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FEEDBACK AND GRIEVANCE REDRESS MECHANISM (FGRM)

MINISTRY OF ENVIRONMENT AND FORESTRY

EAST KALIMANTAN PROVINCE

REPUBLIC OF INDONESIA

September 2019

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LIST OF ACRONYMS

APBN	*Anggaran Pendapatan dan Belanja Negara* or National Budget
BAPPEDA	*Badan Perencanaan Pembangunan Daerah* or Regional Planning Agency
BLU	*Badan Layanan Umum* or Public Service Agency
BPDLH	*Badan Pengelolaan Dana Lingkungan Hidup* or Environmental Fund Management Agency
COP	Convention on the Parties
DDPI	*Dewan Daerah Perubahan Iklim* or Regional Council on Climate Change
DGCC	Director General for Climate Change
DGLE	Director General of Law Enforcement
DLH	*Dinas Lingkungan Hidup* or Environmental Service
ERPA	Emission Reduction Plan Agreement
ERPD	Emission Reduction Plan Development
ESMF	Environmental and Social Management Framework
FCPF-CF	Forest Carbon Partnership Facility – Carbon Fund
FGRM	Feedback and Grievance Redress Mechanism
FREL	Forest reference emission levels
GHG	Green House Gases
IPs	Indigenous Peoples
MoEF	Ministry of Environmental and Forestry
MOHA	Ministry of Home Affair
BPN	Badan Pertanahan Nasional or National Land Agency
NGOs	Non-Government Organizations
OPD	Provincial Government Services
P3SEKPI	*Pusat Penelitian dan Pengembangan Sosial Ekonomi Kebijakan dan Perubahan Iklim* or Development and Innovation Agency, Centre for Socio-Economics, Policy and Climate Change
REDD	Reducing Emissions from Deforestation and Forest Degradation

1.0 INTRODUCTION

1.1 BACKGROUND AND OBJECTIVES

The East Kalimantan Emission Reduction Program (ERP) builds on the substantial commitments of the GoI and the Government of the Province of East Kalimantan to reduce emissions from deforestation and forest degradation. At the readiness stage, technical support provided through the FCPF financing includes support to program design and systems strengthening to build government capacity to access and utilize performance-based incentives for reduced deforestation, degradation and land use change. As such, the program will support analytics, capacity building, design of subprograms to test different incentives models and stakeholder engagement. Key analytical areas include land and resource tenure, understanding of local drivers of deforestation and how best to address them, and legal, institutional and policy analysis and stakeholder assessments.

Safeguards consist of measures to mitigate negative impacts on the community and the environment resulting from the implementation of ERP activities. Safeguards cover a variety of issues, including transparency, inclusive participation, access to information and recourse, respect to the traditional knowledge and rights of Indigenous Peoples and local communities, conservation of biodiversity and natural forests, management of displacement/leakages and reversals, etc.

A Feedback and Grievance Redress Mechanism (FGRM) has been prepared to provide a clear set of procedures to enable affected and interested stakeholders to raise their concerns and suggestions related to the ERP and how such concerns and suggestions will be followed-up.

The ERP FGRM has been consulted with relevant stakeholders at all levels. Stakeholders include local communities, private companies, local government such as the sub-national government agencies (*Organisasi Perangkat Daerah*, OPD), the Regional Council on Climate Change (DDPI), non-governmental organizations and other development partners.

1.2 SUMMARY OF PROGRAM DESCRIPTION

The ERP will support a combination of enabling conditions and promotion of sustainable management practices that will directly address the drivers of emissions resulting from sectoral activities including timber plantations, estate crops, subsistence agriculture, aquaculture, natural and human-induced fires, and unsustainable logging practices. The program design considers the distribution of remaining forests (12.7 million hectares of forested areas), the threats to those forests, and the key stakeholders involved in the respective areas. The ER Program is expected to lead to emission reductions of 32.2 million tCO2e over the five-year ERPA period (2020-2024).

There are five (5) project components under the ER Project:

- Component 1: Forest and land governance
- Component 2: Improving forest supervision and administration
- Component 3: Reducing deforestation and forest degradation within licensed area

- Component 4: Sustainable alternatives for communities
- Component 5: Project management and monitoring

Table 1 provide summary of how the ER activities respond to the underlying drivers of deforestation and forest degradation. More detail description of each of the components are discussed in the ERPD and main document of this ESMF.

Table 1 Overall summary of how the ER activities respond to the underlying drivers of deforestation and forest degradation.

