

ENVIRONMENT AND SOCIAL SAFEGUARDS FRAMEWORK

INDONESIA: Additional Financing II to the Third Water Supply and Sanitation for Low Income Communities (PAMSIMAS) Project

1. INTRODUCTION

The Project's development objective of the PAMSIMAS Additional Financing (AF) II (hereinafter called PAMSIMAS III) is to increase the number of under-served rural and peri-urban populations accessing sustainable water supply and sanitation services. The PDO is in line with GOI's national program objectives under RPJPN 2005-2025 and RPJMN 2015-2019 that is to achieve *Universal Access* to sustained water supply and sanitation services for all by 2019 through programmatic mainstreaming and scaling-up of a nationwide community-driven approach.

This project will cover a total of 15,000 new villages in about 412 districts/kabupatens across 33 provinces under this program nationwide. This ESSF is an updated version of the previous framework applied in the previous WSLIC¹-2, PAMSIMAS and PAMSIMAS AF (hereinafter called PAMSIMAS I and PAMSIMAS II respectively) project and has now included lessons learned from its implementation as of to date to address potential environmental and social impacts from the project.

The Project's components will be the same as those of the ongoing PAMSIMAS project except for Component 1 which now includes not only local but also village institutional development i.e.:

- Component 1: Community Empowerment and Local and Village Institutional Development;
- Component 2: Improving Hygiene and Sanitation Behavior and Services
- Component 3: Water Supply and Public Sanitation Infrastructure
- Component 4: District and Village Incentives Grants
- Component 5: Implementation Support and Project Management

Based on the experiences in the ongoing PAMSIMAS II project, typical investments under component 3 are water reservoirs/tanks, intake, broncaptering, wells, transmission and distribution pipes, and public hydrants/taps. Grants under Component 4 are commonly used to expand or optimize the existing underperforming water system, and the types of investment are similar to those of Component 3. Amount of village grants varies according to the needs, on average would be up to USD 30,000. As is the case of the ongoing PAMSIMAS II project, average investment size for subprojects is relatively small. For instance, water reservoirs/tanks including broncaptering USD 3,000; deep wells USD 5,300; shallow wells USD 2,300; school toilets and hand washing facility up to USD 2,300; transmission and distribution pipes up to USD 8,500, and public hydrants/taps up to USD 380. Experiences in PAMSIMAS projects showed that land area needed for a subproject is relatively small. Average land size needed for subprojects ranged between 3 – 28 m². Maximum average land size needed for transmission/distribution pipes is 1,410 m length. The common practice is that the needed land are obtained either through land donation, permit to use or permit for passage.

2. OBJECTIVES OF THE SAFEGUARDS FRAMEWORK

The social and environmental management framework provides general policies and guidelines to serve the following objectives:

- Protect human health;
- Prevent or compensate any loss of livelihood;

¹ Water Supply for Low Income Communities

- Prevent environmental degradation as a result of either individual investments or their cumulative effects;
- Enhance positive environmental outcomes;
- Avoid or minimize and mitigate adverse environmental, economic and social impacts.

Implementation of this framework is built in to the Project oversight structures, guidelines and tools, as well as the terms of references for the Central Project Management Unit (CPMU), Provincial and District Project Management Units (PPMU, DPMU) and technical assistance services to PMUs viz. Central Management Advisory Consultant (CMAC), Training Development Services (TDS), Regional Oversight Management Services (ROMS) and Community Facilitator Teams (CFT). This framework will be used by the project regardless of financing sources. The safeguards policies triggered are given in the following table.

3. SAFEGUARD POLICIES

	Yes	No
Environmental Assessment OP/BP 4.01	[X]	[]
Natural Habitats OP/BP 4.04	[]	[X]
Forests OP/BP 4.36	[]	[X]
Pest Management OP 4.09	[]	[X]
Physical Cultural Resources OP/BP 4.11	[]	[X]
Indigenous Peoples OP/BP 4.10	[X]	[]
Involuntary Resettlement OP/BP 4.12	[]	[X]
Safety of Dams OP/BP 4.37	[]	[X]
Projects on International Waterways OP/BP 7.50	[]	[X]
Projects in Disputed Areas OP/BP 7.60	[]	[X]

The World Bank Environmental Assessment and Indigenous People's safeguards policies are triggered. There is no change in safeguards policies triggered and the Project remains a Category B project given that it is unlikely to lead to significant adverse social and environmental impacts. The project will continue to operate with a community-based approach for the provision of water supply and sanitation services.

Despite being insignificant, there would be a range of potential site-specific environmental impacts that could take place in subprojects under PAMSIMAS III, as observed under the WSLIC-2, PAMSIMAS I and PAMSIMAS II projects, for which an appropriate approach of safeguards management and adequate level of mitigation are required as further detailed in the next section.

This ESSF had been used as the basis to develop the “*Petunjuk Teknis Pengamanan Lingkungan dan Sosial*” in Bahasa (Technical Guidelines for Environmental and Social Safeguards of PAMSIMAS). The Technical Guidelines will be updated to reflect some improvements from this new ESSF and will be uploaded to the PAMSIMAS' website (www.pamsimas.org). The updated Technical Guidelines will then be distributed to facilitators and community beneficiaries (KKM) for socialization. There is not much changes in the revised Guidelines.

4. ENVIRONMENTAL AND SOCIAL SCREENING

4.1 Environmental Aspects and Impacts

Environmental aspects are likely to be associated primarily with the community water supply component (Component 3) and, to a lesser extent, the district and village development grants (Component 4). The

water supply component will provide grants for communities to plan, build and manage water supply systems based on a menu of possible technical options. However, since the scale/size of most subprojects is expected to be small, no major adverse environmental impacts are expected. In addition, the technical options will not include options that are known to lead to significant residual environmental impacts or to place a substantial environmental management responsibility on local communities during the operational phase. For example, part of the process of site selection for water supply schemes will include water quality testing to ensure that potential sources meet GoI 'clean water' standards².

Net environmental benefits are expected to accrue from the environmental sanitation improvements the Project will bring. The types of positive and negative environmental impacts that may be associated with the Project interventions include:

Positive Impacts

- Improved water quantity and quality delivered to customers, with consequent positive impact upon community health;
- Improved protection of (spring) water resources and watersheds;
- Greater coverage (coupled with increased use) of improved latrines, resulting in a reduction in defecation in fields and streams, thereby improving both soil and water quality and reducing water-borne disease vectors;
- Improved drainage by reducing the incidence of broken and leaky pipes, and by installation of proper wastewater drainage around water points;
- Improved grey water, black water, and solid waste management at community level and elementary school – *although experience under WSSLIC and PAMSIMAS I and PAMSIMAS II indicates that inappropriate solid waste management (SWM) practices continue to be a problem in some participating communities, leading to pollution of water sources;*
- Communities trained in the use of simple technologies for community-based water quality monitoring; and
- Improved community and school awareness of health and environmental issues (which are ultimately components of the same goals), etc.

Negative Impacts

- Provision of greatly increased quantities of water generates the need to better manage the wastewater (both clean overflow water and grey water);
- Increased competition over access to/use of water resources;
- Broader coverage of water distribution points increases the need for and cost of monitoring the condition of expanded facilities;
- Poorly design or improperly built or located sanitation facilities can result in cross contamination between latrines and shallow water tables, adversely impacting water quality in shallow wells.

In addition, the district and village development grants component will provide financial incentives to approximately 20% of participating villages to scale up and enhance the sustainability of water supply, sanitation and hygiene assistance provided. They will not be used for income generating activities that might lead to significant negative environmental consequences (agro-processing, other household based processing activities).

