INDONESIA SECOND POWER TRANSMISSION DEVELOPMENT PROJECT (IPTD-2)

INDIGENOUS PEOPLES PLANNING FRAMEWORK (IPPF)
Contents

A. Brief Project Description ........................................................................................................ 3
B. Project Sites and Potential Impacts....................................................................................... 3
C. Objective ................................................................................................................................. 2
D. Definition ................................................................................................................................ 2
E. Screening for indigenous peoples among the affected populations ..................................... 3
F. Social Assessment .................................................................................................................... 3
G. Indigenous Peoples Plan(IPP) ............................................................................................... 4
H. Principles if a subproject affects indigenous peoples .......................................................... 5
I. Reporting, Monitoring and Documentation ............................................................................ 6
J. Disclosure of the Indigenous Peoples Plan .......................................................................... 6
K. Implementation Arrangement and Grievance Mechanism .................................................. 6
A. Brief Project Description

1. The project objective is to improve supply reliability, quality and maintain power system stability in Java Bali and selected regions in East and West Indonesia through strengthening the transmission system in the regions.

2. The project objectives will be achieved through removals of bottlenecks of the transmission systems in these regions through expansion of 150 kV and 70 kV existing substations and construction of new 150 kV substations.

B. Project Sites and Potential Impacts

3. The subprojects are located in various provinces in Java, Sulawesi, Kalimantan and Sumatera and are divided into 2 groups. In the Group 1, there are totally 37 subprojects spread out in several regions, which consist of 21 subprojects in Java-Bali region (Jakarta, West Java, Central Java, East Java and Bali provinces), 8 subprojects in West Indonesia region (West Kalimantan, Lampung, Aceh, Riau, West Sumatera, South Sumatera and Bengkulu provinces) and 8 subprojects in East Indonesia region (South Kalimantan, Central Kalimantan and South Sulawesi provinces). There is no new substation to be constructed in Group 1. All are only extension or uprating of the existing ones. Of these 3 new substations none are located at the site that IP is present and also for the existing ones, The preliminary has identified that none of the subprojects in Groups 1 are located at the IP areas.

4. This framework will apply to the Group 2, in which the sites for new substations to be constructed are still uncertain. Since the activities of subprojects are limited to the uprating and extension of the existing substations with a number of new substations to be constructed, it is expected that the impacts will be minor and manageable, but may include small amounts of land acquisition, potentially positive or negative migrant worker-resident interactions, as well as some use of local labour for construction or maintenance work. For the uprating and expansion of the existing substations which has operated for years, there will be no impacts to the IP as none of the existing substations are located at the IP area. While for the new substations, PLN can avoid any sites that adversely affect the IP communities in the area, unless there is support from such the community and they will get benefits from the project.
C. **Objective**

5. The primary objectives of the Framework are:
   To ensure that the IP groups are afforded meaningful opportunities to participate in planning that affects them;
   To ensure that opportunities to provide such groups with culturally appropriate benefits are considered;
   To ensure that any project impacts that adversely affect them are avoided or at least minimized

6. This is in line with the national objective of empowering indigenous community (*Komunitas Adat Terpencil/KAT*), which grants authority to KAT to determine their own destiny and the types of development activity and programs available within their location to improve their social prosperity level.

D. **Definition**

7. The national legislation, Presidential Decree No. 111/1999 sets the criteria as follows: a) in form of small, closed and homogenous community; b) social infrastructure supported by familial relationship; c) in general geographically remote and relatively difficult to reach; d) in general live with subsistence economy; e) its equipment and technology is simple; f) dependency to local environment and natural resources are relatively high; g) limited access of social, economic, and political service.

8. The terms “indigenous peoples”, “indigenous ethnic minorities” and “tribal groups”, describe social groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process. For the purposes here, “indigenous people” is the term that will be used to refer to these groups.

9. Indigenous people are commonly among the poorest segments of a population. According to the Bank policy, the term “Indigenous Peoples” is used in generic sense to refer to a distinct, vulnerable, social and cultural group processing the following characteristics in varying degrees: a) a close attachment to ancestral territories and to the natural resources in these areas; b) self-identification and identification by others as members of a distinct cultural group; c) an indigenous language, often different from the national language; and d) presence of customary cultural, economic, social or political institutions.