Key Underlying Drivers	Activities to address drivers	Proximate Drivers Addressed
Weak land governance	Component 1: • Strengthening the licensing regime • Dispute Settlement • Support for the recognition of adat land • Strengthening village spatial planning	All
Ineffective forest supervision and administration	Component 2: • Strengthening management capacity within the State Forest Area through FMU development • Strengthening provincial and district governments to supervise and monitor the implementation of sustainable Estate Crops	All
Weak policies for forest protection	Component 3: • Implementation of HCV policies for Oil Palm Estates • Implementation of HCV and SFM policies for Forestry Concessions	Estate crops, timber plantations, unsustainable logging
Lack of conducive incentives framework for sustainable management practices	• Technical support and other benefits received through the benefit sharing mechanism • Reduced investment cost and improved investment climate through improved governance (Components 1 and 2)	Estate crops, timber plantations, unsustainable logging
Limited alternative livelihood opportunities for local communities	Component 1: • Improved land access through social forestry Component 4: • Sustainable Alternatives for Communities	Agriculture/ encroachment, aquaculture (mangrove loss)
Lack of fire management capacity and lack of alternatives for land clearing	Component 1: • Integration of community-based fire management into village plans Component 2:	Fire

Key Underlying Drivers	Activities to address drivers	Proximate Drivers Addressed
	• FMUs to focus on supervising, facilitating, and monitoring the implementation of Fire Prevention and Control activities carried out by concessions and local communities. Component 3: • Technical assistance to companies for fire prevention. • Support for Community Based Fire Management and Monitoring Systems (CBFMMS) Component 4: • Support for sustainable swidden agriculture that does not use fire for land clearing	

1.3 LEGAL FRAMEWORK

This FGRM will be implemented in conjunction with MoEF Decree No. 24/Menhut-II/2015 on the Establishment of a Team for Addressing Environmental and Forestry-Related Grievances as governed under the Ministerial Decree No P.22/2017.

In the event that complaints and/or grievances involve conflict resolution, the following regulations apply:

a. Government Regulation No. 2/2015 on technical guidance for social conflict settlements, which enables traditional knowledge as a conflict prevention measure;

b. Presidential Regulation No 88/2017 on tenure settlements within forest areas (*Penyelesaian Penguasaan Tanah dalam Kawasan Hutan*)

c. Ministerial Regulation of MoEF No P.84/ 2015 on Tenurial Conflict Settlement in Forest Areas (*Penanganan Konflik Tenurial Kawasan Hutan*).

d. Joint regulation of Ministry of Home Affairs (MOHA), MoEF, Ministry of Public Works and the National Land Agency (ATR/BPN) no. 79/2014, No 3 Year 2014, No 1 Year 2014 and No 8 Year 2018 on the procedure of tenurial settlements within forest areas.

e. Ministerial Regulation of MoEF No P.83/MenLHK/SEKJEN-KUM.1/7/2018 on the implementation arrangements for law enforcement related to the environment and forestry at the sub-national level.

Implementing agencies will adopt key principles to enable complainants to access the existing mechanisms in reference to MoEF's decree No P.83/MenLHK/SEKJEN-KUM.1/7/2018 on Law Enforcement on Forestry and Environmental sectors. The institutional arrangement at the national and provincial levels will be coordinated by DGCC and Provincial Secretary (SEKDA) respectively.

1.4 SCOPE AND DEFINITION

FGRM represents submission of complaints and grievances verbally or in writing from affected and interested parties to the agency in charge of the ERP and how such complaints and grievances are processed for resolution. FGRM may be related to various factors, such as alleged occurrence of law violations, potential and/or impacts on the environment and/or people due to forestry and agricultural activities, exclusion from ERP benefits, lack of participation, etc.

FGRM serves as a tool for early identification, assessment, and resolution of any complaints or conflicts on the activities and physical investment under the ER. The objectives of the FGRM include:

- To provide easy access to the public especially affected community members to file complaints and/or concerns on a particular activity or physical investments under the ERP;
- To identify and assess the nature of complaints and/or concerns and agree on solution as early as possible so that constructive inputs can be considered in the design of an activity or a physical investment;
- To avoid stalled activities or physical investment in the later stage due to the ignorance of complaints or conflicts, leading to unmanageable conflicts and high costs;
- To obtain support from the impacted communities for the proposed activities or physical investment.

An effective FGRM can accelerate the achievement and improve the quality of the ERP outcomes. Although the discussion on the FGRM in this ESMF is targeted for environmental and social issues, it is not, however, exclusively implemented to cater to these two issues but for broader issues related to the ERP. The FGRM covers aspects such as technical-related aspects of construction, environmental and social issues that may arise, and any other complaints directed towards the ERP. The FGRM applies for complaints handling and conflict resolution during ERP preparation, implementation and completion.

The FGRM for the ERP refers to the Regulation of Minister of Environment and Forestry No P.22 of 2017 on Grievance Management Mechanism of Pollution and/or Environment Destruction and/or Deforestation and Forest Degradation. Its general provisions state that complaints are defined as "verbal or written communication from complainants to the respective institution(s) in charge, on matters related to infringements of the laws, potential impacts on the environment and/or forests as a result of planning, implementation and post-implementation of commercial activities". Grievance redress is understood as management of complaints, consisting of grievance receipt, investigation, verification, reporting and follow-ups. Grievance categories under the law include:

a. Environmental Pollution: the introduction of organisms, substances, energy and/or other components into the environment through human activities causing the exceedance of environmental threshold standards;

b. Environmental destruction: human actions that cause direct and/or indirect changes to the physical, chemical and/or biological elements of the environment leading to the exceedance of the environmental threshold standards;

c. Forest destruction: the process, means, or actions that destroy the forest through illegal logging, unauthorized use of forests, or inappropriate use of license in a forest concession area that has been granted, assigned or in the process of granting.