² A simple water quality testing protocol will be followed, in view of the fact that the objective of the project is to provide communities with clean water, rather than drinking water. This means that water provided will have to be boiled by communities in advance, as is common practice in most rural areas and in some urban areas.

Environmental Screening

As with most such initiatives, the use of a list of activities that will not be eligible for support on environmental grounds (negative list) is normally found to be the most efficient way of addressing any residual environmental safeguard issues. Special screening will be applied on the following cases:

- *Pesticide, ozone-depleting substances, tobacco or tobacco products*: No sub-projects using or producing these materials will be financed.
- *Asbestos*. No asbestos-containing materials will be financed. Special mitigation measures to address any issues with existing asbestos in any proposed sub-project (e.g. renovation of toilets/storage buildings that may have used asbestos) will be applied.
- *Sub-projects that produce liquid or gaseous effluents or emissions*, with the exception of normal sanitation needs for individual households;
- *Hazardous materials and wastes*. No sub-project will be financed that uses, produces, stores or transports hazardous materials (toxic, corrosive or explosive) or generates "B3" (hazardous) wastes.
- *Logging*. Sub-projects involving logging operations or procurement of logging equipment will not be financed.
- *Sub-projects or activities with the potential for significant conversion or degradation of critical forest areas or related critical natural habitats*;
- Mining or excavation of live coral.
- *Development on protected areas and conservation areas especially at its core zones (zona inti) or jungle zone (zona rimba)* – as these areas must be totally free from any human activities as per Indonesia regulations (Forestry Law UU No 41/1999 and Conservation Law UU No 5/1990).

DPMUs and District ROMSs will be responsible for ensuring that the negative list approach is applied, and that revisions are made to the list, as necessary, with support from the CMAC.

If the proposed sub-projects has passed the screening stage above, the project shall undertake secondary screening, taking into account the fact that the project will be implemented across the length and breadth of Indonesia's highly varied climatic, geological, agricultural and ecological zones. This will likely encompass zones where there are already significant pressures on water resources, as well as areas that are prone to natural disasters. Some may be in fragile locations potentially susceptible to damage to their physical and biotic environment.

Subprojects will then be checked against Government of Indonesia (GOI) screening criteria to ensure that no project would necessitate a full environmental assessment. In this screening, the project type, scale, location, sensitivity, and the nature and magnitude of potential impacts, will be assessed with the possible outcomes below:

1. Those that require ANDAL (full Environmental Assessments) for which the Ministry of Environment has set criteria (see in Annex 1). *These will be eliminated from consideration for financing due to limited time and budget of PAMSIMAS annual cycle.*
2. Those that require environmental management and monitoring plans (UKL and UPL) based on limited but site specific studies. *It is expected that none of the proposals submitted from KKM would fall under this criteria.*
3. Those for which standard operating procedures (SOP) or local regulatory and permit requirements suffice where generic good practice would protect the environment adequately. For example, Ministry of Public Works and Housing has SOP guidelines to control dust, noise and traffic at construction sites; specifications for backfilling and re-vegetating disturbed areas to prevent erosion from the construction of the reservoir or water intake etc. Other examples, some KKM have allocated the grant up to 15% of their BLM to develop the watershed management program to protect their

water source regulated under the village decree or lastly by the issuance of the local regulatory permit to regulate the water uptake for villagers consumption (PermenHut No P.64/Menhut-II/2013). *It is expected that most sub-projects may fall under this category.*

Prior to approval by the District PMUs, community water supply and sanitation subprojects will be screened by the District ROMS to ensure that no higher order environmental review (AMDAL/UKL-UPL) is required, in consultation with local environmental agencies or BPLHD. Any subprojects requiring AMDAL/UKL-UPL will be immediately reported by the DPMU to the CPMU and WBOJ.

4.2 Social

a. The inclusion of vulnerable/disadvantaged people

The key social issue is the potential exclusion of vulnerable/disadvantaged people, such as women, the poorest, and ethnic minority either in the selection of the participating villages or in the community decision making process in the project cycle. Some examples of potential social issues are:

- *Selection process of participating villages.* The Project determines pre-qualification criteria for participating villages which are, among other things, the number of low income households and the low level of water supply and sanitation facilities. However, the Project also requires for participating communities to contribute to 20% (16% in kind and 4% in cash) of the Project cost to participate in the Project. The criterion of willing and capable communities for providing such contribution might lead to a risk that excludes disadvantaged communities (including IPs communities if they are present) from Project participation.
- *Information dissemination.* Information dissemination for villages to participate in the Project sometimes does not reach remote areas where most of the vulnerable communities usually live. Even if it reached them, communities often have problems in understanding the application process due to complicated form to fill or too sophisticated language used. There should be some mechanisms in the selection process that will give vulnerable and disadvantaged communities the same level of understanding.
- *Community decision making process related to Project beneficiaries and sustainable pro-poor service delivery.* Demand-driven Project requires a high participation level of community members, including the vulnerable group. Elite domination is a possible common problem in such Projects, while vulnerable groups often could not make their voice heard. At the end, there's a risk that the Project's benefit will skew to the better off and sustainable pro-poor service delivery will not be achieved.
- Experiences from WSLIC-2 and PAMSIMAS I and PAMSIMAS II show that although the Project is satisfactory in terms of increasing water service delivery to the participating villages and that the poor households have indeed benefited from the Project, sustainable pro-poor service delivery needs to be ensured. However, in some cases poorer households may not get equal service level. For example: the richer HHs could buy electrical water pumps and install pipes directly from the well to their house. Poor HHs cannot do so. The problem of access to water will emerge when the water level decreases during the dry season. During this time, the poor's access to water will be lower than richer households. Further, in some of the villages visited, the BPSPAMS (water management board) applied flat price for all users regardless to their social economic condition, and therefore provide no cross-subsidy to poor households.
- The participation quality of the poor and women throughout the Project cycle is another major concern. Women are still largely involved in the soft non-technical part of the Project and the water committees continue to be dominated by male villagers. WSLIC-2 Project experience shows that election of Community Working Team (TKMs) and Water Management Board (BPs,

in PAMSIMAS I and PAMSIMAS II then became BPSPAMS) have often been conducted in a gender-insensitive way. Women were in some cases excluded from decision making groups, although women in most low income communities were actually the primary household water and sanitation managers. Therefore their involvement in the Project's activities is important for sustainability reasons. In PAMSIMAS, women involvement is improving, particularly in decision making process and as member of Community Self-help Group (KKM) and BPSPAMS. Based on the results of the Safeguards Thematic Review conducted by CMU on 23 February to 9 March 2015, it was revealed that "women in the village water management board were key leaders clearly articulating issues related to system maintenance and book keeping. The solidarity demonstrated in the water board was quite noticeable."

Project Technical Guidelines defines methodology and approach that have to be applied throughout the Project cycle, from planning to operational and maintenance stage, which will assure the inclusion of vulnerable/disadvantage people. PAMSIMAS III will use similar methodology applied in WSLIC-2 and PAMSIMAS I and PAMSIMAS II, which is Methodology for Participatory Assessment (MPA). MPA is a comprehensive method for community's social assessment, which recognizes the importance of gender and poverty-sensitive approaches. Inclusion of women and the poor as well as other disadvantaged group is assured by this approach, supported by Project policy, specific training and monitoring.