10. For the purpose of this Framework, the definition of IP will follow both the criteria of the Bank and the national legislation. The EGIMap created by the Bank on mid-2010 will be used as reference for initial screening. This IP mapping has combined the World Bank and national legislation in identifying the indigenous peoples.
E. Screening for indigenous peoples among the affected populations

11. Initial screening to identify the presence of IP community in subprojects area will be conducted by using combination criteria of Bank and national legislation identification. All subproject areas which have IP communities and are candidates for IPTD II support will be visited (at the time of first consultation with communities) by a project implementing unit (respective Unit Induk Pembangunan/UIP) and relevant local authorities, including personnel with appropriate social science training or experience. Prior to the visit, respective implementing unit will send notice to the communities informing their leaders that they will be visited for consultation. The notice will request that the communities invite to the meeting representatives of farmers, women associations and village leaders for discussion on the subproject. During the visit, the community leaders and other participants will be consulted and present their views with regards to the subproject.

12. At this visit, personnel with social science training or experience will undertake a further screening for IP population with the help of local leaders, local authorities, and NGO as necessary. The screening will check for the following: (a) names of IP groups in the affected village; (b) total number of IP in the affected villages; (c) percentage of IP in affected villages; (d) number and percentage of indigenous households within a described zone of influence of the proposed subproject. The radius of 10 kms from the subproject sites is considered as a zone of influence.

13. If the results show that there are IP communities in the zone of influence of the proposed subproject, a social assessment will be planned for those areas.

F. Social Assessment

14. During the preparation of the subproject proposal and/or subproject approval, a social assessment process will be undertaken to define the nature and scope of impacts on the IP among the affected populations. By gathering both qualitative and quantitative data in the subproject areas, the basic social and economic profile of beneficiary population or project affected people will be developed.

15. The social assessment (SA) will be undertaken by qualified social scientists of the implementing unit, assisted by consultants as necessary. The SA will gather relevant information on the following elements, as needed:
   - a review, on a scale appropriate to the project, of the legal and institutional framework applicable to IP;
   - baseline information on the demographic, social, cultural and political characteristics of the IP communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend;
• the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the IP at each stage of project preparation and implementation;
• an assessment, based on free, prior and informed consultation, with the affected IP communities, of the potential adverse and positive effects of the project;
• the identification and evaluation of measures necessary to avoid or minimize adverse effects and to ensure that the communities receive culturally appropriate benefits under the project.

16. The social assessment will become a basis for formulating specific measures to consult with, and give opportunity for IP populations in participating decision making related to the sub-project, should they so desire. The social assessment process itself is often the method by which such consultations are undertaken; however they can be undertaken as a separate exercise.

G. Indigenous Peoples Plan (IPP)

17. Free, prior and informed consultations will be conducted through a series of meetings, including separate group meetings: indigenous village chiefs; indigenous men; and indigenous women, especially those who live in the zone of influence of the proposed work under subproject. Discussions will focus on subproject impacts, positive and negative; and recommendations for design of subprojects. If the SA indicates that the proposed subproject will cause adverse impact to the IP and the subproject sites cannot be moved than the IPP will be developed to ensure that the impacts will be minimized. If the IP community is part of the beneficiaries and they support the subproject implementation an IPP will be developed to ensure that the IP will receive culturally appropriate opportunities to benefit from the subproject activities.

18. The IPP is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific project and the nature of effects to be addressed. It will include the following elements, as needed:

a. A summary of Social Assessment;
b. A summary of results of the free, prior, and informed consultation that was carried out during subproject preparation;
c. A framework for ensuring free, prior, and informed consultation with the affected indigenous communities during project implementation;
d. An action plan of measures to ensure that any adverse impacts will be avoided, minimized, mitigated, or compensated and that Indigenous Peoples receive social and economic benefits culturally appropriate;
e. The cost estimates and financing plan for the IPP;
f. Accessible grievance mechanism, which takes into account the availability of customary mechanism;
g. Monitoring, evaluation and reporting mechanism
19. The IPP of each subproject should be reviewed and approved by the Bank before subproject implementation begins.

