang Laut**

- Secara Zonasi di RZWP3K dan RPZ rencana titik Mooring Buoys sudah berada pada zonasi yang tepat dan diperbolehkan untuk melaksanakan pembangunan
- Harus mempersiapkan Perizinan kesesuaian ruang laut dengan disertai data-data pendukungnya
- Tim Ahli GP3 (Ibnus Sabil)
- Titik-titik rencana Mooring sudah tepat khususnya pada titik dekat dengan Zona inti. Karena pada titik tersebut dapat menjadi lokasi penanda zonas inti kawasan.
- Pelanggaran akan dapat dikurangi jika dilakukan mekanisme penyadartahuan kepada masyarakat, pemilik boat wisata dan nelayan.

# KESIMPULAN

Kesimpulan kegiatan Koordinasi Kesesuaian Ruang lokasi mooring buoys Gili Balu yaitu

- Semua titik sudah sesuai dengan alokasi ruang laut RZWP3K dan RPZ
- Untuk memenuhi persyaratan perizinanpemanfaatan ruang laut akan dibuatkan dokumen persetujuan atau konfirmasi KKPRL
- Konsultasi public bersama masyarakat dengan membut berita acara
- Mooring buoy harus sesuai dengan spesifikasi dan peraturan yang berlaku

**Outline for Internal Monitoring Report  
on Land Acquisition and Indigenous Peoples**

**I Introduction on the Project and the Subproject**

- The Project
- The Subprojects

**II Objectives of Internal Monitoring on Land Acquisition and Indigenous Peoples**

**III Monitoring Methodology**

**IV Impacts on Land Acquisition and the Indigenous Peoples in the subproject areas**

4.1 Land Acquisition and Resettlement

(This section describes if there are land acquisition and resettlement occur during implementation of the subprojects, the scope of impacts and the investments/ interventions that caused land acquisition impacts, etc.)

4.2 Impacts on Local Indigenous Peoples in the subproject areas.

(This section describes if there are IP groups identified in the subproject areas and impacts occur during implementation of the subprojects to the IP groups in the subproject's areas, types and scope of impacts and the investments/ interventions that caused the impacts, etc.)

4.3 Action Plan for the Identified Land Acquisition and the Impacts on Local Indigenous Peoples.

(This section describes, if land acquisition of private individuals and or households - and or impacts are identified on the IP groups in the subproject areas, actions to be carried out by the relevant agencies (due diligence, preparation of safeguard planning documents, compensation, implementation of IP mitigative and beneficial measures, budget allocation, etc.)

4.4 Action Plan for other Identified Issues

(This section describes the activities that have been done with the affected households and the community, for example, five households that might have the access of boat travels affected or those who have to change the boat parking place and the community with social/cultural event disturbed in Nusa Penida subproject, etc; if the impacts have been avoided or if the impacts have been mitigated, if the agreed actions have been carried out; if the affected households and the communities are satisfied with the implemented actions, etc.)

**V Information Disclosure, Consultation and Participation**

- Information Disclosure
- Consultation and Participation

## **VI Grievance Redress**

(This section describes, if there have been any complaints and or grievances lodged during the monitoring period, nature of the complaints and grievances, how the complaints and grievances received, responded and recorded, how the complaints and grievances have been settled; pending complaints and grievances, plan to settle the pending grievances, satisfaction of the complainants with the provided responses and actions, if the established GRM functional, etc.)

## **VII Institutional Arrangement and Capacity of Relevant Agencies in Managing of Land Acquisition and Indigenous Peoples Issues.**

## **VIII Conclusions**



Indonesia: Coral Reef Rehabilitation and  
Management: Coral Triangle Initiative  
Project (INO- COREMAP-CTI) – Gili Balu

**Due Diligence Report on Resettlement  
and Indigenous Peoples**