LAND ACQUISITION AND
RESETTLEMENT ACTION PLAN

(LARAP)

LOCATION
UPPER SUNTER DRAIN
JATINEGARA KAUM SUB-DISTRICT, PULOGADUNG DISTRICT
EAST JAKARTA

Revision: April 2017
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I. INTRODUCTION

1.1. Background

The Jakarta Urgent Flood Mitigation Project-JUFMP is a joint initiative of the Government of the DKI Jakarta Province, the Central Government, in this case the Ministry of Public Works (now the Ministry of Public Works and Public Housing), and the World Bank in the efforts of flood handling in Jakarta. Control over floods in Jakarta requires large-scale rehabilitation on rivers, canals and reservoirs. Rehabilitation must be accompanied with flood management planning to ensure optimum system operation. The 2007 post-flood simulation result showed that physical works on 12 canals/rivers and 4 main reservoirs in Jakarta by recovering the flood control system and function to their initial designs were predicted to reduce 40% of the flood inundation area or to secure approximately 1 million Jakarta people. The Rivers/Canals and Reservoirs handled are Sunter (Upper Sunter and Lower Sunter), Cengkareng Drain, Ciliwung-Gunung Sahari Drain, Sentiong-Sunter Drain, Melati Reservoir, Cideng-Thamrin Drain, South Sunter Reservoir, East Sunter III Reservoir, North Sunter Reservoir, Lower Angke Drain, Tanjungan Drain, West Banjur Kanal, Grogol-Sekretaris Drain, Pakin-Kali Besar-Jelakeng and Krukut Cideng Drain. However, Canal/River and Reservoir dredging work also has the potential of bringing social impact in the form of relocation of the community structures required in the embankment rehabilitation and dredging works. One of the potential impacts arises on the community structures are hanging on the embankment and water body (State-Owned Land) in the Upper Sunter Drain. Therefore, the Government of the DKI Jakarta Province through the Project Implementing Unit (PIU) of the Water Resources Services Office has prepared Land Acquisition and Resettlement Plan (LARAP) for the activity concerned.

1.2. General Description of Project

1.2.1. Project Location

Upper Sunter Drain is in Cipinang, Jati, Jatinegara Kaum, Kayu Putih and Pulogadung Sub-Districts, Pulogadung District. However, the potential affected
people by the direct impacts of embankment rehabilitation and dredging activities are the community structures of Jatinegara Kaum Sub-District. Jatinegara Kaum covers an area of 123.45 Ha, with a total population of 12,789 people. The population composition comprises 24,197 males and 10,406 females. In addition, the number of foreign citizens is 10, comprising 4 males and 6 males. The total families recorded are 5,021 households (2012 data).

The administrative area borders of Jatinegara Kaum are as follows:
- North: Jl. Palat, Pulogadung Sub-District
- West: Jl Bekasi, Jatinegara Sub-District
- East: Railway, Klender Sub-District
- South: Sunter drain, Cipinang Sub-District

1.2.2. JUFMP Plan in Upper Sunter Drain

Upper Sunter Drain is under responsibility the Ciliwung Cisadane Regional Office (BBWSCC), the Directorate General of Water Resources, the Ministry of Public Works and Public Housing. Physical activities will be implemented for 14 months, starting from May 2017-June 2018. The activities in Upper Sunter i.e:
- Sludge dredging as far as 5,150 m (volume: 79,900 M3)
- Sludge transportation to CDF Ancol, East Ancol and disposal transportation to Bantar Gebang landfill, Bekasi
- Embankment rehabilitation along the 1,850 m1 (sporadic in 7 sites)

The embankment rehabilitation and dredging works will be impacted to a small part of the structures are hanging on the drain (river body) such as fences, back of structure i.e. walls and terraces. The sample drawing and Activity Plan is presented in Attachment 1.

1.3. Potential Impacts of Embankment Rehabilitation and Dredging Activities

Embankment rehabilitation and dredging activities in the Upper Sunter shall not widen the river body, instead they shall recover the river’s function to its initial design. The embankment rehabilitation and dredging activities shall affect the structures on the Upper Sunter Drain. The impacts are described below.
a. Activities requiring Land Procurement

In 2010, the Ministry of Public Works prepared embankment rehabilitation and dredging plan. The DED implementation is predicted to impact 722 community structures (draft LARAP 2010-Directorate of Coastal and Rivers, the Ministry of Public Works). The Community structure potentially affected by the project (PAPs) are categorized as Informal Settlers (“Encroachers” and “Squatters”). The structures potentially affected by the project are hanging structures on river – 2 meters from embankment. The PIU of the DKI Jakarta then has carried out resurvey based on the DED review prepared by the CPIU. The resurvey had been carried out from October 2013 to March 2014. Resurvey based on the DED review results concluded that the community potentially affected by the project amount to 111 households and determine that the number of WTP in the Upper Sunter reaches 111 households. On the other hand, the East Jakarta Municipality government through the Pulogadung District, Kayu Putih, Pulogadung, Jatinegara Kaum and Jati Sub-Districts had been evicting from October 2014 to April 2015. The eviction targeted 859 structures on sidewalks, drainages, park and local road. Out of the 859 structures evicted, 31 structures were recorded “cut-off date”. Those 31 structures comprised 28 chicken coops and 3 informal settlers. The eviction had not given any compensation to the evict victims.

b. Structure location potentially affected by JUFMP

The informal settlers in the Upper Sunter Drain are the issues that must be handled in the Jakarta Urgent Flood Mitigation project-JUFMP/Jakarta Emergency Dredging Initiative-JEDI activities. The structures are hanging on river body. The implementation of the DED review results is predicted to affect a small part of the informal settler structures, therefore the owner can still utilize the structures or relocation is not required. Parts of the structures affected by the project are, among others, kitchens, fences, and the rear walls of the houses. The structures condition is generally semi-permanent and temporary. (Attachment 2: Pictures of sites of the structures potentially affected by the project).
1.4. **LARAP Preparation Objective**

The aims of LARAP is intended to explain the principles, procedures and organization method to be applied in resettlement, namely as follows:

a. Elaborating the method for/efforts of minimizing relocation and specifically elaborating compensation options to the PAPs.

b. Determining in details resettlement support and particular support.

c. Elaborating in details land acquisition and resettlement work plan.
II. CHARACTERISTICS OF PEOPLE, LANDS AND STRUCTURES POTENTIALLY AFFECTED BY PROJECT

The draft LARAP document prepared by the Directorate General of Water Resources, the Ministry of Public Works and Public Housing in 2010 mentioned that the structures potentially affected by the project amounting to 722 units comprise houses, offices, trading facilities, and public facilities. DED review and data renewal had then been carried out from October 2013 to April 2014. The data renewal based on the DED review indicated that 111 households (476 people) utilizing the water body of the Upper Sunter Drain potentially affected by the project comprised: (i) 105 structures (individuals/companies/public/social facilities), (ii) 4 farm/kale yard slots; and (iii) 2 empty land. There were 2 households having more than 1 slot/asset.