Key features in methodology for participatory assessment that is critical to assure the inclusion of vulnerable/disadvantaged people are as follows:

- **Wealth Classification:** to classify through participatory assessment the village population into three economic categories (rich, poor, and middle income) on the basis of locally specific criteria and using culturally appropriate terms. These classifications will be used to identify groups with which to hold focus group discussions, for mapping the access of the poor and rich to water supply and sanitation discussion.
- **Community/Social Map:** to learn about the community's situation regarding the economic status of every household, based on the result from wealth classification, and water supply and sanitation facilities and access of the poor, rich and middle-income household. The community/social map is used at planning process to ensure that the poor is targeted as beneficiaries.
- **Separate Focus Group Discussion:** some of the processes in MPA done in separate FGDs for women and men in better-off and poor groups of the community to ensure women and the poor have voice and choice in decision making. Another consideration needs also be placed on the need of children, the elderly and people with special needs in terms of access. For instance, by improving facility design and location selection accommodate their needs.
- **Matrix Voting:** to assess the division of skilled and unskilled and paid and unpaid work related to the water and/or sanitation services between women and men and between rich and poor.

The inclusion of vulnerable/disadvantaged people, women and the poor, in the process throughout Project cycle as well as the targeted beneficiaries is monitored and tracked in the Project monitoring information system (MIS).

b. Voluntary land donation from the community beneficiaries

WSLICs and PAMSIMAS Program have implemented a land donation/contribution scheme for obtaining land needed for subproject from the community members or beneficiaries. Experiences as of to date showed that there have been no negative social impacts to the community members as a result of voluntary land contribution. This is because decisions on land contribution were made voluntarily from landowners' initiatives with good consultation among community members and each subproject involved a relatively

small-amount of land area. In fact, voluntary land contribution has provided positive impacts on beneficiaries. For instance, facilities are located closer to the beneficiaries (hence allow better operations and maintenance) and construction of the approved subproject proposal was implemented relatively fast as land was already available. These practices will likely continue in the PAMSIMAS III.

Voluntary land donation for a subproject is acceptable with the following conditions:

- (a) Land donor receives direct benefit from the subproject and will not becoming worse-off after the land taking;
- (b) Land donor has been informed clearly of their right to refuse to donate at the public meeting prior to the decision on contributing the land voluntarily, but nevertheless he or she is still willing to donate without any pressure;
- (c) There is options to adjust the subproject design or location in the case that land owners refuse to donate their land;
- (d) Land donors have the right to refuse to donate their land and therefore there should be alternative sites for a subproject;
- (e) The land is identified by beneficiary communities and confirmed by technical staff to be suitable for the subproject and free from any environmental or health risks;
- (f) The impacts of the donation on the land owners are insignificant and do not result in displacement of households, or cause loss of households' incomes and livelihoods;
- (g) The donated land is free from any dispute on ownership or any other encumbrances;
- (h) Consultations with land donors or beneficiaries are conducted in a free and transparent manner;
- (i) Processes and results of consultation meetings, grievances and actions taken to address complaints are properly documented;
- (j) There is a clear information to whom the land is donated; and the Project should follow-up on the legal process of the status of the donated land as necessary; and
- (k) Donated land is well-recorded and documented.

The process of obtaining land through land contribution is as follows:

- (a) The Satlak submits a proposal to the KKM (*Kelompok Keswadayaan Masyarakat*—Community Self-help Group) for review and approval. One item included in the proposal is identification of land needed and how the land will be obtained. In the case that the proposed subproject requires land, the proposal already identifies that land is available through contribution from member(s) of the community.
- (b) The KKM and the Project staff (CFTs) verify in the field and ensure that the land contributors have voluntarily agreed to donate his/her/their land for the proposed subproject. They also ensure that land contribution is made through participatory mechanisms. The KKM and facilitators participate in the community meetings discussing the land contribution for a particular subproject.
- (c) The KKM and Project staff obtain a statement letter (attached to the proposal) signed by the community member(s) who donate the land and witnessed by the chairperson of the community (“kepala dusun”) or head of village, and by heirs and other witnesses. The letter contains, among others, name and address of land contributor(s); current use, location, size and map of the donated land; to whom the land is donated, and the purpose of land donation.
- (d) Once a subproject proposal is approved by the KKM, the land owner who contributes the land points out the site on the ground where to build the facility.
- (e) If the land is donated to the village or government, the Project should facilitate the follow-up of the legal processing of the status of the donated land; if the land is donated to the community, the KKM

should consult with the village administration on how to record this to ensure that the donated land has a legal status.

- (f) There is a clear information to whom the land is donated, and the Project follows-up on the legal process of the status of the donated land as necessary.
- (g) Processes and results of consultation meetings, grievances and actions taken to address such grievances are properly documented.
- (h) The donated land is well recorded and documented in the project document (in the RKM). As relevant, the village administration should record the donated land.
- (i) The originals of the donation letter should be kept both by the Project (in the RKM) and by the land donor.

c. Indigenous Peoples

Screening of IPs Presence

In many cases, IPs communities are considered as vulnerable/disadvantaged people as they have unique characteristics and are often economically and socially marginalized in comparison with the dominant groups in the society. The Project will pay a special attention to IP communities through a process of free, prior and informed consultation rather than only treating them separately as vulnerable/disadvantaged. Any engagement with IPs should highlight the need to respect their dignity, human rights, economies and cultures. Indonesia legally recognizes the existence of “Masyarakat Hukum Adat” (MHA) which refers to a group of peoples with distinct characteristics from the rest of the nation, both economically, socially, culturally and institutionally. This group can be generally categorized as IPs communities. However, further identification to validate their presence should be done in more detail at the district and village levels.

Field supervisions from the ongoing PAMSIMAS II project confirmed that where there were IPs/MHA, in most cases they were beneficiaries or part of beneficiaries and they have been included in the Project cycle. The Project identifies that in some circumstances their needs are similar with non –IPs beneficiaries particularly on water. Although it is not always the case, the only noted difference in some cases was that of the intensity of utilization of the water services, as the IPs communities tend not to stay permanently in one place.

In reference to the World Bank Study (2010) for IPs Screening, 217 out of 412 districts that will be participating in the PAMSIMAS III Project have been identified to have potential IPs presence. The list of districts with identified IPs presence is included in the Technical Guidelines for the Environmental and Social Safeguards.

Further screening to confirm the existence of IPs communities will be carried out during the selection of participating villages at the Project implementation stage, and potential impacts will be identified during the participatory community-self social mapping (IMAS) at the village level. The DPMU with the assistance of the District ROMS is responsible to carry out the screening at the district/Kabupaten level with regards the presence of IPs communities based on the following criteria:

- self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
- collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories⁷

- customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- an indigenous language, often different from the official language of the country or region.

In addition to the above, the DPMU with the assistance of District ROMS is required to identify whether “Masyarakat Hukum Adat” (MHA/Customary Law Communities), a term commonly used in the government regulations, are present in the participating districts, with the criteria as follows:

- membership to a group with traditional rights based on collective genealogical and/or territorial relationships;
- possession and attachment to natural wealth and territory that have been passed down from generation to generation;
- presence of social and cultural life that is governed by customary law and customary institutions along with their traditional leadership that have continuously sustained them as a community;

The presence of IPs communities and/or “Masyarakat Hukum Adat” will be further reconfirmed and validated at the village level by facilitators and the KKM.

Screening of Impacts affecting IPs

Once the presence of IPs/MHA communities has been identified, the next step is to identify potential impacts of the Project on IPs/MHA communities in participating villages and surrounding areas regardless of administrative borders. The KKM with the assistance from facilitators is required to carry out potential impact assessment during the community self-social mapping (IMAS) exercise, which is based on participatory, collaborative and transparent decision making processes with all beneficiaries. Given the diversity of local contexts across the country, it is anticipated that the potential impacts would be site-specific depending on local conditions. Although the Project most likely generates positive impacts, e.g., increased health and productivity due to improved access to water and sanitation services, understanding potential adverse impacts, which are often nuanced, is critical during the IMAS to ensure the Project’s acceptability and sustainability. Such impacts may range from but not limited to potential social conflict due to perceived unfair water distribution, inadequate service coverage and unfair tariffs. Identified potential impacts should be considered in the subproject design and operations and specified in the *Rencana Kerja Masyarakat* (RKM—Community Work Plan).