On matters beyond the three categories above, the draft regulation of East Kalimantan Governor on ASPIRASI ETAM defines grievance as complaints made by individuals, groups, and/or legal entities related to performance of program and policy implementation. In addition to addressing general complaints, ASPIRASI ETAM also accommodates citizens' voice such as ideas, suggestions, and compliments.

Key sectors include education, health, public works, spatial planning and housing, security, public order, community affairs and social protection, manpower and transmigration, woman empowerment and children protection, agriculture and food, land, environment, civil administration and registration, people and village empowerment, transportation, communication and information, cooperative, small and medium enterprises, capital investment, marine and fishery, tourism, plantation, forestry, and other sectors of natural resources.

Conflict resolution will be managed by respective agencies based on national and sub-national regulations under relevant sectors such as forestry, plantation, and mining. Conflict resolution can also be managed in district and village levels.

1.5 KEY PRINCIPLES

The following principles, which build on the East Kalimantan Governor's regulation on FGRM (in the drafting process) will be mainstreamed, these include:

a. **Being objective:** response and actions to address filed complaints must be decided based on facts and/or evidence that can be assessed in accordance with the established criteria;

b. **Being cooperative**: response to the complaint must be carried out with good cooperation between the competent authorities in compliance with relevant mechanisms, procedures and administration.

c. **Being non-discriminative**: every complaint is treated equally regardless the tribe, religion, race, ethnicity, gender, and other subjective considerations of the complainants.

d. **Being effective and efficient**: response to the complaint should be conducted in a manner that is targeted and efficient;

e. **Being accountable**: response to the report and the follow-up should be accountable to the community in accordance with the applicable laws, regulations, and procedures.

f. **Being transparent**: the mechanism to process the complaint must be transparent and open so that the concerned people can follow the progress.

Complainants who feel dissatisfied with the settlements provided and/or decisions made can continue to seek another settlements through mediation and/or a litigation process as the last resort in accordance with Indonesian laws and regulations.

2.0 FGRM STRUCTURE AND INSTITUTIONAL ARRANGEMENTS

The Project's Grievance Redress Mechanisms (GRM) comprises of four-tier system, i.e. village, district/city, provincial and national levels. Acknowledging that the ERP is built on multiple initiatives within implementing agencies, the FGRM processes under the ERP will use the existing mechanisms that have been applied in each participating institution. Therefore, the stages and the timeline for handling complaints will depend on these existing mechanisms. Each participating agency is responsible to handle filed complaints, including conflict settlements, with overall program-level oversight by Provincial Secretary (SEKDA) and DGCC.

The FGRM processes outlined in this document have been operated at both national and subnational levels. The FGRM will be managed through two website systems at the national (DGCC and DGLE) and subnational levels (ASPIRASI ETAM). Additional resources and FGRM capacity strengthening will be provided as part of the ERP implementation to ensure accessibility of these websites to the public. This is further elaborated in the ESMF section 5.6.

Grievances may be related to these three issues, including: complaints related to land and territorial issues, complaints related to the sector/ authority, and others including those related to the program, including the Benefit Sharing Plan (BSP).

In the event that grievances cannot be resolved at the lowest level (i.e. community), cases will be escalated to the higher level. Complex and multi-sectoral issues may be transferred to the relevant unit(s) in MoEF managing grievances at the national level on a case to case basis.

The Director General of Law Enforcement (DGLE) is assigned by MoEF to be responsible for handling complaints at the national level. At the subnational level, complaints will be handled, reported and coordinated by the Vice Governor with support from the Management Team, consisting of a super admin or Vice Governor, and operator and coordinated under the Provincial Communication and Information Agency. At the district level, grievance management remains under the responsibility of each OPD, with oversight by the Provincial Communication and Information Agency and coordinated by the District Secretary (SEKDA). At the lowest level (i.e. village), grievances will be mediated by respective village governments and/or village leaders on a case by case basis.

Each agency will designate a personnel/PIC to coordinate grievance handling within their respective institutions. At the Program level, an assigned personnel under the Provincial Communication and Information Agency will be designated to oversee the operation of the FGRM.

During implementation, grievance handling will be consulted with the stakeholders such as community representatives including Indigenous Peoples, sub-national government agencies (OPDs), and the FCPF Carbon Fund program secretariat office, represented by the Regional Council on Climate Change (DDPI) in Samarinda.

Error! Reference source not found.Error! Reference source not found. illustrates the overall FGRM structure for the ERP, which is further elaborated in the sub-sections below. Annex A3 of the SESA provides an assessment of institutional capacities for safeguards. including for the FGRM.