The municipality of East Jakarta through the Pulogadung District and Sub-District of Kayu Putih, Pulogadung, Jati Negara Kaum and Jati had been evicted around the Upper Sunter Drain from November 2014 to April 2015. The eviction was demolishing 859 structure units. Out of the 859 demolished structures, 31 units were part of the JUFMP/JEDI project PAP. The 31 structures comprised 28 chicken coops and 3 informal houses. The three informal houses were only partially affected, namely the terrace and front fence; therefore the owners could still utilize the structure. Whereas the 28 chicken coops were relocated by the owners nearby the location. From the aforementioned 28 chicken coops, there was a coop guard who was also working as garbage collector in the neighborhood group (RW) 05, Jatinegara Kaum Sub-District. The coop guard was facilitated by the neighborhood group (RW) 05 administrator to live surrounding the relevant RW.

2.1. Description of Project Affected Lands

The utilizers of the Upper Sunter drain body potentially affected by the project amount to 111 households (now left 80 households, while 31 households had been demolished in the eviction from November 2014 to April 2015). The water body utilized by the people covers an area of 524,104 m2. Related to land ownership status: (i) 11 households (10%) act as cultivator, (ii) 100 households
(90%) act as land owners, renters/others (staying over and cultivating) and Public/Social Facilities. Based on the census survey, was received the following acknowledgement of ownership on land: (i) 8 households with Ownership Right Certificates (7%); (ii) 69 households with Sub-District Sale and Purchase Deeds/Notary Deeds (62%); (iii) 3 households with “letter C” customary titles (3%); (iv) 6 households were not answering (5%); (v) 19 households occupying other person lands (17%) and (vi) 6 households on State Lands (5%).

Table 1: Summary on Lands Potentially Affected by Project

<table>
<thead>
<tr>
<th>No</th>
<th>Land Description</th>
<th>Number of Respondents’ Answers and percentage (%)</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Land Ownership Status</td>
<td>State-Owned Land (5%)</td>
<td>Land under Ownership Right (89%)</td>
</tr>
<tr>
<td>2.</td>
<td>Land ownership at other places</td>
<td>Available (19%)</td>
<td>Not Answering (4.5%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unavailable (70%)</td>
<td>Public/social facility (6%)</td>
</tr>
<tr>
<td>3.</td>
<td>Land acquisition method</td>
<td>Purchase (57%)</td>
<td>Others (31%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heritage/Grant (5%)</td>
<td>No Answer (2%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Others (17%)</td>
<td></td>
</tr>
</tbody>
</table>

2.2. Summary of Project Affected Structures

Community structures potentially affected by the project number to 105 units comprising: (i) informal settlers (50%); (ii) housing and business places (24%); (iii) business places (8%); (iv) chicken coops, fields, fish pond (6%); and (v) public/social facilities (6%), with permanent, semi-permanent and nonpermanent/temporary structure conditions.

Table 2: Summary on Project Affected Structures

<table>
<thead>
<tr>
<th>No.</th>
<th>Form of Loss</th>
<th>Amount</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Informal Settlers</td>
<td>(50%)</td>
<td>Structure conditions: Permanent, semi-permanent, nonpermanent/temporary</td>
</tr>
<tr>
<td>2.</td>
<td>Housing and Business Places</td>
<td>(24%)</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Business Places</td>
<td>(8%)</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Chicken Coops</td>
<td>(6%)</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Public/social Facilities</td>
<td>(6%)</td>
<td></td>
</tr>
<tr>
<td>TOTAL:</td>
<td></td>
<td>(100%)</td>
<td></td>
</tr>
</tbody>
</table>
2.3. **Description of Project Affected Inhabitants**

2.3.1. **Profile of Project Affected People**

The project affected people profile of the Upper Sunter comprises as follows:

- **Sex**: comprising (i) 87 males (78%) and 13 females (12%).
- **Age**: aged 40 to 50 years (25%), aged 50 to 55 years (24%), aged 30 to 40 years (productive age) (22%), aged > 55 years (18%), aged 20 to 30 years (1%); and not answering/owners unknown (10%).
- **Education**: mostly declare as Senior High School/Islamic Senior High School/equivalent graduates (38%), followed with Elementary School/Islamic Elementary School/equivalent graduates (25%), Junior High School/Islamic Junior High School/equivalent graduates (17%), not in school (6%), Bachelor Degree (S1) graduate (3%), academy graduate (D1/D2/D3) (1%) and not answering/owners unknown (10%).
- **Main profession of household head**: business/traders (25%), labors (13%), housewives (7%), others/not working, scavengers or casual callers (7%), drivers (5%), Indonesian Army/Police officers (5%), Civil Servants (1%), and not answering/unknown (10%).
- **Related to Marital Status**: PAPs declared themselves as married (78%), widows (8%), widowers (2%), single (2%) and not answering/unfound (10%).

**Table 3**: Summary on Profile of Project Affected People

<table>
<thead>
<tr>
<th>No</th>
<th>Profile Description</th>
<th>Profile of Inhabitants (Number and Percentage)</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Sex</td>
<td>Males (78%)</td>
<td>Females (12%)</td>
</tr>
<tr>
<td>2.</td>
<td>Age (years)</td>
<td>20-30 (1%)</td>
<td>30-40 (22%)</td>
</tr>
<tr>
<td>3.</td>
<td>Education</td>
<td>Not in School (6%)</td>
<td>Elementary School Graduates (25%)</td>
</tr>
<tr>
<td>4.</td>
<td>Main profession of household head</td>
<td>Civil Servants/Army/Police (5%)</td>
<td>Housewives (7%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Labors (13%)</td>
<td>Entrepreneurs (31%)</td>
</tr>
<tr>
<td>5.</td>
<td>Marital Status</td>
<td>Married (78%)</td>
<td>Widowers (2%)</td>
</tr>
</tbody>
</table>
6. Origins of people: husband and wife are local (70%), Both are comer (19%), wife local and husband comer (1%).

7. Identity Card: Without ID Cards (2%), ID card address is in accordance with the current location (68%), ID card address is not in accordance with the current location (21%).

**Origins and Population Statuses:** The PAPs declared themselves as local people-husbands and wives (70%), husbands as comer and wives as local people (19%), and wives as local people and husbands as comer (1%). Related to Identity Card (KTP) ownership: 75 (68%) people declared having Identity Cards with similar addresses of the affected assets (68%), 21% declared having Identity Cards with addresses different from the affected assets, 2% declared not having ID Cards and 10% were not answering/unfound.

### 2.3.2. Project Affected People Economic Activities in the Project Site

The PAPs types of businesses potentially affected by the project comprise: do not run business in the site/for living only (56%), empty lands and others (animal husbandry, field, storehouse) (25%), declared having grocery store/food stall/office business (13%). In relation to business ownership pattern: mostly were not answering (not having any business) (56%), having their own businesses (36%), profit sharing (2%). For businesses at other places: not answering (56%), having businesses at other places (37%), and 1% not having businesses at other places. Related to business plans after being affected by the project: not answering (56%), continue running the same business (23%), others (not running any more businesses continued due to land requirement) (15%) and start running new businesses (2%).