5. MITIGATION AND MONITORING MEASURES

The Ministry of Public Works and Housing (MPWH) is the Executing Agency responsible for overall Project implementation including the implementation of environmental and social safeguards framework. The MPWH is also the lead implementing agency, with components also to be implemented by the Ministry of Home Affairs (MoHA), Ministry of Village, Disadvantaged Areas and Transmigration (MoVDAT) and Ministry of Health (MoH). A Central Project Management Unit has been established within MPWH at the national level, with a network of corresponding Provincial PMUs (PPMUs) and District PMUs (DPMUs).

Consulting services to the Central Project Management Unit under MPWH will be recruited to provide the additional capacity necessary to implement the framework. This will include experts who possess environmental management and social safeguard expertise. The DPMUs and District ROMSs will be responsible for raising safeguard awareness for participating communities. The technical facilitators will also be trained to implement the frameworks. Further details of the proposed program of training is provided below and further summarized in Section 7.

A detailed technical manual has been developed by the Project to implement the environmental and social safeguards framework to be used during Project implementation at the community level. The technical manual includes among others: (a) environmental procedures for site selection (including laboratory based water quality testing), construction and operation and maintenance of community water supply schemes, including special conditions for environmentally sensitive areas. This will be supported by the development and integration of standard operating procedures into the detailed designs for water supply schemes; (b) management of land donation which explains the requirements and procedures for land donation as well as format that records the donated land; (c) management of vulnerable groups including IPs/MHA communities which detail the screening and confirmation process, documentation of social mapping and consultation, as well as documentation of inclusion of their needs and aspirations in the subproject designs; (d) specified grievance and redress mechanisms developed based on consultative processes involving beneficiaries, including IPs/MHA communities. The technical manuals will be improved from time to time to tailor to local needs based on experiences and lessons learned.

5.1 Environmental

For component 3, environmental impacts mitigation will apply an SOP approach tailored specifically to water supply and sanitation subprojects and attached to the menu of possible types of subproject that the community chooses from. These have been developed by the CMAC, however need to be updated from time to time to accommodate lessons learned and improve Project quality. Eleven basic subproject types have been developed by the Project ranging from simple shallow well schemes, to gravity fed schemes, to pumped supply and treatment systems. For each system generic siting, construction and O&M type impacts will be identified, and mitigation and monitoring options provided.

Implementation of these SOPs will require a program of training both for the community and technical facilitators, and for the communities themselves. The Project will design and deliver an environmental module within the formal training for facilitators to address environmental sustainability issues associated with community based provision of water and sanitation. The training will take into account the variations in environmental conditions than exist from one region to another. It will provide a focus on broader community awareness measures on environmental management to be delivered by the facilitators. The training modules has been developed and delivered by a suitable trainer drawn from appropriate national or regional training institutions, with oversight and guidance provided by the CMAC.

The district and village incentive grants under component 4 will apply a negative list approach, as detailed above. Sufficient resources will be built into the Project's monitoring budget to allow for an adequate sampling/spot checking approach to monitoring the actual environmental impacts of the grants and to amend screening procedures as necessary.

General orientation training on implementation of the safeguards framework including screening, environmental review and monitoring procedures will be required for all concerned CG and DG staff of the MPWH and other implementing agencies, including MoHA, MoVDAT and the MoH, as well as Kabupaten environmental authorities (BPLHD). One of the outputs of the training will be an agreed clause on environmental sustainability to be included within the proposed CG/DG Commitment Letters on improving water, sanitation and hygiene practices.

Field based environmental monitoring will be responsibility of MPWH via the District PMUs, focusing on construction and operational phases of the community water supply and sanitation subprojects. The Project Operational Manual has included a field based monitoring protocol to assist the process, to be developed by the CMAC. DPMU staff and facilitators will be provided training in the application of the protocol. Completed protocols will be collated by the DPMU and summarized in bi-annual reports as an input to routine supervision missions. In addition, the CPMU will develop an appropriate framework for

environmental monitoring and report to be agreed with the World Bank within the first 6 months of credit effectiveness.

A mid-term environmental review to assess the scale and direction (+ve/-ve) of emerging impacts will be carried out with specific focus on: uptake on the water supply and sanitation activities; and performance of the incentive grants. The results of the review will determine whether adjustments to the Project's safeguards approach are required, potentially including screening, technical design issues, and monitoring and reporting.

5.2 Social

1. Inclusion of vulnerable groups in all Project cycles

The Project will ensure that vulnerable/disadvantaged groups have the same opportunities of inclusion in all Project cycles and in getting Project benefits as other groups.

Subproject selection

PAMSIMAS III will adopt the WSLIC-2, PAMSIMAS I and PAMSIMAS II's mechanisms of the Project cycle to ensure that vulnerable groups are included in all steps of the Project Cycle. In summary, the mechanisms are as follows:

- The selection of participating village is based on criteria already determined and practiced under the WSLIC-2, PAMSIMAS I and PAMSIMAS II. CPMU will be responsible to ensure that the criteria will be used across all provinces and districts.
- There is a special arrangement for very poor villages, which could not afford a cash contribution, for instance, cross subsidy arrangement. Alternatives of special arrangement and the strategy to induce social capital in the community are described in the Project manual.
- The Project will ensure that information dissemination reaches all villages in each participating districts to ensure that all participating communities are aware of the program. A range of socialization media such as poster, leaflet, banner, etc. have been, and will be continuously produced and distributed to villages in participating districts. The selection of socialization media will be based on consultation with the Project's beneficiaries by facilitators to determine the best forms and means to disseminate information. Application forms for and the announcement of the Project have been made in simple forms by using simple language that is easily understood by people, including vulnerable communities and is announced through any possible means to ensure that vulnerable communities know about the Project. District governments are encouraged to disseminate Project information through local radio and/or newspaper.

Community decision making process

The Project applies the following approaches to address the above mentioned risks:

- a. Inclusion of the vulnerable group concept in Project implementation, which has been operationalized and detailed in the Project manuals (including in the Term of Reference and manual for facilitators and community group decision making process/consultation meetings). District consultants, community facilitators and other Project staff have been trained in application of the concept. Special opportunities or events have been created to ensure a fair community decision making process between the elite and the vulnerable population. The Project also promotes greater participation and transparency in planning and decision making processes at the village level.
- b. A pro-poor system has been created to ensure that the Project's benefit will reach the vulnerable groups, for instance, cross subsidy system for water maintenance or water cost. CFT will facilitate community to create a pro-poor system so that poor households have equal access to water. A

participatory social mapping is used to determine cross subsidy among communities member and separate consultation with community members will be conducted as necessary to ensure inclusion of their voices. The social mapping process will identify all community households as *well-off*, *poor* and *in-between* as has already been pioneered by WSLIC-2, PAMSIMAS I and PAMSIMAS II in Indonesia and widely institutionalized. The participatory planning and M&E purposes will be continued in PAMSIMAS III. By ensuring that every beneficiary has voice, the social mapping process eliminates and/or if not minimizes elite domination. The participatory social mapping is used for ensuring equal access to the water facilities (e.g. deciding locations for water facilities so that all have convenient access, planning how people will share the burdens and benefits from the new systems fairly-- task divisions for operation and maintenance, agreement on tariff differentials to reflect differences in levels of service and consumption chosen by users), and for assessing progress of subprojects. All stakeholders, including community members of all social and economic categories, Project facilitators and implementers use such transparency tools to plan and implement subprojects as well as for measuring outcomes.

