

STAKEHOLDER ENGAGEMENT IN PLANNING AND IMPLEMENTATION OF RESETTLEMENT AND LIVELIHOOD RESTORATION

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The International Association for Public Participation (IAP2) is the preeminent international organisation advancing the practice of public participation (P2).

IAP2 supports people who implement or participate in public decision-making processes. IAP2's focus on practical tools and best practices has made it the primary resource for developing public participation processes.

IAP2's Core Values, Code of Ethics, and Public Participation Spectrum are foundational elements of effective public participation processes. IAP2 encourages individuals and organisations to adopt and incorporate these principles into their processes.

IAP2 carries out its mission to advance and extend the practice of public participation by organising and conducting professional development activities to serve the learning needs of members.

CONTEXTS

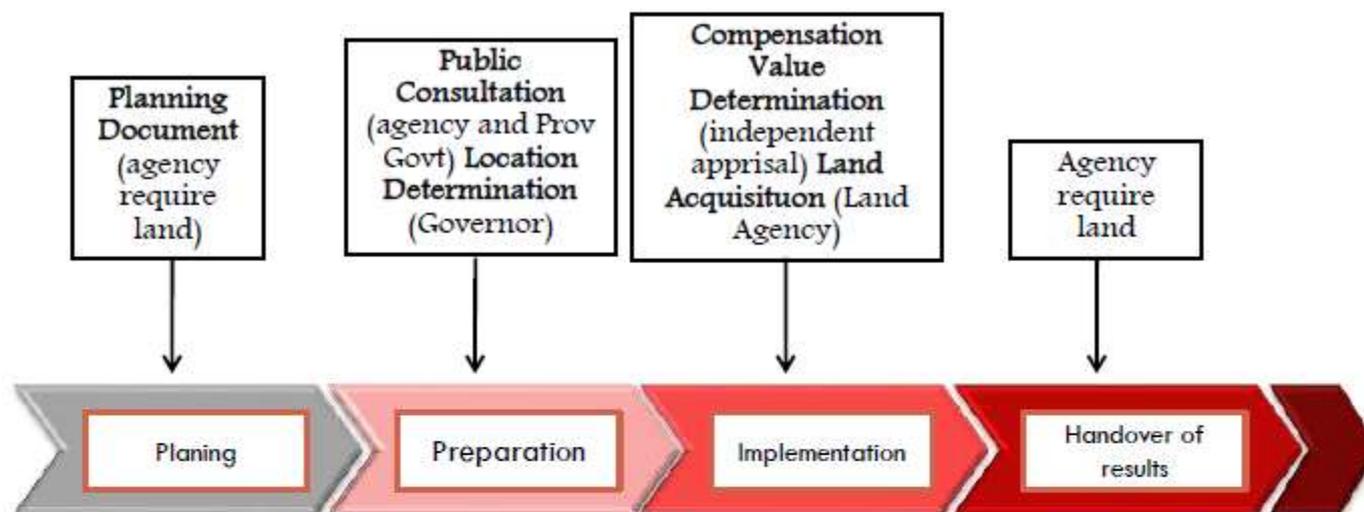
Policies on Resettlement and Stakeholder
engagement

Indonesia Regulations re Resettlement

- Law No. 2 Year 2012
- Presidential Decree (Perpres) No. 71 Year 2012
- Perpres No. 40 Year 2014
- Perpres No. 99 Year 2014
- Perpres No. 30 Year 2015
- Ministry of Home Affairs Decree (Permendagri) No. 72 Year 2012
- Head of Land Agency (BPN) Decree No. 5 Year 2012
- Ministry of Finance Decree No. 13/PMK.01/2013
- Ministry of Land and Spatial / Head of BPN No. 6 Year 2015, regarding changing of Perkaban No. 5 Year 2012
- Perpres No. 148 Year 2015

Indonesia: implementation timeline

Time-frame



| | | | | |
|--|-----|-----|----|------------------|
| Minimum Time (days) (without objection) | 141 | 141 | 37 | Total 319 |
| Maximum Time (days) (with objection) | 289 | 257 | 37 | Total 583 |

Notes :

- Time counted since planning document officially received by the governor (post planning stage).
- Time counted by working days unit.