**Table 4:** Summary on Project Affected People Economic Activities

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>PAPs type of businesses</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Animal husbandry/ Fish pond/ Farming/ Storehouse</td>
<td>(25%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6.</th>
<th>Profile Description</th>
<th>Profile of Inhabitants (Number and Percentage)</th>
<th>Remark</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6. Origins of people</td>
<td>husband and wife are local (70%)</td>
<td>Both are comer (19%)</td>
</tr>
<tr>
<td>7.</td>
<td>Identity Card</td>
<td>Without ID Cards (2%)</td>
<td>ID card address is in accordance with the current location (68%)</td>
</tr>
</tbody>
</table>
2.3.3. Project Affected People Economic Condition

The people potentially affected by the project with income IDR. 1,000,000 to IDR. 2,000,000/month (29%), those declaring a total income of the entire family members > IDR. 3,000,000/month (20%), those declaring a total income of IDR. 2,000,000 to IDR. 3,000,000/month (16.22%), those declaring an income of IDR. 500,000 to IDR. 1,000,000/month (14.41%), those declaring a total income of < IDR. 500,000/month (1%), and those not answering/unknown owners (4%). Those with a total spent cost for daily living the entire family members of IDR. 1,000,000 to IDR. 2,000,000/month (42%), those answering IDR. 2,000,000 to IDR. 3,000,000/month (21%), those answering < IDR. 3,000,000/month (16%), those answering IDR. 500,000 to IDR. 1,000,000/month (10%) and those answering < IDR. 500,000/month (1%), and those not answering/unknown owners (3.60%). Based on the illustration received in respect of family transportation cost spending: 13% spend < IDR. 10,000/day, 55% spend IDR. 10,000 – IDR. 25,000/day, and 21% spend > IDR. 25,000/day.

Table 5: Summary on Project Affected People Economic Condition
2.3.4. Project Affected People Facilities and Infrastructures

The use of electricity as lighting source generally is direct distribution from PLN/State Electricity Company (94%), followed with the people not having electricity lighting (5%), and those taking electricity from neighbors (2%). In respect of drinking water requirement, it is illustrated that the 8% of the project affected people rely on PAM/Local Government Water Enterprise, 78% of them buy water in retail and the remaining 14% use others. Referred to as others are pump wells/conventional wells. In relation to water of batching, washing and toilet purposes, most of the project affected people use pump wells and PAM. None of them are utilizing drain water. In respect of project affected people means of transportation, most of them use motorbike (45%), by foot (14%), public transport (19%), private/official car (10%), bicycle (3%), and others (10%).

Table 6: Summary on Project Affected People Facilities and Infrastructures

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>PLN-direct connection</td>
</tr>
<tr>
<td>1.</td>
<td>Lighting Source</td>
<td>(94%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PLN-from neighbors</td>
</tr>
<tr>
<td>2.</td>
<td>Drinking Water</td>
<td>PAM: direct connection</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PAM: from neighbors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rivers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail/ refill/ gallon water</td>
</tr>
<tr>
<td>3.</td>
<td>Water for bathing, washing and toilet</td>
<td>PAM: direct connection</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PAM: from neighbors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>River</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Retail/ refill/ gallon water</td>
</tr>
<tr>
<td>4.</td>
<td>Toilet Ownership</td>
<td>Own toilets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public toilets</td>
</tr>
<tr>
<td></td>
<td></td>
<td>River</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Others</td>
</tr>
</tbody>
</table>
2.3.5. Perceptions and Aspirations

Most of the inhabitants utilizing the Upper Sunter drain water body have known of the occurrence/plan of JUFMP (46%) and 44% declared they have not known about it. They have known of the project plan from the district head, sub-district heads, RT/RW, community leaders, media and neighbors. In respect of their opinions on the requirement for relocation to low-cost strata titles, 6% declared that they “disagree”, 32% declared that they “agree” and 56% did not answer.

Table 7: Summary on Project Affected People Perceptions and Aspirations

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Occurrence of project</td>
<td>Have Known</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Have not Known</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(49%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(44%)</td>
</tr>
<tr>
<td>2.</td>
<td>Source of Information</td>
<td>Apparatuses</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(district head,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>sub-district head, RT/RW)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(60%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Community leaders</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(7%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Neighbors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(18%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Media</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Others</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3%)</td>
</tr>
<tr>
<td>3.</td>
<td>Opinions on the requirement for relocation to low-cost strata titles</td>
<td>Disagree</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Agree</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(6%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(32%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Did not Answer</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(56%)</td>
</tr>
<tr>
<td>4.</td>
<td>Expectations/Suggestions</td>
<td>Compensation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(5%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-eviction</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(5%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Agree for dredging</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(22%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The best for the people</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(6%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No suggestion</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(62%)</td>
</tr>
</tbody>
</table>

Project Affected People expectations/suggestions on the Upper Sunter Drain Dredging plan among others: agree with the project to avoid flood, compensation given on the assets lost, and not to perform control.
2.3.6. Vulnerable Groups and School Children

Vulnerable groups in this elaboration includes those aged 55 years and above and those depending on other people. Used as the economic condition indicator is the “Sayogyo Parameter”: a person is called under poverty line if his/her annual income equals to 480 kg of rice. With the current rice price assumption of IDR.8000/kg, a person having income under IDR.320,000/month or IDR.1,280,000/family/month shall be deemed living under poverty line. The number of school children is predicted about 96 children.

Table 8: Summary on Vulnerable Group and School Children

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Survey Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Vulnerable Groups (person)</td>
<td>Poor</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Female Family Heads</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Aged</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Not having any land or house in other places</td>
</tr>
<tr>
<td>2.</td>
<td>School Children</td>
<td>Elementary School: 27 (person)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Junior High School: 39 (person)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Senior High School: 30 (person)</td>
</tr>
</tbody>
</table>

2.4 Legal Analysis

Legal analysis on the laws and regulation is required for ensuring the effective implementation of resettlement activities in the Upper Sunter. It includes the following aspects:

a. **Planning, organization, and implementation aspect.**

The laws and regulations used as legal grounds for the implementation of land procurement are Law Number 2/2012 regarding Land Acquisition for Public Interest Development, Presidential Regulation No 71/2012 regarding Land Acquisition for Public Interest Development and the amendment regulations thereto, Regulation of the Head of National Land Agency No. 5/2012 regarding Technical Guidelines for the Implementation of Land Acquisition, then amended by Regulation of the Minister of Agrarian Affairs and Spatial Planning/the Head of National Land Agency No. 6/2015.

The Resettlement Policy Framework (RPF) used as base for Resettlement Plan (LARAP), prepared in 2010, still uses as its legal bases the old laws.
and regulations namely Presidential Regulation No. 36/2005 regarding Land Acquisition for Public Interest Development, which has been amended by Presidential Regulation No. 65/2006 as well as the implementing regulations thereof. Therefore, the Resettlement Plan preparation needs to be adjusted using the new laws and regulations. In order to make adjustment to the new laws and regulations, namely Law No. 2/2012, Presidential Regulation No. 71/2012 and the amendment regulations thereto as well as Regulation of the Head of National Land Agency No. 5/2012 and the amendment regulation thereto, in case land acquisition is required, the duties and functions of the P2T shall be replaced by the Land Acquisition Preparation Team formed by the Governor.

b. **Funding aspect**

Land Acquisition funding for Public Interest Development shall be implemented by the Agency requiring the land, set out in budgeting document in accordance with the provisions of laws and regulations, namely in accordance with the provisions in Regulation of the Minister of Finance on payment procedures in the implementation of State Revenues and Expenditures Budget as well as the implementation and accountability of operational costs and supporting costs. Land Acquisition funding for Public Interest shall originate from the Local Government Budget (APBD) as elaborated in the Resettlement Policy Framework (RPF), DKI Governor Decision No. 1363/2011 regarding Establishment of an Implementation Team for Land Acquisition and Resettlement for the JUFMP, Regulation of the Minister of Finance Number 13/PMP.02/2013 and Regulation of the Minister of Home Affairs No 72/2012. Budget allocation for Land Acquisition shall comprise compensation, operational, and supporting costs for the following activities:

a. planning;
b. preparation;
c. implementation;
d. result delivery;
e. administration and management;
f. socialization.
c. Resettlement Policy Aspect