- c. Selection of Project consultants has considered gender balancing, including the adoption, if needed, of gender affirmative action to create a gender sensitive Project. Although some areas (challenging geographical condition, remote, isolated, etc.) face difficulty in recruiting qualified local female consultants.
- d. CFTs play a critical role in building up awareness of gender equality within the community and in facilitating gender-sensitive processes. CFT should be able to play a role in encouraging women to play a bigger role in decision-making as women are primary managers of household water. Basic gender training followed up by on the job training and mentoring system has been given to CFTs to build up their gender-sensitive facilitation skills. Thereafter performance incentives will be applied for gender-and-poverty-sensitive CFT performance, and vice-versa, so that CFs becomes more accountable for gender and social equity in outcomes at community level.
- e. Mid-term social review to assess the scale and direction of emerging impact with a specific focus on impacts on disadvantaged/vulnerable groups is carried out, that includes among others: vulnerable people participation in all Project cycle and village team; proportion of poor people benefits from the Project, and special treatment for poor people in regard to user fee and any other contribution. A social impact evaluation related to the key issues above needs to be conducted at the end of the Project. The mid-term review will be prepared based both on field information and a review analysis of MIS, for example, representation of women in community groups supporting the Project.

2. Land donation

No involuntary resettlement will be undertaken in this Project. Land needed or asset acquisition will be kept to a minimum. Any subproject proposal that would acquire productive assets (building, land, productive plant, etc.) will not be considered and the community should get alternative location for the water and sanitation facilities (pipe line, well location, etc.). As the Project generally needs only small piece of land for water supply and sanitation infrastructure, as has been the case of ongoing PAMSIMAS I and PAMSIMAS II, the community is expected to use existing public spaces, or voluntarily contribute land needed by the subproject in exchange for the community's benefits from the Project. For land contribution, the following principles will be applied (also refer to section 4.2.b above):

- The affected parties are not poor people.
- The affected parties have been informed clearly about the Project and want to donate land without any pressure. They also have right to reject contributing their asset for the Project.
- Affected land owners/customary users will be consulted through village meeting.
- The location of facilities built should be agreed by the community to avoid donor's domination in the selection of facilities.
- Community Action Plans will include signed voluntary consent forms from the affected parties
- The donated land will be recorded properly and well-documented.

- If owners reject to contribute their asset for the Project and there is no alternative location for the facility, the community may consider to acquire land and attached assets through compensation based on willing-buyer willing-seller principle prior to Project approval. The community grants cannot be used for compensation.
- Any unresolved grievances locally will be submitted to the Bupati (district head) for disposition.

3. Indigenous Peoples

If not well-managed, IPs/MHA communities can easily be adversely affected by the Project because of their unique characteristics and because they are in most cases economically and socially marginalized. As a community driven Project, PAMSIMAS III should not negatively affect IPs/MHA communities, but some conditions may cause them to be left out from the Project. Most of IPs communities occupy subordinate positions within the local social structure. Some IPs/MHA rejected any modern systems, some have deeply hierarchical village structure, and their unique identities may exclude them from development planning process and getting benefits from the Project. Special actions should be taken to ensure that IPs' voices are heard by avoiding elite capture to ensure inclusion in decision making processes. Special efforts need to be made in order that their specific characteristics should not exclude them from getting Project benefits equally as non-IP beneficiaries. The Project should be adaptive to specific conditions where IPs/MHA communities live.

Since the Project has a nation-wide scope and there is a possibility to be implemented in locations where IPs/MHA communities are present, a framework to ensure that IPs communities are included in decision making processes and that they receive equal benefits are prepared. This framework will be detailed and operationalized in the Technical Guidelines for the Environmental and Social Safeguards to ensure that Project activities provide culturally appropriate benefits through informed participation. CFTs and Project staff will be trained in the application of the Guidelines. Beside this framework and Technical Guidelines that have been developed, some actions need to be carried out by the DPMU and District ROMS, including:

- Involvement of IPs/MHA member(s), NGOs/Community-based organizations or any person with expertise in IPs/MHA communities and/or individuals who are familiar working with them. Such involvement is critical to understand the best ways to ensure effective participation of IPs/MHA communities in all Project cycles
- Direct consultation with the IPs communities about their opinions of the Project, including their right to reject or participate, and to elicit their specific needs and concerns in terms of water facilities and sanitation practices. Such consultation needs to emphasize equal representation of the IPs by age, gender, social status, etc.
- Adjustment of technical options to accommodate specific systems or local practices pertinent to IPs/MHA communities that may not be specified in the Project list.
- Improvement of information's quality and dissemination through better facilitation, user-friendly materials with locally accepted language and possibly visuals to help comprehension.
- Establishment of monitoring and feedback mechanisms operating in areas where IPs/MHA communities live to determine the most effective way(s) to ensure full and sustained participation of IPs/MHA communities throughout the Project.

With reference to the Indigenous Peoples Planning Framework (IPPF – see Annex 2) in the event that the Project affects IPs/MHA communities, DPMU with the support of District ROMS is required to carry out the following:

- A social assessment, during the IMAS³ which is carried out based on free, prior and informed consultation, must cover:
 - baseline information on the demographic, social, cultural, and political characteristics of the affected IPs and/or MHA communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend;
 - information on key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples and/or MHA at each stage of project preparation and implementation;
 - an assessment of the potential adverse and positive effects of the Project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities and/or MHA given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live; and
 - identification and evaluation of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples and/or MHA receive culturally appropriate benefits under the project.

- Preparation of Indigenous Peoples Plan and/or MHA Plan, during the preparation of RKM⁴ which is carried out based on free, prior and informed consultation that leads to broad community support for the project from **all** beneficiaries. The Indigenous Peoples Plan (IPP) and/or MHA Plan is prepared in a flexible and pragmatic manner, and its level of detail varies depending on the specific sub-projects and the nature of effects to be addressed. The IPP/MHA Plan includes:
 - A summary of the information contained in the social assessment
 - A summary of results of free, prior, and informed consultation with the affected Indigenous Peoples and/or MHA communities that was carried out during IMAS and RKM that led to broad community support for the project.
 - A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples and/or MHA communities during sub-project implementation.
 - An action plan of measures to ensure that the Indigenous Peoples and/or MHA receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
 - When potential adverse effects on IPs / MHA communities are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects as outlined in the RKM.
 - The cost estimates and financing plan for the IPP.
 - Accessible procedures appropriate to the project to address grievances by the affected IPs and/or MHA communities arising from project implementation. When designing the grievance procedures, the Project takes into account the availability of judicial recourse and customary dispute settlement mechanisms among the IPs and/or MHA communities.
 - Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP and/or MHA Plan. The monitoring and evaluation mechanisms should include arrangements for the free, prior, and informed consultation with the affected IPs and/or MHA communities.

³ In circumstances where there is a need to facilitate separate consultation processes for targeted members such as women, the poorest, female-headed households, children, people with special needs and IPs /MHA and other minority community members, the Project should allocate resources for such consultation.

⁴ Idem

In the case that the IPs and/or MHA are the sole beneficiaries of the Project, a separate IPP and/or MHA Plan is not required.

- Disclosure: the draft of IPP and/or MHA Plan is disclosed to the public in the Project's website (www.pamsimas.org) and Infoshop.

6. PUBLIC CONSULTATION AND DISCLOSURE

The approach taken under the Project is community based, and builds on two successful phases of provision of community based water supply and sanitation under WSLIC-2 and PAMSIMAS I and PAMSIMAS III. Component 1 on community empowerment and local institutional development supports the implementation of CDD approaches to planning, implementation and post construction management of water, sanitation and hygiene programs. Specifically, it supports villages within the preparation and implementation of Community Action Plans based on informed choices on community water supply, sanitation and hygiene behavior.