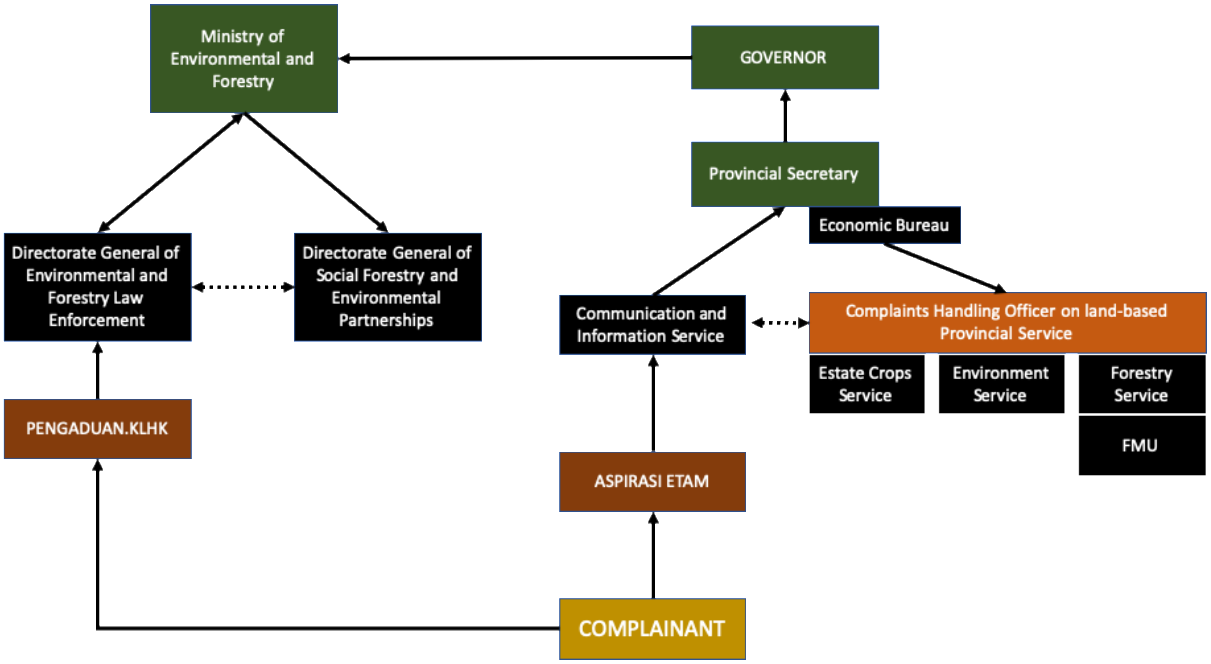


Figure 1: FGRM Structure

2.1 NATIONAL LEVEL

Based on the Ministerial Regulation of MoEF No P.22/2017, MoEF is authorized to manage grievances related to:

a. Environmental and/or Forestry Permits issued by the Minister (of MoEF);

b. Environmental and/or Forestry Permits issued by the governor or regent/mayor in the event of major law infringements;

c. Filed complaints which have not been processed in accordance with laws and regulations;

d. Complaint(s) associated with business and/or commercial activities causing cross-provincial pollution and/or destruction.

Other agencies, including the Directorate General of Social Forestry and Environmental Partnership (*Perhutanan Sosial dan Kemitraan Lingkungan/Ditjen PSKL*), Directorate General Climate Change (DGCC) and Directorate of Tenurial Conflicts and Customary Forests (*Pengaduan Konflik Tenurial dan Hutan Adat*/PKTHA). Broader submission of feedback and grievances pertaining to program management and performance can be done through the following websites (www.pskl.menlhk.go.id/pktha/, http://gakkum.menlhk.go.id/). DGCC is also administering the Safeguard Information System/SIS (www.ditjenppi.menlhk.go.id/sisredd/), which also enables feedback and grievance submission.

Based on the MOEF Decree No P22 Year 2017, there are 11 types of complaints that can be submitted and handled by DGLE, including illegal commercial activities in forest areas, environmental destruction and pollution, forest destruction, improper hazardous waste management, illegal logging, forest burning, forest encroachments, poaching, tenurial conflicts

in forest areas, unconsented use of genetic resources and local wisdoms, and other infringements of the law. Issues related to tenurial conflicts and customary forests fall under the responsibility PSKL. There are assigned units established with the mandates to handle grievances including a grievance secretariat responsible to address complaints about environment and forestry issues. Overall oversight of the ERP will be provided by DGCC as the Program Entity.

The institutional roles under the ER implementation at the national level are detailed by Table 2 below.

Table 2 National agencies involved in the Implementation of the East Kalimantan ER Program.

National Agency	Status	Roles
Director General Climate Change (MoEF)	National Responsible for REDD+	▪ Management of the National Registry ▪ Development and management of the FREL ▪ Management of the MMR ▪ Finalization and implementation of safeguards plans ▪ Finalization and implementation of the FGRM ▪ Technical Assistance ▪ Recommendation for Payment (BSM) ▪ Handling of the FGRM process at national level; ▪ Documentation of grievance records through the SIS.
Director General of Law Enforcement	Authorized Institution	▪ Grievance recording, screening, investigation, settlements, and reporting, ▪ Management of grievances, including coordination with relevant divisions, ▪ Publication of the grievance status/results.
Director General of Social Forestry and Environment Partnership	Authorized Institution	▪ Grievance recording, screening, investigation, settlements, and reporting, ▪ Conflict management for tenurial disputes, including *Adat* claims in forest areas, ▪ Publication of the grievance status/results.
P3SEKPHI	Authorized Institution	▪ Administrator of additional fund, ▪ FCPF CF preparation,
B2P2EHD	Authorized Institution	▪ Regulation and preparation research of FCPF CF.
BDLHK	Authorized Institution	▪ Capacity improvement, including delivery of training and other capacity building activities.