20. The IPP will be disclosed publicly in a local language that is understandable to the IP community so that it is accessible to the affected indigenous community.

H. Principles if a subproject affects indigenous peoples

21. The project implementing unit (UIP) will ensure that free, prior and informed consultations are undertaken, in a language spoken by, and location convenient for, potentially affected IP. The views of IP are to be taken into account during preparation and implementation of any subproject, while respecting their current practices, beliefs and cultural preferences. The outcome of the consultations will be documented into the subproject documents.

22. If the IP conclude that the subproject will be beneficial to them, and that any adverse impacts can be mitigated, a plan will be developed based on consultation with the IP and local representatives. The community should also be consulted to ensure that their rights and culture are respected. The assistance may also include institutional strengthening and capacity building of indigenous villages and community groups working with the subproject, if necessary.

23. Where the indigenous people speak a language different from Bahasa Indonesia, relevant brochures and documents will be translated in the appropriate language. Provision has been made in the project budget to allow for additional translations of relevant project documents.

24. These steps will be aimed at ensuring that indigenous people participate fully in the project, are aware of their rights and responsibilities, and are able to voice their needs during the social/economic preliminary survey/exercise.

25. Indigenous peoples are closely tied to the land, forests, water, wildlife and other natural resources, and therefore special considerations apply if the project affects such ties. In this situations, when carrying out the social assessment and preparing the IPP, PLN will pay particular attention to: i) the customary rights of the IP, both individual and collective; ii) the need to protect such lands and resources against illegal intrusion or encroachment; iii) the cultural and spiritual values that the IP attribute to such lands and resources; and iv) IP’s natural resources management practices and the long-term sustainability of such practices.

26. If the project involves (a) activities that are contingent on establishing legally recognized rights to the lands and territories that IP have traditionally owned or customarily used or occupied, or (b) the acquisition of such lands, the IPP set forth an action plan for the legal recognition of such ownership,
occupation or usage. Such legal recognition may take the following forms: i) full legal recognition of existing customary land tenure systems of IP; or ii) conversion of customary usage rights to communal and/or individual ownership right.

I. Reporting, Monitoring and Documentation

27. UIP will provide regular monitoring report of the IPP implementation, either quarterly or for any progress of the planned activities.

28. Besides specific attention to IP issues in supervision and monitoring, PLN will include these matters in its quarterly reporting. The World Bank supervision missions will periodically pay special attention to ensure that the subprojects affecting IP afford benefits to them and the IPP are implemented.

29. There are a number of indicators to be covered in the monitoring report, as relevant, which are:

   - Accuracy of screening for indigenous peoples
   - Adequacy of grievance and monitoring processes
   - Complaint received and its handling
   - Proportion of IPPs completing all promised actions
   - Dissatisfaction level of IPs surveyed one year after IPP completion

J. Disclosure of the Indigenous Peoples Plan

30. The Indigenous Peoples Plan will be disclosed at the subprojects sites where the indigenous peoples are present:

   - The plan will be disclosed publicly at the sites that are easily accessed by the IP community, such as village office, village hall;
   - The plan, or at least the summary of IPP will be in a very simple Indonesian language and or illustration that are understandable to the community or will be in the local language for the community that cannot understand Bahasa Indonesia.
   - The plan will also be disclosed at the respective UIPs’ and PLN’ websites

K. Implementation Arrangement and Grievance Mechanism

31. PLN will be responsible for training the respective project implementing unit (UIP of the respective regions and UPK of the respective sub-regions) to undertake the work of consultation, screening, social assessment, analyses and preparing IPPs and addressing any grievances.
32. Project implementing unit (respective UIP) of individual subprojects assisted by the UPK office where the IP are present are responsible for implementing IPP and to arrange adequate staff and budget.

33. The UIP will report any progress of the IPP implementation to PLN, and provide a copy to the Bank. PLN will include the report of IPP implementation progress or any other IP issues in its project quarterly reports.

34. Grievance procedure will be created in each UIP so that the community can file complaints. Contact persons will be assigned in the UPK where IP are present to receive complaints from the community. The procedure and contact person will be announced at the project site that is easily accessed by the community.