The Project approach highlights disclosure and increased awareness among low income communities. It will help to make district level planning and implementation more open and transparent in the water and sanitation sector and to strengthen the capacity of poor villages in participating in these processes. This Environmental and Social Safeguards frameworks will be re-disclosed locally in Indonesian language in the Ministry of Public Works and Housing national website.

Public consultation for this ESSF will be done during the PAMSIMAS III project launching either at the central level or at the participating provincial and district levels. Documentation of comments and inputs will be recorded and as relevant, they will be included in the update of the ESSF, and incorporated in the revised Environmental and Social Safeguards Technical Guidelines. As the ESSF will be made available in the www.pamsimas.org, concerns and inputs from the public, if any, will be recorded and addressed in the update of ESSF and revised Environmental and Social Safeguards Technical Guidelines.

This ESSF will be disclosed by the EA in the project website, and in the World Bank Infoshop. In addition, it will also be translated into Bahasa Indonesia and is part of the "Petunjuk Teknis" (the Environmental and Social Safeguards Technical Guidelines), which will be disclosed in the same website, and will be distributed and socialized to the project management staff at the provincial and district levels, to the consultants, facilitators as well as KKM. In the case there is an IPP prepared for a subproject, it will be disclosed in the www.pamsimas.org and in the respective local village and district offices. The MIS of the Project, which has been regularly updated and provides information on land used by subprojects and land donation, is also available in the same website.

7. INSTITUTIONAL CAPACITY

The Project's Executing Agency (EA) who is also the lead implementing agency is the Ministry of Public Works and Housing (MPWH—used to be Ministry of Public Works). This Ministry generally has a higher capacity to implement environmental and social safeguards than other line Ministries. The EA has managed several World Bank-supported infrastructure Projects, and in particular, has satisfactorily managed PAMSIMAS Program in the past eight years, particularly in managing environmental and social safeguards. However, an enhanced program orientation and training on safeguards for the EA, especially the DG Cipta Karya, will be required during the initial stages of the Project, both at the central and district/kabupaten levels to support the PAMSIMAS III. Such a capacity building initiative is

mainstreamed within the context of the proposed Commitment Letters which is anticipated to evolve and used as the basis for PAMSIMAS III roll out.

8. STAFFING AND CAPACITY BUILDING PLAN

The MPWH will implement this environmental and social safeguards framework under the overall Project management. The key elements of the framework are detailed in the following table, will be reflected in the Project Implementing Plan.

Item	Needs	Activities
A. Implemented/Ongoing		
Development of environmental Standard Operating Procedures for water supply and sanitation subprojects	SOPs has been developed for basic community water supply schemes, including special conditions for siting, construction and O&M in sensitive areas. Measures reflected in the Project Technical Manual.	Has been developed by the CMAC
General safeguards orientation training	Screening, environmental and social review and monitoring for central and district government, PMUs, CMAC and ROMS	Regional/provincial training events covering all participating districts, included in the project management training series
Social and environmental training for facilitators	Social and environmental module has been incorporated into facilitator training, and delivered by ROMS	4-6 week consulting assignment to develop an appropriate module. Annual training events for facilitators
Social and Environmental training for District ROMS	Specific module on social and environmental screening and monitoring has been delivered for District ROMSs	Training events for Kabupaten engineer, to cover all provinces
Design and roll out of awareness raising program for local communities	Focus on siting and design issues, water supply impacts and mitigation measures	Carried out by facilitators via group meetings, supplemented via appropriate media such as film (via DVD), poster, banner, etc.
Integration of environmental clauses into CG/DG Commitment Letters	Strengthening existing capacity for environmental and social safeguards management within MPWH Cipta Karya	Incorporated into general safeguards orientation training, based on advice from CMAC.
B. Plan		
Midterm and final environmental and social review	Review to apply a sampling/spot checking approach, with a focus on more fragile locations, and/or areas with IPs. MIS information to be used as a basis for the review	To be incorporated into ToRs for CMAC.
Maintain the recruitments of experts who possess Environmental Management and Social Safeguards expertise at the CMAC	Review the task assignments of the current experts who responsible for environmental and social safeguards	To be incorporated into the ToRs for CMAC
Review and update Environmental and Social Safeguards Guidelines	Incorporate updates on land donation requirements and IPs based on current experiences of the ongoing PAMSIMAS	To be incorporated in the ToRs for CMAC

Item	Needs	Activities
Monitoring on social inclusion	Sampling approach focusing on how vulnerable and marginalized individuals and groups have been involved in Project decision making processes.	To be incorporated in the ToRs for CMAC

Given the nature of the activities financed by the PAMSIMAS III which are similar to those of the PAMSIMAS I and PAMSIMAS II, and to maximize and expedite its implementation, all proposed activities would follow the implementation arrangements that are already in place (by, for example, adopting training materials and guidelines for facilitators and communities that are currently being used for villages already covered in the PAMSIMAS I and PAMSIMAS II). The existing institutional arrangements, approaches, and instruments for environmental and social safeguards of the PAMSIMAS I and PAMSIAMS II will be adopted for the PAMSIMAS III including updates that reflect the Government's most recent regulations and decrees and tailored to the needs of addressing the handling of the impacts of the project.

ANNEX 1

Environmental Guidelines

INDONESIA: Additional Financing to the Third Water Supply and Sanitation for Low Income Communities (PAMSIMAS) Project

Introduction

1. PAMSIMAS AF II (hereinafter called PAMSIMAS III) will support a large number of small subproject investments in village level. It is expected to provide water and sanitation facilities, through the *Community Block Grants*. The low ceiling for individual activity indicates that none of these investments is expected to have any large scale, significant or irreversible environmental impacts. Environmental impacts would come mostly from poor site planning and management during subproject construction activity; it is therefore, good housekeeping and the implementation of SOPs will be highly promoted.
2. The Project has been classified as a Bank environmental safeguard category B. This guideline outlines the environmental screening procedures and guidelines to identify, to review, and “red-flag” procedures to ensure that problems are corrected. Indonesia’s environmental review procedures are generally consistent with the Bank’s and will form the framework of PAMSIMAS III approach to environmental impacts management.

Basic Principles

3. The basic environmental principles are:
 - a. Proposals should avoid or minimize potential negative environmental impacts, and they should have explored viable alternative designs to minimize any potential negative environmental impact.
 - b. Proposals should avoid protected areas so designated by the Ministry of the Environment (see the table below).
 - c. Any proposal entailing a potential negative environmental impact shall be complemented by an environmental management and monitoring plans to mitigate the impacts.

Environmental Screening Criteria

Subprojects will be checked against Government of Indonesia (GOI) screening criteria to ensure that no Project would necessitate a full environmental assessment.