2.2 PROVINCIAL LEVEL

The responsible party for ERP implementation is the Provincial Secretariat (SEKDA Provinsi Kaltim), with the Provincial Environmental Service (*Dinas Lingkungan Hidup*) acting as a coordinator and undertaking the day-to-day management of the ERP.

Complaint handling and reporting at the provincial level is coordinated by the Vice Governor together with the Management Team under the Provincial Communication and Information Agency.

The public can submit feedback and/or complaints in writing through ASPIRASI ETAM. ASPIRASI ETAM is regulated further in the Regulation of East Kalimantan Governor and is managed by the Management Team with the following tasks:

a. Coordination and management of grievance reports through an application (*https://aspirasi.kaltimprov.go.id*);

b. Grievance processing, covering grievance receipt, filter, dispatching, and follow-ups;

c. Grievance monitoring and status tracking from each admin units of respective sub-national government agencies.

ASPIRASI ETAM adopted the following procedures with regards to receipt, registration and processing of grievances:

a. Complainants register and activate an account via email and fill in the ID number (e-KTP).
b. Complainants submit their feedback and/or complaints, with relevant attachments of supporting data.
c. The super admin will receive submission notification. Feedback and/or grievances will be dispatched to operator of the Regional Secretariat, then forwarded it to the relevant OPDs.
d. Each OPD will follow applicable procedures to process the submitted grievances.

Complaints and/or grievances can also be submitted directly to the implementing agencies, including Provincial Plantation Service (Dinas Perkebunan), Provincial Forestry Service (*Dinas Kehutanan*), Provincial Community and Village Government Service (*Dinas Pemberdayaan Masyarakat* dan Pemerintahan Desa), or Regional Implementation Unit of Forestry Management Unit (UPTD *Kesatuan Pengelolaan Hutan*). These agencies will be responsible to manage specific grievances in accordance to their mandates, including those submitted through ASPIRASI ETAM as above.

Table 3 The provincial agencies involved in the Implementation of the East Kalimantan ER Program.

Agency	Status	Role
Vice Governor (super admin)	Lead the team	▪ Overall coordination and leadership of the FGRM process ▪ Dispatching of grievances to relevant OPDs ▪ Monitoring of complaint settlements ▪ Coordinating the FGRM processes covering grievance recording, follow-up, monitoring, and reporting.
Provincial Secretary (SEKDA)	Executing Agency at Province Level	▪ Responsible for implementation and achievement of ERP at the Provincial level

Agency	Status	Role
The Regional Council on Climate Change (DDPI)	Advisory	▪ Provision of advice and inputs to local governments in relation to ERP including grievance handling
East Kalimantan Environment Service (*Dinas Lingkungan Hidup*)	Implementing agency	▪ Development of FREL and MMR ▪ ERP implementation ▪ Grievance handling
Other Provincial Government Services (OPD)	Implementing Agencies	▪ ERP implementation ▪ Consultation processes ▪ Grievance handling

2.3 DISTRICT/ CITY LEVEL

At the district/city level, the ERP safeguards will be oversighted by the District Environmental Services (DLH) under coordination from the District Secretary (SEKDA). Activities will be implemented by participating district/city government agencies (OPDs). Hence, FGRM management will remain under the responsibility of each OPD under coordination of the SEKDA.

Accountability for program implementation will be facilitated through a national governance system whereby the district agencies will be responsible to report their performance to the province. Similarly, the provincial agencies will be responsible to the Central Government (MoEF).

However, it is important to note the ERP is not a top-down program by MOEF. Program activities are largely built upon policies and commitments from the provincial, district and village governments.

At the activity level, grievances which require inter-agency coordination will be handled by respective agencies authorized in conjunction to their specific mandates. Such grievances typically involve decisions on state forest area gazettement, changes in forest land ownership status, forest area conversion etc. FGRM processes will build upon the existing mechanisms as per the prevailing regulations.

Table 4 The district/city agencies involved in the Implementation of the East Kalimantan ER Program.

Agency	Status	Role
District/City Secretary	Executing Agency at District/City Level and Feld Site	▪ Responsible for Implementation and achievement of ER Program in the District and Field Site
OPD District/City	Implementing Agencies	▪ Implementing ER Program at District/City and Field Site; ▪ Grievance handling

2.4 VILLAGE LEVEL

At the village level, individuals may file their complaints to their respective village governments and/or customary leader(s). In the case of customary communities, grievance mechanism options may adopt existing customary laws (if any) as appropriate and/or any mechanisms provided by the local governments as per communities' request.