The implementation of the Jakarta Urgent Flood Mitigation Project/Jakarta Emergency Dredging Initiative (JUFMP/JEDI) that involves relocation of people becomes the duty and responsibility of the Government of DKI Jakarta, therefore the Governor of DKI Jakarta has issued a Governor Instruction Number 48/2014 regarding Resettlement of the JUFMP/JEDI Affected People. The relevant Governor Instruction contains assignment to the DKI Jakarta government apparatuses to support and facilitate the implementation of resettlement of the JUFMP/JEDI affected people. The policy of the Government of the DKI Jakarta in handling the riverbank/canal and reservoir people affected by the JUFMP/JEDI is to relocate to a low-cost apartment, the implementation of which shall refer to Regulation of the Governor of DKI Jakarta Province Number 111/2014 regarding Low-Cost Apartment Occupancy Mechanism. Whereas for structures on lands under ownership rights, the mechanism shall be in accordance with the applicable laws and regulations.

2.5. Institution

In handling the project affected people, the Governor of Jakarta has assigned institutions in the Government of the DKI Jakarta. The table below elaborates the institutions and their responsibilities in the dredging in the Upper Sunter.

Table 9: Implementing Institutions of Upper Sunter Resettlement Activities

<table>
<thead>
<tr>
<th>NO.</th>
<th>INSTITUTIONS</th>
<th>RESPONSIBILITIES</th>
<th>IMPLEMENTATION TIME</th>
<th>FUND SOURCE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Regional Secretary</td>
<td>Coordinating all supporting activities of the Government of Jakarta on the implementation of resettlement activities</td>
<td>During resettlement process: preparation, implementation and monitoring</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>2.</td>
<td>Development &amp; Environmental Assistant</td>
<td>Assisting the Regional Secretary in coordinating all supporting activities of the Government of Jakarta</td>
<td>During resettlement process: preparation, implementation and monitoring</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>NO.</td>
<td>INSTITUTIONS</td>
<td>RESPONSIBILITIES</td>
<td>IMPLEMENTATION TIME</td>
<td>FUND SOURCE*</td>
</tr>
<tr>
<td>-----</td>
<td>--------------</td>
<td>------------------</td>
<td>---------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>3.</td>
<td>Governance Assistance</td>
<td>Assisting the Regional Secretary coordinating Mayors in implementing resettlement process</td>
<td>During resettlement process: preparation, implementation and monitoring</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>4.</td>
<td>The Head of Development and Planning Agency</td>
<td>Coordinating the planning and allocating the budget of the Regional Apparatus Work Unit (SKPD) related to the JUFMP/JEDI implementation, including the resettlement of the Upper Sunter PAPs</td>
<td>During resettlement process: preparation, implementation and monitoring</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>5.</td>
<td>The Mayor of East Jakarta</td>
<td>Coordinating the Pulogadung District and Jatinegara Kaum Sub-District apparatuses in implementing resettlement process of the project affected people by the Upper Sunter dredging project</td>
<td>During resettlement process: preparation, implementation and monitoring</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
</tbody>
</table>
| 6.  | The Head of Water Resource Agency | ● Determining & announcing data on the Upper Sunter PAPs verified by the District and Sub-District Heads (data attached)  
● Providing facilitation in the resettlement process of the PAPs, both through relocation to the provided low-cost apartment and other options | During resettlement process: preparation and implementation | Regional Budget (APBD of Jakarta) |
| 7.  | The Head of Government Building and Housing Services | ● Providing low-cost apartment and allocating unit of low cost apartment for the PAPs  
● providing guidance to the relocated people | During preparation and implementation relocation activities | Regional Budget (APBD of Jakarta) |
<p>| 8.  | The Head of Communications, Informatics and Public Relations Services Office | Providing documentation, press release and publication in the media of the Government of the DKI Jakarta Province | During resettlement process: preparation and implementation | Regional Budget (APBD of Jakarta) |
| 9.  | The Head of Population Services Office | Providing population services for the people relocated from their places of origin to low cost apartment or other destinations | During resettlement process: preparation and implementation | Regional Budget (APBD of Jakarta) |
| 10. | The Heads of Health Services Office, Education Services Office, Transportation Services Office | Providing healthcare and education as well as transportation services | During resettlement process: preparation and implementation | Regional Budget (APBD of Jakarta) |
| 11. | The Head of Social Services Office, Micro, Small and Medium Scale | Providing business/income recovery assistance | During resettlement process: | Regional Budget (APBD of Jakarta) |</p>
<table>
<thead>
<tr>
<th>NO.</th>
<th>INSTITUTIONS</th>
<th>RESPONSIBILITIES</th>
<th>IMPLEMENTATION TIME</th>
<th>FUND SOURCE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>Enterprises Services Office, Manpower Services Office</td>
<td>Assisting the PAPs in vacating, demolishing structures and securing the acquired lands</td>
<td>During resettlement process: preparation and implementation</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>13.</td>
<td>The Head of City Infrastructure and Facility Bureau</td>
<td>Performing monitoring and coordinating the JUFMP/JEDI implementation, including the resettlement process</td>
<td>During resettlement process: preparation, implementation and implementation</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>14.</td>
<td>The Head of Pulogadung District</td>
<td>Verifying data on the Upper Sunter PAPs, coordinating the Jatinegara Kaum and Jatinegara Sub-District apparatus in socialization and resettlement process</td>
<td>During resettlement process: preparation and implementation</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>15.</td>
<td>The Head of Jatinegara Kaum Sub-District</td>
<td>Verifying data on the PAPs, implementing resettlement process</td>
<td>During resettlement process: preparation, implementation and implementation</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
<tr>
<td>16.</td>
<td>Low-cost Apartment Management Unit</td>
<td>Collecting data on low-cost apartment capacity to be occupied by the PAPs, implementing relocation process</td>
<td>During resettlement process: preparation and implementation</td>
<td>Regional Budget (APBD of Jakarta)</td>
</tr>
</tbody>
</table>
III. IMPLEMENTATION FOR HANDLING PROJECT AFFECTED PEOPLE


The Upper Sunter drain dredging activities will not be involved widening of drain, instead they shall recover the river bodies/drain functions to their initial design, where Riverbanks/drains occupied by people shall be recovered to their initial functions. In the efforts of re-functioning the rivers/drains and reservoirs, the government shall not give any compensation on the lands, structures and other assets erected thereon. The policies of the Government of the DKI Jakarta are as follows:

a. Relocating Project Affected People to an appropriate place

The structures on rivers/canals potentially affected by embankment rehabilitation and dredging activities are generally informal settler (encroachers and squatters). If they need to be demolished, the Government of DKI Jakarta determines that they shall be relocated to a more appropriate place, namely a low-cost apartment. Consideration for relocation to a low-cost apartment results from the expensive and difficult land procurement for horizontal housing in Jakarta. The policy of the DKI Jakarta government in relocating Project Affected People from river/canal/reservoirs/under toll roads/parks and other public places to a low-cost apartment shall be accompanied with facilities, among others:

- Subsidy for rent for people under the relevant program;
- Free from monthly rent for ± 6 months;
- Efforts to provide people with household equipment (for example furniture) through private sector participation scheme;
- School transfer facilitation for children intending to be transferred to a school near the low-cost apartment;
- Early Age Children Education, healthcare service, play park, trading space in the low-cost apartment;
- Free of charge public bus (busway) transportation for low-cost apartment occupants;
- Preparation of working opportunities for PAPs with vocations;
- Hometown visit facilitation for PAPs with non-DKI Jakarta ID card;
● Provision of transportation support for transporting properties from the existing site to the apartment;
● Healthcare facility provision through Jakarta Health program;
● Jakarta Smart Card provision for poor people as part of the free school program up to the Senior High School level.