ADB Operational Manual / Operational Procedure

- Project categorization
 - **Category A.** A proposed project is classified as category A if it is likely to have significant involuntary resettlement impacts. A resettlement plan, including assessment of social impacts, is required.
 - **Category B.** A proposed project is classified as category B if it includes involuntary resettlement impacts that are not deemed significant. A resettlement plan, including assessment of social impacts, is required.
- A project's involuntary resettlement category is determined by the category of its most sensitive component in terms of involuntary resettlement impacts. The involuntary resettlement impacts of an ADB-supported project are considered significant if **200 or more persons will experience major impacts**, which are defined as
 - (i) being physically displaced from housing,
 - or (ii) losing 10% or more of their productive assets (income generating).
- The level of detail and comprehensiveness of the resettlement plan are commensurate with the significance of the potential impacts and risks

IFC Land acquisition and involuntary resettlement

- IFC PS 5, Para 10: The client will **engage with Affected Communities**, including host communities, through the process of stakeholder engagement described in Performance Standard 1.
 - Decision-making processes related to resettlement and livelihood restoration should include options and alternatives, where applicable.
 - Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of this Performance Standard.
 - Additional provisions apply to consultations with Indigenous Peoples, in accordance with Performance Standard 7
- IFC PS 5 Para 11: The client will establish **a grievance mechanism** consistent with Performance Standard 1 as early as possible in the project development phase.
 - This will allow the client to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion, including a recourse mechanism designed to resolve disputes in an impartial manner.

CHALLENGES

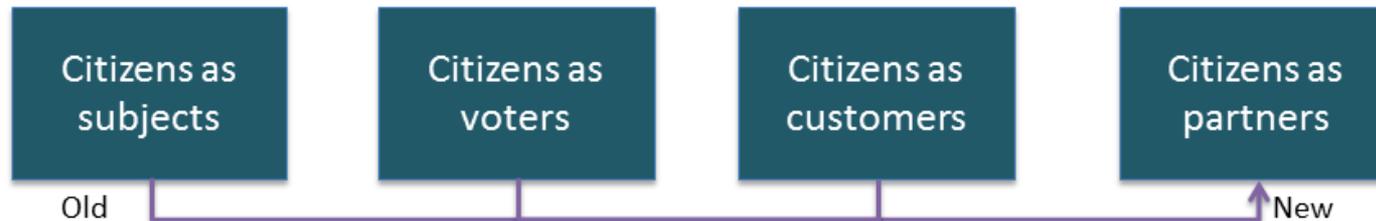
Governance, Accountability & Stakeholder
Engagement

Challenges in stakeholder participation

- Now days the role of public and government administration is being **transforming from authoritarianism to the deliberative process** due to the people is bored/dissatisfied with conventional processes and they also have learned from the success of the **deliberative democracy and inclusive governance** system that has been established in developed countries for past few decades.
- As a consequence the type interaction between citizen and government is shifting **from coerciveness to collaboration.**
- Although the level of progress between the countries are vary however this process will be difficult to be avoided.