Use of local wisdoms can be applied to cases such as perceived lack of fairness and mis-information about benefits distribution. Such complaints may be submitted by community members to their village head or the community leader(s). In addressing such complaints, the village head or the community leader(s) will engage complainants through direct communication and/or through community meetings in accordance with the local customs or practices.

In the event that complaints cannot be resolved at the village level, they can be escalated to the higher authority via ASPIRASI ETAM and/or directly to the MoEF as regulated in the Decree No. 24/Menhut-II/2015 on the Establishment of a Team for Addressing Environmental and Forestry-Related Grievances under Permen LHK No P.22/2017.

Table 5 The village agencies involved in the Implementation of the East Kalimantan ER Program.

Agency	Status	Role
Adat Council	Partner	▪ Grievance Mechanism for customary communities and/or Indigenous Peoples. Issues may include land claims and access to natural resources
Village Government	Implementing Agencies	▪ Implementation of ERP at the site level ▪ Grievance handling

3.0 FGRM PROCESS

The FGRM process includes: a) receipt and record of grievances/complaints/feedback; b) screening and categorizing of grievances/ complaints/feedback; c) acknowledgment of receipt and follow-up actions; d) dispatch of grievances/ complaints/feedback to the relevant ministries/agencies, including on aspects not related to ERP; e) investigation of ERP grievances/ complaints/feedback, which includes field verification and validation; f) follow up action implementation and g) conclusion of grievance status/settlements.

The time period for resolving complaints is dependent on the mechanisms available at each relevant institution. The ERP will promote the use of ASPIRASI ETAM for grievance submission, whereby the process is briefly described as follows:

a. A minimum time requirement of two hours from receipt of grievances and/or feedback through the system prior to the dispatch to relevant local government officials;

b. Analysis and response from the government officials are provided between 24 – 48 hours following the dispatch.

c. If there is no objection from the complainants within three days since the publication of the response, the case can be considered to be settled.

d. ASPIRASI ETAM Team will perform a regular monitoring on the grievance settlements and provide a report every six months to the Chairman of the ASPIRASI ETAM Team.

e. The ASPIRASI ETAM team reports the overall grievance handling process and progress every six months to the Vice Governor.

Complainants could be filed by individuals, groups of people, legal entities, or government agencies and may involve issues related to alleged environmental and social impacts of the ERP implementation. The process of resolving complaints will be based on the characteristics and nature of each case and led by respective implementing government agencies through the existing institutional mechanisms.

Participating government agencies will also ensure proper documentation of filed grievances and their status. In the event that grievances and/or cases cannot be settled at the agency level, such as conflicts, such grievances shall be conveyed and/or directed to the Regional Secretariat for further investigation. Inter-agency coordination may be called for by the secretariat as needed.

The detailed process for the FGRM is further explained below:

3.1 GRIEVANCE RECORDS

Filed grievances will be recorded in a grievance list/database within a certain time after grievance receipt (refer to the ASPIRASI ETAM above). An officer will be assigned to receive and record grievances (and/or his/her delegate). This officer will responsible for:

- Defining FGRM completion indicators;
- Investigating grievances filed;

- Consulting with the relevant divisions/agencies and/or related parties;
- Identifying problem-solving measures;
- Tracking progress and status of individual grievances;
- Consolidating and dispatching feedback and/or responses to the complainants;
- Documenting FGRM processes and resolution; and
- Obtaining necessary approval from and/or report to the management.

Although no response is required for anonymous grievances, these will be recorded and reported with other grievances to facilitate continuous improvement.

3.2 GRIEVANCE SCREENING AND CATEGORIZATION

Any grievance will be filtered based on categories of issues and/or cases. The definitions of each of these categories is provided in Table 6 along with the management approach.

Table 6 Categories of grievance screening.

Categories	Issue/Grievance	Management Approach
Land and territory issues	Covers all issues related to land and administrative boundaries	Complaints submitted at the village level will be resolved immediately. Unresolved disputes will be forwarded to relevant agencies at the district level.
Related to sectors (i.e. forestry, agriculture, mining, etc.)	Covers all issues related to sectoral and/or institutional authorities (OPD) at the district/ provincial levels	Complaints will be handled based on the existing FGRM within relevant agencies at the district or provincial levels. FGRM process will be based on the Governor Regulation pertaining to ASPIRASI ETAM
Program implementation (including BSP)	Covers ERP management and all other issues occurring during ERP implementation.	Grievances will be handled by relevant agencies/authorities based on their respective mandates as governed under MoEF based on Decree No. 24/Menhut-II/2015, PermenLHK No P.22/2017 and the governor regulation pertaining to ASPIRASI ETAM

3.3 ACKNOWLEDGEMENT OF RECEIPT AND FOLLOW-UP ACTION

Complainants will receive a receipt for the complaint(s) submitted to the authorities. Each receipt has a specific number that can be monitored/tracked. In addition, complainants will be provided with an explanation pertaining to follow up actions/processes. Complaint resolution will be based on the existing institutional mechanisms for each sector, (i.e. RATA AGATA (RaTA (Rapid Assessments of Tenurial Conflicts in Forest Areas) for the forestry sector or mediation by the plantation agencies for disruptions in plantation businesses).