Requirements, registration method and stipulation for filing for/acquiring low-cost apartment shall be provided for in Regulation of the Governor of the DKI Jakarta number 111/2014 regarding Low-Cost Apartment Occupancy Mechanism.

The JUFMP activity in the Upper Sunter Drain shall not involve any relocation of PAPs as only a small part of the structures shall be affected (<20%), such as rear fences, toilet/lavatory walls, chicken coops and others similar. The potential impact of occurring is the damaged/collapsed structures due to heavy equipment operation in embankment rehabilitation and dredging activities.

b. **Compensation on land**

The utilization of State-Lands such as body of river/canals and reservoir is an unwise action and is prohibited by laws and local regulations, therefore, the Government of DKI Jakarta shall not give any compensation on the effort of recovering the function of drain bodies in the Upper Sunter utilized by the people during all this time. Whereas for legal land ownership, mechanism shall be arranged in accordance with the applicable laws and regulations.

c. **Compensation on structure**

Building structure/business places and utilizing river body is a form of land encroachment violating Local Government Regulation on Public Order as it interrupts the surrounding drainage flow pattern and results in flood. Therefore, the Government of DKI Jakarta shall not give any compensation on the structures that must be demolished due to embankment rehabilitation and dredging activities in order to refunction of river/drain.
d. Minimizing resettlement

In accordance with the JUFMP resettlement policy, resettlement insofar as possible must be avoided or minimized, by finding various appropriate project design alternatives. Considering the present condition of the Upper Sunter Drain, both from the physical and social aspects, in order to immediately realize rehabilitation of embankment and dredging), DED has been revised by taking the following into consideration:

- The river physical condition has been experiencing sedimentation therefore needs to be immediately dredged,
- Embankment rehabilitation and dredging works shall be immediately done in the location where people structures shall not be interrupted,
- The embankment rehabilitation and dredging activities shall not involve relocation of project affected people, as only a small part of the structures shall be interrupted by the project activities,
- In case demolition must occur, its implementation shall refer to the Letter of the Governor of Jakarta to the Director General of Water Resources, the Ministry of Public Works and Public Housing No. 457/-1.781 regarding Package 6 JUFMP/JEDI Implementation and JUFMP Resettlement Policy Framework (RPF) principles.

3.2. Monitoring and Evaluation

The Directorate General of Water Resources of the Ministry of Public Works and Public Housing represented by the CPIU shall be assisted by the supervisory consultant playing the role as the project internal supervisor. At the CPIU level, Monthly Report shall be submitted to the Director of Water Resources. Whereas at the DKI Jakarta PIU, Monthly Report shall be submitted to the Governor of the DKI Jakarta Province through the Water Management Services Office and the Regional Secretary of the Province. Monitoring shall be commenced as from the LARAP preparation. Progress and Monitoring Report shall be made available to the project affected inhabitants and uploaded to the JUFMP Web and WB Web.
3.3. Complaint Handling

Complaints related to the JUFMP including the aspect of the project affected people shall be handled as immediately as possible and settled at the Command Post where such complaints are filed by the peoples (within a period of 14 (fourteen days). Complaint handling process shall be facilitated by the Complaint Handling Expert Personnel from the Supervisory Consultant on duty in the field. Complains can be filed through SMS, Email/Web, or by directly visiting the Field Office (Posko).

**FIELD OFFICE (Posko) – Complaint Handling at location (Sub-project):** complaints can be filed directly/indirectly, in writing/in verbal, shall be thereafter recorded, verified, stored and submitted to the authorized institutions/ Cilikis CPIU/PIU / PIU of the DKI Jakarta Water Resource Agency Office.

**MUNICIPAL LEVEL:** in case the PAPs are disappointed/not satisfied/have not received any response from the PIU, they may file their complaints to the Mayor’s Office. The relevant Mayor shall undertake actions to help settling the complaints and shall be responsible for documenting and storing the archives of the complaints handled.

**PROVINCIAL LEVEL:** in case the complaints are not responded by the Mayor, the complainer may file their complaints to the Governor. The time required for handling such complaints shall be approximately 30 (thirty) days.

**Final Measure:** in case the complainers are disappointed and or do not receive any response from the Governor, complaints can be brought to court for settlement by law.

3.4. Implementation Plan

The handling of the Upper Sunter Project Affected People shall be implemented through a number of activity stages such as socialization, consultation, census survey, cut-off date, DED review and determination of Project Affected People. Eventually, embankment rehabilitation and dredging activities shall be implement based on the results of the Mutual Check (MC) – 0 which shall be implemented jointly by the BBWSCC “Cicilis” as the Project Implementing Unit,
LAND ACQUISITION AND RESETTLEMENT ACTION PLAN (LARAP) 
UPPER SUNTER DRAIN

Contractor and the Supervision Consultant. The entire implementation shall be presented in the table below.

**Table 10: Action Plan for the Handling of Upper Sunter PAPs**

<table>
<thead>
<tr>
<th>No.</th>
<th>Programs and Activities</th>
<th>Timeline</th>
<th>Responsibility</th>
<th>Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>Minimization of the project affected people through review DED</td>
<td>January-June 2016</td>
<td>CPIU</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>DED review avoids all structures potentially affected by project</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Tendering</td>
<td>May 30, 2016 to</td>
<td>BBWSCC “Cilicis”</td>
<td>2017-2018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>March 2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Public Consultation and minutes of consultation</td>
<td>May-June 2017</td>
<td>BBWSCC “Cilicis”</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Mutual Check (MC) – 0</td>
<td>May 2017</td>
<td>Cilicis; Contractor; CSC</td>
<td>2017</td>
</tr>
<tr>
<td>12.</td>
<td>Implementation of embankment rehabilitation and dredging</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) Dredging and sheet pile installation activities shall be implemented without relocation of the PAPs</td>
<td>May 2017-July 2018</td>
<td>BBWSCC “Cilicis”</td>
<td>2017-18</td>
</tr>
<tr>
<td></td>
<td>2) Contractor shall be responsible for structure damage/demolition resulting from the project activities.</td>
<td>May 2017-July 2018</td>
<td>BBWSCC “Cilicis”</td>
<td>2017-18</td>
</tr>
</tbody>
</table>
ATTACHMENTS
ATTACHMENT 1: CROSS-SECTION SAMPLES OF DREDGING ACTIVITY IN UPPER SUNTER (Sta. 10 + 100 and Sta. 14+650: In the locations affecting people structures)

**Note:** Sludge dredging and embankment rehabilitation works shall avoid community structures and shall be done from the water by using pontoon.
ATTACHMENT 2: PICTURES OF CONDITION AT PROJECT LOCATION

Upper Sunter: Structure potentially affected by embankment works

Upper Sunter: Sedimentation (Sludge to be dredged)