An Evolutionary Continuum

Role of Citizens



Role of Governance and Public Administration

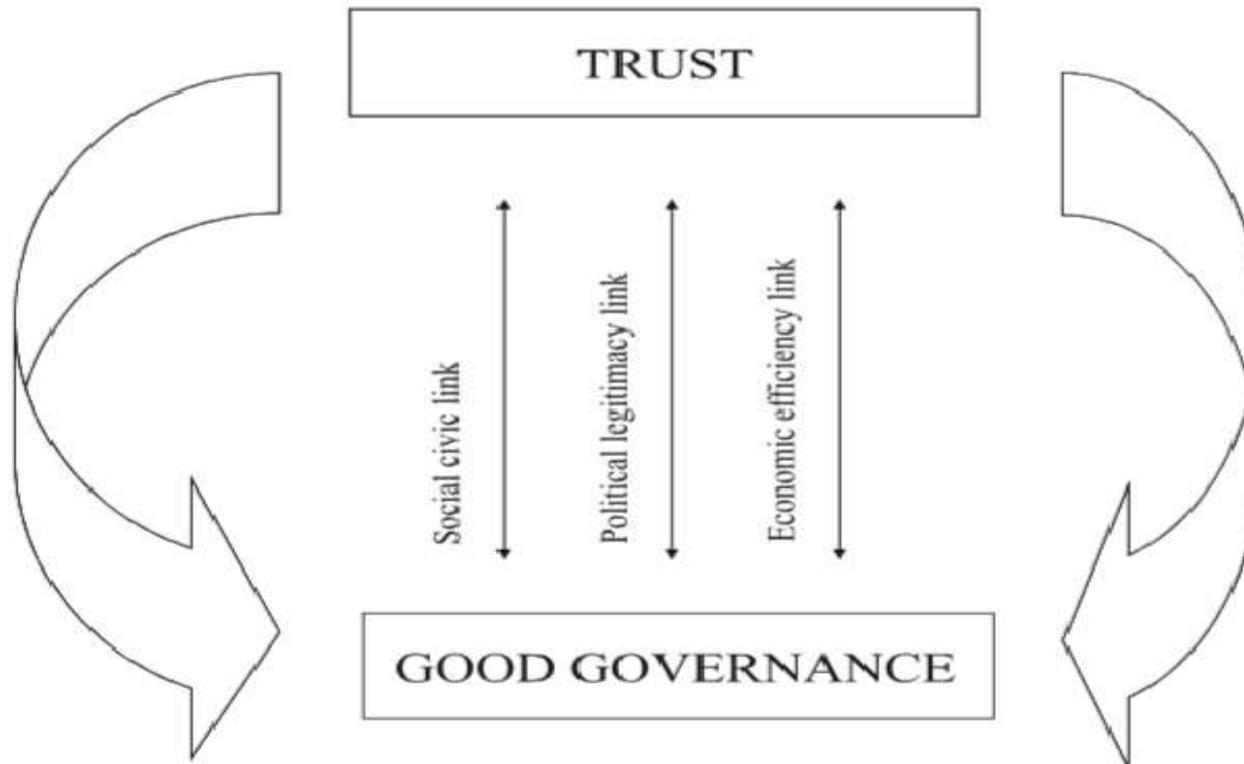


Type of interaction



Source : Hardy (2016)

Relationship between trust and Good Governance



It is important that a rigorous stakeholder engagement and public participation is undertaken, to build trust between the Community, Company and Government.

Trust is built through reassurance that the Company and Government are accounting for all Project impacts on claimants and valuating them against an accurate baseline.

Source : Peride K. Blind. *Building Trust in Government: Linking Theory with Practice*, 2010.

CASE STUDIES

Infrastruktur development in West Java
Province

Understanding stakeholder and its surrounding environment

- A combine stakeholder engagement with social assessment Approach
 - Village mapping
 - Visual village map (participatory mapping) to represent the village.
 - Identify village's information on number and location of affected household, old and new settlement of affected people, existing and proposed important public facilities, and isolated or cornered affected people.
 - Stakeholder mapping
 - Identify influencing stakeholders in the village
 - Identify contribution of each stakeholders
 - Knowing stakeholder's constraint and supports
 - Village institutional analysis
 - Institution mapping and their relationship, the types of institutions in the village that became a central community activity and the influence of community welfare, system/type of services, supporting facilities such as facilities and equipment, infrastructure and its procurement, and personal support
 - Mapping of strategic issues
 - Aimed for identifying strategic issues livelihood assets such as social networking, human resources, physical, financial and natural factors.

Engaging stakeholder in planning phase

- This step aims to gain a strategic action plan for livelihood issues, health and education through analysis program and matrix program formulation and activities.
- The information obtained is a strategic action plan for livelihood programs, health and education.

It was implemented in 65 villages distributed in 5 regencies where they were impacted the construction stages, from year 2013 to year 2016.

CONCLUSIONS

Governance, Accountability and Stakeholder
Engagement

Stakeholder participation continuum

| PUBLICITY | STAKEHOLDER EDUCATION | STAKEHOLDER INPUT | STAKEHOLDER INTERACTION | STAKEHOLDER PARTNERSHIP |
|--------------------------------|---------------------------|------------------------|-------------------------|-----------------------------|
| Building public support | Disseminating information | Collecting information | Two-way communication | Securing advice and consent |
| <-----PASSIVE | | | | ACTIVE-----> |

Based on modification of Cogan's concept on public involvement

Publicity — Publicity techniques are designed to persuade and facilitate stakeholder support, relating to citizens as passive consumers.