3.4 DISPATCH TO RELEVANT AUTHORITIES

Registered complaints will be submitted to the relevant unit(s)/ division(s) responsible for handling complaints or division(s)/unit(s) authorized for settling specific complaints/grievances beyond regular mandates of the implementing agencies.

3.5 INVESTIGATION

The authorized grievance officer will lead a grievance inquiry, if needed, including collecting relevant documents, conducting field visits, consulting appropriate internal staff, contacting external stakeholders, and other activities. The investigative findings will be used to document the decision-making process and inform the proposed improvement.

3.6 FOLLOW UP

Complaints that have been investigated will be followed up by the authorized team to get the best results for all parties in accordance with the applicable laws and regulations in Indonesia and refer to the World Bank Safeguards. The authorized team for FGRM will provide information about the status of complaints submitted and progress to the complainants.

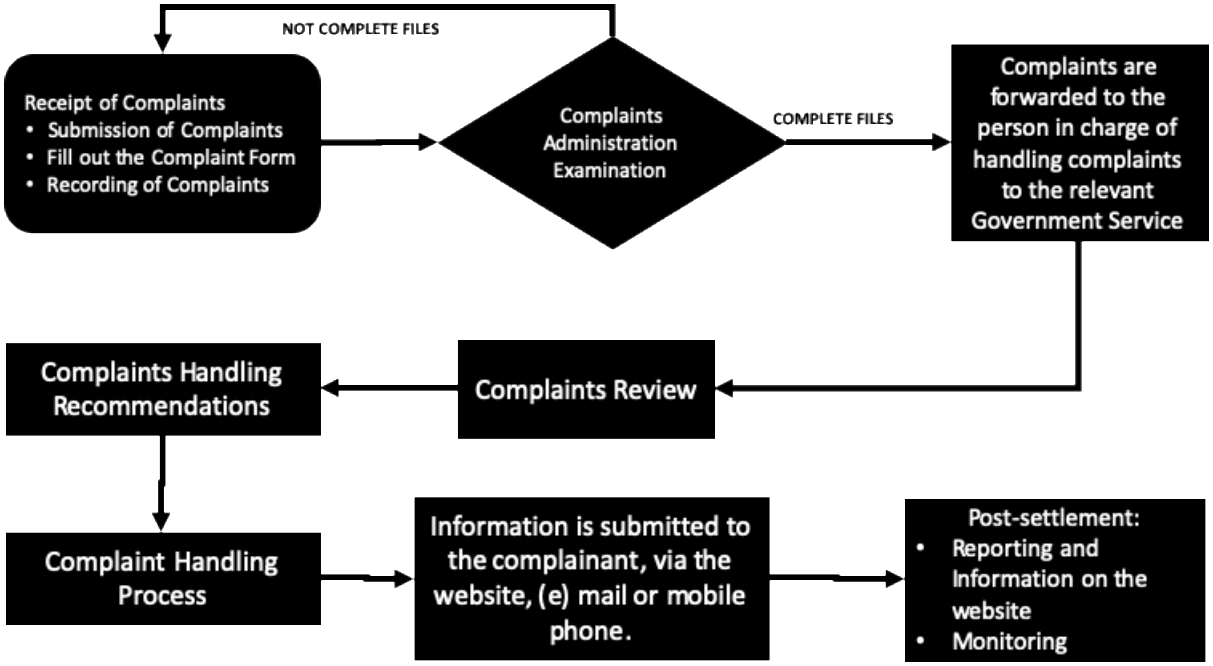
3.7 CLOSURE

If the applicant accepts the proposed resolution, the agreed action(s) will be implemented. The grievance officer is responsible to ensure implementation of the agreed action(s) by relevant parties, including the agreed timeline for implementing the resolution. This process will be recorded in the grievance notes/database with supporting documentation. If necessary, a regular monitoring will be performed to verify the implementation.

Following the resolution, the grievance can be officially closed. This process involves having the complainants to sign the settlement form to document their satisfaction with the resolution action, documenting the action taken, and closing the case in the grievance registry.

Figure 2 illustrates the grievance process under the ERP.

Figure 2 FGRM Process



4.0 EVALUATION AND SUPERVISION

The implementation of FGRM will review internal and external qualitative and quantitative indicators. Such review will be undertaken internally within the Program management and consulted externally with appropriate stakeholder groups, including community representatives. This periodic monitoring and evaluation process will be led by the Super admin or the Vice Governor every semester (six-monthly).

The Provincial Communication and Information Agency will conduct quarterly review of quantitative indicators and report them to monthly management team meetings for the program. Quarterly and annual indicators are presented in the following table.

Table 7 Review Period and Indicator for Review.