Upper Sunter: Structures potentially affected by the dredging works

Upper Sunter: Sedimentation (Sludge to be dredged)

Upper Sunter: Structures potentially affected by dredging works

Upper Sunter: Access/inspection road for sludge transporting vehicles
**ATTACHMENT 3: PROJECT SITE**

- **Sta. 10+150** (Start of Project)
- **Sta. 15+300** (End of Project)
- **Panjang Pengerukan Length of drain to be dredge**: 5,150 m (77,900 m³)
- **Rehabilitasi Embankment**
  - Rehabilitation Site
- **Dredging**: 77,900 m³
- **Embankment Repair**: 1,850 m
ATTACHMENT 4: LIST OF PROJECT AFFECTED PEOPLE AND ASSETS

HASIL PENDATAAN WARGA
PROGRAM PENANGGULANGAN BANIRI JAKARTA (JED)-UPPER SUNTER
DI WILAYAH KELURAHAN JATINEGARA KAUM, KECAMATAN PULO GADUNG, JAKARTA TIMUR

ATTACHMENT 4: LIST OF PROJECT AFFECTED PEOPLE AND ASSETS

<table>
<thead>
<tr>
<th>NO.</th>
<th>NAMA</th>
<th>ALAMAT</th>
<th>ASET TERENDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Diketahui:
1. Keterangan: Nama/Alamat
2. Nama/Alamat
3. Wali Pengantar

Periode: Februari 2014

Keterangan:
Penyampaian surat atau masukan sampai dengan

Dinas Perkebunan Provinsi DKI Jakarta
Jl. Taman Jelita No. 1, JAKARTA
Telp. 021 - 34677223
ATTACHMENT 5: SKETCH OF PROJECT AFFECTED PEOPLE LOCATION

PROGRAM PENANGGULANGAN BANJIR JAKARTA (JEDI)
ATTACHMENT 6: SUMMARY ON PROJECT AFFECTED PEOPLE IN UPPER SUNTER DRAIN

<table>
<thead>
<tr>
<th>No.</th>
<th>WTP Category</th>
<th>Total Structures/WTP</th>
<th>Area/width (m²)</th>
<th>Rights</th>
<th>Options on rights</th>
<th>Estimated Cost (Rp)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Totally affected structures</td>
<td>Partially affected structures</td>
<td>Totally affected structures</td>
<td>Partially affected structures</td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Persons who own and occupy dwellings and other structures</td>
<td>111/444</td>
<td>80/320</td>
<td></td>
<td></td>
<td>Compensation for the loss of dwellings and other structures at replacement costs and resettlement assistance</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total structures / renters</td>
<td>Total partially affected structures</td>
<td>Total relocated structures</td>
<td>Total structures not requiring relocation</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Renters</td>
<td>Total WTP</td>
<td># Types of WTP Livelihood</td>
<td></td>
<td>Rehab. support assistance options</td>
<td>Estimated Cost</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>3.</td>
<td>Persons whose livelihoods are affected</td>
<td>Total WTP</td>
<td>Totally demolished structures</td>
<td>Partially demolished structures</td>
<td>WTP Options</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>4.</td>
<td>Owners of Assets damaged during structure</td>
<td>0</td>
<td></td>
<td></td>
<td>Compensation cost for the damages to be provided by contractor</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Types of use and sizes of the encroached structures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>5.</td>
<td>Encroachers</td>
<td>111</td>
<td></td>
<td></td>
<td>Not receiving compensation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total PAPs</td>
<td>Total structures</td>
<td>Total rented structures</td>
<td>Total project affected renters</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>6.</td>
<td>Squatter landlords</td>
<td></td>
<td>No compensation for those who rent more than 3 structures</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*) Notes:
Persons who own and occupy dwellings and other structures:
1 = cash compensation and access to public housing
2 = public housing
3 = cash compensation only
4 = other form of compensation, please specify

1 Details are presented in the attachment no.
2 Details are presented in the attachment no.
3 Details are presented in the attachment no.
4 Details are presented in the attachment no.
5 Details are presented in the attachment no.
6 Details are presented in the attachment no.
7 Details are presented in the attachment no.
8 Details are presented in the attachment no.
9 Details are presented in the attachment no.
10 Details are presented in the attachment no.
11 Details are presented in the attachment no.
Renters:
1 = public housing
2 = rental costs and access to public housing
3 = other scheme
4 = etc.

Persons whose livelihoods are affected:
1 = loss of income from small shop
2 = loss of income from small industry
3 = loss of income from site-specific earning activities (such as fishermen)
4 = loss of income from services
5 = others

Preference for rehabilitation support:
1 = facilitation to find new place close to the original area or on-site
2 = training for different type of job
3 = credit
4 = facilitation in the establishment of new income generating activity
5 = combination of the above

Owners of assets that are damaged during construction:
All structures are damaged
1 = house
2 = commercial structure
3 = fences
4 = others
Partially damaged
1 = house
2 = commercial structure
3 = fences
4 = others
Preference for compensation
1 = cash compensation
2 = rebuild
3 = rent

Encroachers:
Type of uses and size of the encroached structures
1 = commercial, average size ..
2 = kitchen, average size ..
3 = toilets, average size ..
4 = other, average size ..
Uses and size of remaining structures
1 = main house, average size ..
2 = main house and commercial, average size ..
3 = commercial only, average size ..
4 = other, average size ..

Squatter landlords:
Number of structures rent
1 = one unit
2 = two units
3 = three units
4 = more than three units
Number of affected renters
1 = in one unit
2 = in two units
3 = in three units
4 = in four units
ATTACHMENT 7: REGULATION RELATED TO JUFMP LAND ACQUISITION AND RESETTLEMENT

- Letter of the Governor of the DKI Jakarta to the Director of Directorate General of Water Resources as the Head of the CPMU JUFMP dated May 8, 2015;
- Governor Decision No. 1363/2011 regarding Establishment of an Implementation Team for Land Acquisition and Resettlement for the JUFMP;
- Governor Instruction No. 41 regarding Accelerated Completion of Land Acquisition and Resettlement Plan
THE GOVERNOR OF THE SPECIAL CAPITAL CITY REGION
OF JAKARTA PROVINCE

Number : 457/-1.781
Type : To
Attachment : The Honorable Director General of Water Resources,
Regarding : Package 6 JUFMP/JEDI Implementation

Jakarta, May 8, 2015

To
The Honorable Director General of Water Resources,
Ministry of Public Works and Public Housing of the
Republic of Indonesia as the Head of CMPU
JUFMP/JEDI
in
Jakarta

Related to the implementation of the Package 6 Jakarta Urgent Flood Mitigation Project/Jakarta Emergency Dredging Initiative (JUFMP/JEDI) currently pending due to the LARAP process, we hereby would like to inform the following:

1. The Government of the DKI Jakarta Province is currently preparing low income apartment for the people affected by the Package 6 Jakarta Urgent Flood Mitigation Project/Jakarta Emergency Dredging Initiative (JUFMP/JEDI) located:
   a. From Muara Angke, Penjaringan District, North Jakarta Administrative City to Karet Water Gate; and
   b. From the upstream Sunter Drain of the Bridge at Jalan Perintis Kemerdekaan to the East Banjir Canal.

2. Related to point 1, preparation is currently implemented to control informal settlers on the riverbank of West Banjir Canal and Upper Sunter through the 5 Orders Operation (Operasi 5 Tertib), namely Traffic Order, Street Vendor Order, Waste Order, informal settlers Order and Demo Order.