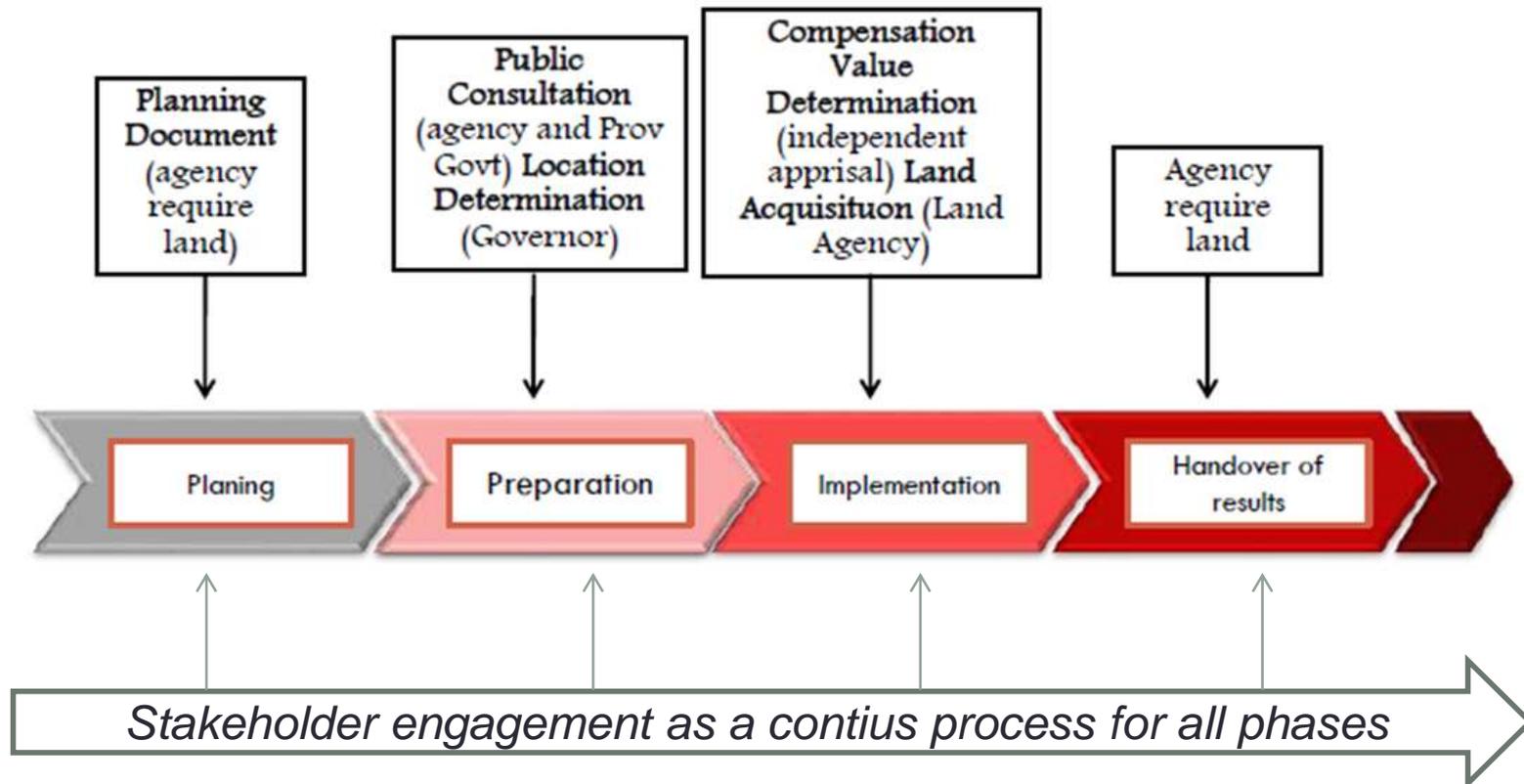
Stakeholder Education — Stakeholder education programs present relatively complete and balanced information so that citizens may draw their own conclusions.

Stakeholder Input — Stakeholder input techniques solicit ideas and opinions from citizens. They are most effective when combined with feedback mechanisms which inform participants of the extent to which their input has influenced ultimate decisions.

Stakeholder Interaction — Stakeholder interaction techniques facilitate the exchange of information and ideas among stakeholder, planners, and decision makers. When these techniques are effectively utilized, each participant has the opportunity to express his or her views, respond to the ideas of others, and work toward consensus.

Stakeholder Partnership — Public partnerships offer citizens a formalized role in shaping the ultimate decisions.

Stakeholder engagement in entire process



IAP2'S PUBLIC PARTICIPATION SPECTRUM

The IAP2 Federation has developed the Spectrum to help groups define the public's role in any public participation process.

INCREASING IMPACT ON THE DECISION



| | INFORM | CONSULT | INVOLVE | COLLABORATE | EMPOWER |
|----------------------------------|--|--|---|--|--|
| PUBLIC PARTICIPATION GOAL | To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions. | To provide the public feedback on analysis, alternatives and/or decisions. | To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered. | To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution. | To place final decision making in the hands of the public. |
| PROMISES TO THE PUBLIC | We will keep you informed. | We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals. | We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision. | We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible. | We will implement what you decide. |

IAP2 Quality Assurance Standard Process for Community and Stakeholder Engagement:

| | |
|-----------|--|
| 1 | Problem Definition |
| 2 | Agreement of Purpose/Context & Identification of Negotiables and Non Negotiables |
| 3 | Level of Participation |
| 4 | Stakeholder identification and relationship development |
| 5 | Project requirements |
| 6 | Development and approval of engagement plan |
| 7 | Execution of Engagement Plan |
| 8 | Feedback |
| 9 | Evaluation and review |
| 10 | Monitoring |
| 11 | Documentation of Evidence |



TERIMA KASIH