	Objective	Recommended Indicator
Quantitative indicator reviews per 4 months	▪ Assess whether grievances are correctly classified; ▪ Identify trends in grievance submission; and ▪ Ensure grievances are addressed.	▪ The total number of ERP related grievances received by the level and type of grievances; ▪ Number of open grievances by level and type of grievances; ▪ Closing periods by level and type of grievances; ▪ Repeated grievances monitored from the same stakeholders; and ▪ Monitoring of grievance trends/patterns.
Review of annual grievance procedures	▪ Assess compliance with the grievance process; ▪ Evaluate progress towards effective FGRM implementation; and ▪ Identify improvements and update grievance procedures.	▪ Compliance with the process; ▪ Completeness of grievance records (logs); ▪ The number of ERP related grievances received by the level and type of grievances; ▪ The number of open grievances by level and type of grievances; ▪ Closing periods by level and type of grievances; ▪ Repeated grievance monitored from the same stakeholders; ▪ Monitoring of grievance trends/patterns; ▪ Qualitative assessments of stakeholders' awareness of grievance mechanisms through stakeholder engagement processes; and ▪ Qualitative assessment of FGRM credibility and accessibility through stakeholder engagement.

5.0 FGRM CONSULTATIONS AND DISCLOSURE

Several consultations of the GRM procedure have been undertaken with relevant stakeholders as documented in the following:

Table 8 Summary of stakeholder consultations in East Kalimantan.

Date, place	Topic and Participant	Focus	Relevance to REDD+	Recommendations
29 September 2018 Aston Balikpapan	Public Consultation regarding SESA, ESMF, FGRM, and IPPF	Regulatory framework to designate SES REDD Kaltim as the safeguard in East Kalimantan	ER Program requires definitive safeguard mechanism	Establish / strengthen regulatory framework for Safeguard, as well as for Benefit Sharing Mechanism and FGRM Establish plan for district consultation with the DDPI
10 October 2018 DDPI office	Introduction of SESA to DDPI – East Kalimantan	Introduction of the team for SESA, ESMF, and FGRM process for East Kalimantan	Part of coordination for REDD+ readiness (SESA & ESMF)	Conduct public consultations to disseminate results of SESA & ESMF, including FGRM
11 October 2018 Amaris Hotel	Indigenous people and grievance mechanism discussion with BIOMA	Context specific criteria of Indigenous People, and existing regulations to support Indigenous Peoples (Perda No. 1/2015)	All REDD+ safeguards need to address Indigenous Peoples' access to participate in the ERP and potential impacts	Reference to Perda no 1/2015 for the development of the IPPF Develop a consensus on the Benefit Sharing Mechanism for Indigenous Peoples
13 October 2018 Selyca Mulia	Discussion of FGRM with the Provincial Secretariat	FGRM coordination. Currently the FGRM mechanism is addressed separately at the sector level (e.g., plantation, forestry)	ER Program requires an accessible and credible FGRM	Propose a one-roof/coordinated FGRM administration to support the ERP
6 November 2018, Aston Balikpapan	Consultations with the East Kalimantan team	Update the drivers of deforestation and degradation in East Kalimantan	SESA, ESMF and FGRM to strengthen safeguards	Update SESA, ESMF and FGRM based on 11 keys issues associated with deforestation and forest degradation in East Kalimantan

	(Government, NGO and Partners)		management for the ER	
20, 21, 22 May, 2019 Samarinda, Balikpapan	Public consultations for SESA, ESMF, RPF, and FGRM at provincial and district levels	Presentation of the final drafts of SESA, ESMF, RPF, and FGRM	Output and supporting documents for ERPD and ERPA	The safeguards instruments need to clearly define measures to ensure Indigenous Peoples recognition and protection. The scope of RPF also needs to be clarified and resettlement is not envisaged under the Program. The contexts of the SESA in the ERPD needs to be clearly defined, potentially impacted communities need to be consulted. The concepts of grievances and conflicts need to be well defined in FGRM. The FGRM process at the provincial level is being formulated. Existing systems includes: website/online reporting systems using ETAM Aspiration System whereby the Vice Governor will become super admin of this website and is responsible for overall oversight. Reports will be verified by relevant sector(s). Conflict resolution will be facilitated by relevant agencies (OPD), and the ETAM system will monitor its implementation. In addition to the ETAM, the East Kalimantan Provincial Government will accommodate offline reporting system for villages/communities that do not have access to the system.

5.1 DISCLOSURE

It is mandatory to publish or disseminate FGRM records to all stakeholders through Safeguard Information System (SIS) and various public media that are considered appropriate and accessible. The disclosure will include:

- Summary of procedures and how to use them;
- Details of the process such as who is responsible for receiving and responding to the grievances and external parties who may receive grievances from local residents;
- The timeline for stakeholders who submit a grievance to be able to receive a response; and
- Protection measures to ensure confidentiality.

These guidelines and procedures apply to all ERP implementing agencies under the ERP.

These Guidelines and Procedures will be effective since the date of stipulation by the Government of Indonesia following the ERPA signing. Matters that have not yet been regulated in this FGRM will be explained further in the implementation manual or technical instructions. Once this FGRM has been adopted, any contradictory provisions to this FRGM will be declared null and void.