3. The Government of the DKI Jakarta Province is fully committed to complete the LARAP in the location of Muara Angke, Penjaringan District, North Jakarta Administrative City and Upstream Sunter Drain of the Bridge at Jalan Perintis Kemerdekaan to the East Banjir Canal within the Fiscal Year 2015, which constitutes the work activity of the Package 6 Jakarta Urgent Flood Mitigation Project/Jakarta Emergency Dredging Initiative (JUFMP/JEDI), and it is expected to be completed by the Fiscal Year 2017.

4. The West Banjir Canal and Upper Sunter Normalization activities are highly important activities to mitigate flood, therefore are extremely urgent to be immediately carried out.

5. Based on the abovementioned matters and awaiting the LARAP completion process, we hereby request the Ministry of Public Works and Public Housing of the Republic of Indonesia through the Ciliwung Cisadane River Office to immediately carry out the relevant construction activity without awaiting the LARAP process.

Please be informed accordingly and thank you for your attention.

The Governor of the Capital of Jakarta Province,
[Signed and stamped; stamp reads:
THE GOVERNOR OF THE CAPITAL OF JAKARTA PROVINCE
Basuki T. Purnama]

Copies hereof shall be forwarded to:
1. The Minister of Public Works and Public Housing
2. The Deputy Governor of the DKI Jakarta Province
3. The Secretary of the DKI Jakarta Province
4. Governance Assistant to the Secretary of the DKI Jakarta Province
5. The Head of Government Building and Housing Services Office of the DKI Jakarta Province
6. The Head of Water Management Services Office of the DKI Jakarta Province
7. The Head of Legal Bureau of the Secretariat of the DKI Jakarta Province
8. The Head of Urban and Environmental Planning of the Secretariat of the DKI Jakarta Province
9. The Head of Legal Bureau of the Secretariat of the DKI Jakarta Province
10. The Head of Ciliwung Cisadane River Regional Office
11. The World Bank Jakarta Office
The Governor of the Capital of Jakarta Province

DECISION OF THE GOVERNOR OF THE CAPITAL OF JAKARTA PROVINCE

NUMBER 1363/2011

REGARDING

ESTABLISHMENT OF AN IMPLEMENTATION TEAM FOR LAND ACQUISITION AND RESETTLEMENT ACTION PLAN (LARAP) FOR THE JAKARTA URGENT FLOOD MITIGATION PROJECT (JUFMP)/JAKARTA EMERGENCY DREDGING INITIATIVE (JEDI) AT THE ADMINISTRATIVE CITY LEVEL

BY THE GRACE OF THE ONE ALMIGHTY GOD

THE GOVERNOR OF THE CAPITAL OF JAKARTA PROVINCE,

Considering :

a. whereas in the context of implementing the Jakarta Urgent Flood Mitigation Project (JUFMP)/Jakarta Emergency Dredging Initiative (JEDI) which constitutes dredging and rehabilitation works of river embankments, canals and reservoirs in the Capital City of Jakarta Province, it is required action in the form of relocation of peoples around the location of works.

b. whereas the relocation of peoples as referred to in point a requires handling by using principles, procedures and organization method based on the Resettlement Policy Framework (RPF) agreed between the Government of the Capital City of Jakarta Province and the World Bank;

c. whereas based on the considerations as referred to in points a and b as well as for the uninterrupted implement of location activity of the peoples around the sites of JUFMP/JEDI works, it is necessary to stipulate a Governor Decision regarding the Establishment of an Implementation Team for Land Acquisition and Resettlement Action Plan (LARAP) for the Jakarta Urgent Flood Mitigation Project (JUFMP)/Jakarta Emergency Dredging Initiative (JEDI) at the Administrative City Level;

In view of :

1. Law Number 5/1960 regarding Basic Regulations on Agrarian Principles;
2. Law Number 2/1961 regarding Revocation of Rights on Lands;
3. Law Number 7/2004 regarding Water Resources;
4. Law Number 10/2004 regarding Legislative Drafting;
HAS DECIDED:

To stipulate: A GOVERNOR REGULATION REGARDING THE ESTABLISHMENT OF AN IMPLEMENTATION TEAM FOR LAND ACQUISITION AND RESETTLEMENT ACTION PLAN (LARAP) FOR THE JAKARTA URGENT FLOOD MITIGATION PROJECT (JUFMP)/JAKARTA EMERGENCY DREDGING INITIATIVE (JEDI) AT THE ADMINISTRATIVE CITY LEVEL.

FIRST: Establishing an Implementation Team for land acquisition and resettlement action plan (LARAP) for the Jakarta Urgent Flood Mitigation Project (JUFMP)/Jakarta Emergency Dredging Initiative (JEDI) at the Administrative City level with membership composition as set forth in the Attachment hereto.

SECOND: The team referred to in the FIRST dictum shall have the following duties:
1. identifying the sub-project components or activities requiring acquisition of land and area that are to be affected by the impacts of such components or activities;
2. implementing census on the Project Affected People (PAPs) and inventory on the impacts affected assets;
3. implementing cut-off date in the JUFMP/JEDI project location;
4. identifying the PAPs entitled to receive compensation as well as explanation on the criteria used for determining the PAPs entitled;
5. carrying out evaluation on assets and calculation of compensation on loss;
6. determining the types and amounts of the forms of compensation to be given to the PAPs;
7. carrying out consultation with the inhabitants experiencing loss of lands and other assets;
8. estimating sub-project land procurement costs;
9. granting compensation to the PAPs;
10. carrying relocation/resettlement for the PAPs; and
11. providing handling grievances and complaints from the PAPs.

THIRD : For supporting the uninterrupted performance of duties, the Team as referred to in the FIRST dictum may engage related agencies, third parties/independent consultants, social institutions, profession associations or universities or other community elements in accordance with the provisions of laws and regulations.

FOURTH : The costs required for the performance of duties as referred to in the SECOND dictum shall be charged to the Local Budget (APBD) through the Budget Implementation Document (DPA) of the Public Works Services Office of the Capital City of Jakarta Province as the Project Implementation Unit (PIU) of the JUFMP/JEDI.

FIFTH : This Governor Decision shall come into effect as from the date of its stipulation.

Attachment to : Decision of the Governor of the Capital City of Jakarta Province

Number 1363/2011
Dated September 28, 2011
IMPLEMENTATION TEAM FOR LAND ACQUISITION AND RESETTLEMENT ACTION PLAN (LARAP) OF THE JAKARTA URGENT FLOOD MITIGATION PROJECT (JUFMP)/JAKARTA EMERGENCY DREGING INITIATIVE (JEDI) AT THE ADMINISTRATIVE CITY LEVEL

A. Central Jakarta Administrative City

Head concurrently serving as Member: Secretary of the Central Jakarta Administrative City
Deputy Head concurrently serving as Member: Governance Assistant to the Secretary of the Central Jakarta Administrative City
Secretary concurrently serving as Member: Development and Environmental Assistant to the Secretary of the Central Jakarta