Table 1: Government Environmental Screening Criteria
(Regulation of the Minister of State for the Environment of the Republic of Indonesia)

SECTORS AND PROJECTS	UNITS	ANDAL	UKL/UPL
Water Supply			
Raw water intake	L/s	≥250	50 – <250
Transmission (large towns)	km	≥ 10	2 – 10
Distribution (large towns)	ha	≥ 500	100 - <500
Urban roads			
New construction:			

SECTORS AND PROJECTS	UNITS	ANDAL	UKL/UPL
a. Large towns	km; or ha	≥5	1 - <5; or 2 - <5
b. Medium towns	Km; or ha	≥10	3 - <10; or 5 - <10
c. Small towns (<i>Villages</i>)	km	≥30	5 - <30
Widening (large towns)	km;		≥ 10 (if land acquisition)
Bridges	m	≥500	
Bridges in large towns	m	-	≥ 20
Bridges in small towns	m	-	≥ 60
Wastewater & sanitation			
IPLT	ha	≥2	< 2
Sewerage system	ha	≥500	< 500
IPAL	ha	≥3	< 3
Solid Waste Management			
Sanitary landfill (TPA)	ha; or ton	≥10 or ≥ 10,000	< 10; or <10,000
TPA (in tidal area)	ha; or ton	≥ 5 or ≥ 5,000	< 5; or < 5,000
Transfer station	ton/day	≥ 1,000	< 1,000
Drainage & flood control			
a. In large towns	km	≥ 5	1 - <5
b. In medium towns	km	≥ 10	3 - <10
c. In small towns (<i>Villages</i>)	km		5 - <15
Kampung Improvement			
Large Towns	ha		≥ 1
Medium Towns	ha		≥ 2
Upgrading	ha		≥ 1

Sources: PERMENEGLH 05/2012 for ANDAL (Concerning Types of Businesses Activities Required to Complete an Environmental Impact Assessment); PERMEN PU- 10/PRT/M/2008 for UKL/UPL (Concerning Decisions on Types of Activities in the Field of Public Works that are Required to Prepare UPL and UKL); and PermenLH 16/2012 for UKL-UPL and SPPL.

4. Special screening will be applied on the following cases related to protected areas and /or sensitive areas):
 - Development on protected areas or sensitive areas. The Regulation of the Minister of the State for the Environment of the Republic of Indonesia, i.e., PERMENEGLH 05/2012, entitled Concerning the Types of Businesses Activities Required to Complete an Environmental Impact Assessment, prescribes that any business or activity that is located in a protected area or that may change the purpose and/or designation of a protected area shall be required to prepare an ANDAL (see above). This includes: forest protection area; river edges; marine/freshwater conservation areas; nature tourism park; peat areas; areas surrounding lakes and reservoirs; coastal mangrove areas; water catchment areas; national parks; coastal edges; forest parks; cultural reserves; areas surrounding springs; scientific research areas; nature conservation areas; steep slopes (>40%), and areas susceptible to natural hazards. *These will be eliminated from consideration for financing.* However, since the enactment of Ministry of Forestry Regulation no P.64/Menhut-II/2013 regarding non-commercial use of water for community purpose (for daily use of villagers) is still permitted at some certain areas with some obligatory permit requirements to be fulfilled by the community (KKM).
5. Design specifications including environment management consideration for clean water supply and sanitation facility will be applied to PAMSIMAS III in the form of SOP.

Environmental Screening Process

6. Community implementation unit (Satlaks) will prepare a subproject proposal on a standard format provided by the CFT, signed by the group members. The standard format will include all items identified above that are not eligible for financing as part of the negative list. The proposals will include a description of the activities proposed and compliance with any applicable guidelines on environmental impacts (as well as land/asset acquisition and impact on indigenous people). All proposals will be reviewed by Project staff for their feasibility, technical soundness, and compliance with guidelines, before they are considered by the *village* organization (KKM). Project staff will specifically screen proposals for any environmental impacts based on the guidelines above which will be included in the Project manuals. These will include special screening for all subprojects involving land and water use changes (i.e. reclamation, irrigation); economic projects with environmental impacts to be sure those alignments, effluent, etc. meet best practice standards. KKM with the assistance of facilitators will ensure that adequate mitigation measures are taken.

Reporting

7. CFT and Consultant will aggregate and review environmental reports and flag them in their quarterly reports. The Project manual will include a matrix of likely environmental impacts and steps with which to address them. An experienced environmental consultant will be hired to summarize progress and monitor and measure the impact of the Project on the environment as part of the Project performance evaluation.

Review of Experience to Date

8. All construction activities will have some impacts on the environment, although the significance is largely proportional to the scale. PAMSIMAS III is concerned about preserving the environment and ensuring that any negative effects from PAMSIMAS III activities are avoided or at least mitigated. PAMSIMAS III subprojects will be planned and implemented through an intensive participatory process at the Community Implementation Unit (Satlak – Satuan Pelaksana) and Community Self-help Group (KKM - Kelompok Keswadayaan Masyarakat) levels.
9. Observations in some subprojects under previous WSLICs and PAMSIMAS Program suggest that environmental related-issues mainly occurred due to inadequate guidance, monitoring and supervision by CFTs, ROMSs, and DCs during the planning and implementation stages.

Environmental risks related to public toilets, sanitation and water supply activities:

10. Communities must consider the formation of an operations and maintenance committee for water or sanitation subprojects. For this type of environmental malfeasance on community projects, the proposed mitigation and prevention methods are proper training (on specific technical measures) and monitoring of the supervising field engineers, especially on site selection for water and sanitation subprojects, use of laboratory tested water quality from wells, and maintenance of the facilities.
11. Furthermore, clean water supply provision is one of the main infrastructures proposed by communities, to date most provisions have been built with laboratory based water quality readings for basic parameters, such as turbidity, color, odor (physical); pH, hardness (chemical); fecal coliform and e-coli (biological). Water quality tests taken twice, at the planning stage and after the water supply provision is completed with assistance from sanitarian (hygiene and sanitation officer in health center/Puskesmas) and Dinas Kesehatan. However, currently KKM and Kades (heads of

Village) get limited assistance from relevant local agencies in improving the quality of water through simple appropriate treatment whereby the result of water quality test is not meeting the standard.

Approach to Controlling Environmental Impacts in PAMSIMAS III

12. The principle behind controlling environmental impacts in PAMSIMAS III is to limit possible negative effects and to enhance the positive impacts of any infrastructure construction activity. As part of the planning process, a checklist of potential environmental problems is introduced (see table below), which then is followed up during and after implementation by the village and the technical facilitator. Each type of subproject is checked by *CFT (WSS/technical)* for the various treatments that must be performed to avoid or repair environmental problems. At the midpoint of construction, the same form is brought out to the field and inspected again, at a time when it is still feasible to easily repair deficiencies. At the end of construction, the form is checked one more time against the original plan. CMAC updates the list on a regular basis to reflect environmental issues and proposed mitigation measures accordingly.
13. For each type of subproject, a technical standard is included in Project manuals. For example: septic tank of latrines have to be located at least ten meters away from any water supply, and located downstream as groundwater flows; and water supplies cannot be located near any potential source of contamination.
14. Based on experiences under previous WSLIC and PAMSIMAS I and PAMSIMAS II, below is the checklist of environmental issues and mitigation measures to be applied in PAMSIMAS III:

Table 2: Checklist of environmental issues and mitigation measures

POTENTIAL NEGATIVE IMPACTS	MITIGATION MEASURES
Toilets, Sanitation, and Water Supply – Health Risks on the following activities:	
Water level of the well almost the same as the soak away, well too close to the toilets and septic tank	<ul style="list-style-type: none"> - Check the direction of groundwater flow; the well should be placed upstream - Build the soak away as far as possible away from the well (minimum 10 m)
A well in the toilet: this is not acceptable due to high risk of contamination	<ul style="list-style-type: none"> - Build a basin in each toilet room and fill them from the well by pipe channel or container - Keep the toilets clean and separate from the well
The sewer pipe laid on the ground surface may become brittle from the sun's UV rays and could also be damaged by people stepping on it or other impact	<ul style="list-style-type: none"> - Bury the sewer pipe all the way to the septic tank - Install a ventilation pipe and a manhole access in the septic tank.
Incomplete septic tank structures	<p>Minimum equipment for a septic tank consists of:</p> <ol style="list-style-type: none"> 1. Access manhole with a lockable cover 2. Inlet pipe 3. Dividing wall of baffle 4. Overflow pipe 5. Ventilation pipe
Incomplete MCK structures (Mandi/bath, Cuci/wash, Kakus/toilets)	<p>All essential elements of an MCK need to be included:</p> <ol style="list-style-type: none"> 1. Toilet (s) 2. Toilet ventilation 3. Water basin with faucet and bottom outlet 4. Slab with raised edge for public washing area 5. Faucets to fill buckets 6. Notch to ditch for surplus water and flow directly to the existing ditch/drains