Members:
1. The Head of Civil Service Police Unit of the Central Jakarta
2. The Head of Housing Sub-Office of the Central Jakarta
3. The Head of Public Works and Water Management Sub-Office of the Central Jakarta
4. The Head of Population Affairs and registration Sub-Office of the Central Jakarta
5. The Head of Spatial Planning Sub-Office of the Central Jakarta
6. The Head of Urban Infrastructure Unit under the Secretary of the Central Jakarta
7. The Head of Spatial Planning and Environmental Unit under the Secretary of the Central Jakarta
8. The Head of Legal Unit of the Central Jakarta
9. District Heads in the JUFMP/JEDI location
10. Sub-District Heads in the JUFMP/JEDI location

B. North Jakarta Administrative City

Head concurrently serving as Member: Secretary of the North Jakarta Administrative City
Deputy Head concurrently serving as Member: Governance Assistant to the Secretary of the North Jakarta Administrative City
Secretary concurrently serving as Member: Development and Environmental Assistant to the Secretary of the North Jakarta

Members:
1. The Head of Civil Service Police Unit of North Jakarta
2. The Head of Housing Sub-Office of North Jakarta
3. The Head of Public Works and Water Management Sub-Office of the North Jakarta
4. The Head of Population Affairs and Registration Sub-Office of the North Jakarta
5. The Head of Spatial Planning Sub-Office of the North Jakarta
6. The Head of Urban Infrastructure Unit under the Secretary of the North Jakarta
7. The Head of Spatial Planning and Environmental Unit under the Secretary of the North Jakarta
8. The Head of Legal Unit of the North Jakarta
9. District Heads in the JUFMP/JEDI location
10. Sub-District Heads in the JUFMP/JEDI location

C. West Jakarta Administrative City
Head concurrently serving as Member: Secretary of the West Jakarta Administrative City
Deputy Head concurrently serving as Member: Governance Assistant to the Secretary of the West Jakarta
Secretary concurrently serving as Member: Development and Environmental Assistant to the Secretary of the West Jakarta
Members:
1. The Head of Civil Service Police Unit of the West Jakarta
2. The Head of Housing Sub-Office of the West Jakarta
3. The Head of Public Works and Water Management Sub-Office of the West Jakarta
4. The Head of Population Affairs and Registration Sub-Office of the West Jakarta
5. The Head of Spatial Planning Sub-Office of the West Jakarta
6. The Head of Urban Infrastructure Unit under the Secretary of the West Jakarta
7. The Head of Spatial Planning and Environmental Unit under the Secretary of the West Jakarta
8. The Head of Legal Unit of the West Jakarta
9. District Heads in the JUFMP/JEDI location
10. Sub-District Heads in the JUFMP/JEDI location

D. East Jakarta Administrative City
Head concurrently serving as Member: Secretary of the East Jakarta Administrative City
Deputy Head concurrently serving as Member: Governance Assistant to the Secretary of the East Jakarta Administrative City
Secretary concurrently serving as Member: Development and Environmental Assistant to the Secretary of the East Jakarta
Members:
1. The Head of Civil Service Police Unit of the East Jakarta
2. The Head of Housing Sub-Office of the East Jakarta
3. The Head of Public Works and Water Management Sub-Office of the East Jakarta
4. The Head of Population Affairs and Registration Sub-Office of the East Jakarta
5. The Head of Spatial Planning Sub-Office of the East Jakarta
6. The Head of Urban Infrastructure Unit under the Secretary of the East Jakarta
7. The Head of Spatial Planning and Environmental Unit under the Secretary of the East Jakarta
8. The Head of Legal Unit of the East Jakarta
9. District Heads in the JUFMP/JEDI location
10. Sub-District Heads in the JUFMP/JEDI location

THE GOVERNOR OF CAPITAL CITY OF JAKARTA PROVINCE,

[Signed and stamped; stamp reads: THE GOVERNOR OF CAPITAL CITY OF JAKARTA PROVINCE

FAUZI BOWO
The Governor of the Capital City of Jakarta Province

GOVERNOR INSTRUCTION OF THE CAPITAL OF JAKARTA PROVINCE
NO 41 YEAR 2011
REGARDING ACCELERATED COMPLETION OF LAND ACQUISITION AND
RESETTLEMENT PLAN (LARAP)
THE GOVERNOR OF THE CAPITAL CITY OF JAKARTA PROVINCE

In order to implementing the Jakarta Emergency Dredging Initiative (JEDI), it is hereby necessary to accelerate the completion of the land acquisition and resettlement plan (LARAP) by giving instruction:

To:
1. The Development and Environmental Assistant to the Secretary of the DKI Jakarta Province
2. The Head of Development Planning Agency of the DKI Jakarta Province
3. The Head of Finance Management Agency of the DKI Jakarta Province
4. The Mayor of North Jakarta
5. The Mayor of Central Jakarta
6. The Mayor of East Jakarta
7. The Mayor of West Jakarta
8. The Head of Public Works Services Office of the DKI Jakarta Province as the PIU of the DKI Jakarta Province
9. The Head of Population Affairs and Registration Service Office of the DKI Jakarta Province
10. The Head of Civil Service Police Unit of the DKI Jakarta Province

To:
FIRST:
1. Perform the following duties:
   a. The Development and Environmental Assistant to the Secretary of the DKI Jakarta Province shall coordinate the JEDI implementation at the Provincial level;
   b. The Head of Development Planning Agency of the DKI Jakarta Province shall:
      1. Prepare the program and budget required in the implementation of the LARAP and JEDI physical project; and
      2. Assist the PIU in implementing the JEDI project;
   c. The Head of Finance Management Agency of the DKI Jakarta Province shall perform the administration of the JEDI project loan extension and the preparation of the LARAP accompanying fund budget;
   d. The Mayors shall:
      1. Carry out field survey and data collection on the Project Affected Peoples together with the Population Affairs and Registration Services Office of the DKI Jakarta Province;
2. Together with the Project Implementation Unit (PIU) provide Public Consultation for the Project Affected People (PAPs);
3. Assist the Project Implementation Unit (PIU) and the Project Management Unit (PMU) in servicing complaints from the PAP;
4. Determine the types and amounts of forms of compensation to be given to the PAPs; and
5. Assist the PIU in implementing relocation/resettlement of the JEDI Affected People.

e. The Head of Public Works Services Office as the PIU of the DKI Jakarta Province shall:
   1. Assist the PMU in completing the LARAP;
   2. Manage and supervise the LARAP implementation;
   3. Provide relocation/resettlement of the JEDI Affected People; and
   4. Plan, prepare and manage the JEDI project accompanying and supporting funds;

f. The Head of Population Affairs and Registration Services Office of the DKI Jakarta Province shall:
   1. Assist the PIU and Mayors in collecting data on the Project Affected People by using modern technology (finger print system); and
   2. Build data base for the Project Affected People together with the Mayors.

g. The Head of Civil Service Police Unit of the DKI Jakarta Province shall assist the PIU and Mayors in securing the JEDI project implementation.

SECOND: Periodically report the results of the fulfill of duties as referred to in the FIRST dictum to the Secretary of the DKI Jakarta Province;

THIRD: The costs required in the fulfill of duties as referred to in the FIRST dictum shall be charged to the Provincial Budget (APBD) through the Budget Implementation Documents (DPA) of the respective Regional Apparatus Work Units (SKPD)

This Governor Instruction shall come into effect as from the date of its stipulation.

Stipulated in Jakarta
on April 27, 2011

THE GOVERNOR OF THE CAPITAL CITY OF JAKARTA PROVINCE,

[Signed and stamped; stamp reads:
THE GOVERNOR OF THE CAPITAL CITY OF JAKARTA PROVINCE]

FAUZI BOWO