POTENTIAL NEGATIVE IMPACTS	MITIGATION MEASURES
Sewage which contains human waste carries pathogens and must be treated before discharge into the ground or an open water course	<ul style="list-style-type: none"> - A sewer carrying human waste should discharge to a treatment plant or a septic tank - A septic tank or other type of settling tank will also partially treat sewage

ANNEX 2
Indigenous Peoples Planning Framework
INDONESIA: Additional Financing to the Third Water Supply and Sanitation for Low Income
Communities (PAMSIMAS) Project

Indigenous Peoples Planning Framework (IPPF) is required when the presence or collective attachment to the areas of PAMSIMAS AF II (hereinafter called PAMSIMAS III) and/or its sub-projects cannot be fully determined until the participating villages or sub-projects are identified. Since the Project will likely involve the preparation and implementation of multiple sub-projects, the IPPF provides an overarching framework for the screening and review of these sub-projects detailed in the following sub-sections.

IPs communities in PAMSIMAS

1. To date, there has been no report on the involvement or impacts on IPs in WSLICs and PAMSIMAS and PAMSIMAS AF (hereinafter called PAMSIMAS I and PAMSIMAS II). However, further understanding about IPs/MHA communities in locations where PAMSIMAS III operates and the extent to which the Project affects them is required to leverage potential benefits and mitigate adverse impacts. Preliminary screening in reference to the IP Study (2010) prepared by the Bank showed that 217 out of 412 districts covered under the Project may have IPs communities who may or may not be involved or affected by the Project. Since the study was informed by diverse understanding on IPs / MHA characteristics and potential outdated information from various sources including from government agencies, the presence and breadth of IPs communities as defined under the Bank's Policy on Indigenous Peoples (OP 4.10) and government regulations (as outlined in this ESSF) will have to be verified and reconfirmed in participating villages during the Project implementation by DPMUs with support from District ROMS. In the event that IPs/MHA communities will or potentially be affected by sub-projects, an Indigenous Peoples Plan (IPP) will be prepared during the Project implementation (after the screening, verification and confirmation stages have been completed). When IPs/MHA communities are the sole or the overwhelming majority of direct project/sub-project beneficiaries, an IPP is not required but the elements of an IPP should be included in the overall PAMSIMAS III design. The Project will adopt planning and implementation mechanisms and procedures as currently being used by the ongoing PAMSIMAS Program with an emphasis on fully free, prior, informed consultation and participatory decision making by Project beneficiaries.
2. Any potential adverse and positive impacts on IPs/MHA and their subsequent participation will be identified once the villages/locations have been defined and sub-project proposals have been submitted by the SATLAK. The same process (screening, verification and confirmation) must be followed and is conducted at the sub-project proposal stage by the KKM and facilitators.

Objectives of IPPF

3. The design of this Project is structured to foster sustained participation and inclusion of various groups within communities in decision making over resource allocation at the local level. However, the Project acknowledges that IPs/MHA communities often form social groups with identities distinct from dominant groups in the communities where the Project operates, a tailored approach by acknowledging their special attachment to the lands on which they live and the natural resources on which they depend needs to be adopted. The IPPF sets out its objectives to:
 - Ensure and foster sustained participation of IPs/MHA communities and enable them to receive culturally appropriate social and economic benefits from the Project.

- Avoid or minimize potentially adverse effects of the Project on IPs/MHA communities, and if it is unavoidable, develop and implement mitigation measures based on free, prior, and informed consultation resulting in broad support from the affected IPs/MHA communities
- Maximize potential positive effects of the Project on IPs/MHAs, which follows the same principle of free, prior, and informed consultation to ensure that the design and implementation of the Project incorporate aspirations and needs of IPs/ MHA communities.
- Ensure functioning grievance and redress mechanisms

The objectives set above can only be achieved through an iterative process, facilitators and KKM should actively inform DPMUs and District ROMS on ways to refine engagement strategies. Information on lessons learnt need to be integrated into the mitigation and monitoring measures developed under this Project.

Definition

4. "Masyarakat Hukum Adat or Customary Law Communities (MHA)" is a term used officially by the Indonesian Government to describe groups that have the characteristics of "Indigenous Peoples" as used in Bank's Policy on IPs (OP 4.10). This document will hereafter use the term "Indigenous Peoples" or IPs and/or MHA interchangeably
5. For the purposes of this Project, IPs / MHA communities are defined as those that present varying degrees of the following characteristics:
 - self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
 - collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories
 - customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
 - an indigenous language, often different from the official language of the country or region.

In addition to the above, several characteristics of "Masyarakat Hukum Adat" (MHA / Customary Law Communities), are also used, including:

- membership to a group with traditional rights based on collective genealogical and/or territorial relationships;
- possession and attachment to natural wealth and territory that have been passed down from generation to generation;
- presence of social and cultural life that is governed by customary law and customary institutions along with their traditional leadership that have continuously sustained them as a community;

Procedures and institutional arrangements

6. Although IPs/ MHA communities are not necessarily present in all project sites, careful screening as outlined in the following steps needs to be undertaken to ascertain their presence and by doing so, appropriate engagement and inclusion strategies and mitigation measures can be developed early.
 - a. Once the target villages and types of programs and sub-projects are defined, the ROMS, District Coordinator, and facilitators will screen, verify and confirm the presence of IPs in reference to the above characteristics (point 5). This process requires intensive consultation with local people, experts, local universities, and/or NGOs/Community-based organizations who have working knowledge or have prior experience working with IPs / MHA communities

in this area. Once their presence has been identified, ROMS, District Coordinator and facilitators with support from KKM will conduct a series of consultations with identified IPs/MHA communities to verify and confirm their presence.

- b. In the case that the presence of IPs has been confirmed and they will be part of or affected by the Project both directly and indirectly, facilitators together with the KKM, with the guidance of the ROMS, District Coordinator, will conduct a social assessment (SA). This social assessment can be conducted concurrently with the participatory community-self social mapping (IMAS) at the village level to better understand the potential positive and adverse effects of the Project. The same principle of free, prior and informed consultation with the affected IPs communities needs to be followed. The format and contents of the SA will be provided in the Project's technical guidelines.
- c. In the event that the Project affects IPs /MHA communities both positively and negatively, an IPP will be developed during the preparation of RKM (*Rencana Kerja Masyarakat*) by the community under coordination of KKM. When IPs/MHA communities are the sole or the overwhelming majority of direct project beneficiaries, the elements of an IPP/MHA Plan should be incorporated in the overall Project design and a separate IPP is not required. The design and implementation of sub-projects shall accommodate the aspirations and needs of IPs/MHA communities. The format and content of IPP / MHA Plan is provided in the Project's Technical Manual.
- d. CFTs will work closely with the KKM or Satlaks during the preparation of the SA, the IPP and subproject proposals.
- e. During the CFT training, facilitators will be trained in the identification of IPs. Through the Community Participatory Assessment (IMAS) exercise, facilitators will identify the presence and numbers of IPs, along with their locations and territories and report this to the ROMS and District Coordinator for follow-ups
- f. In Project locations where IPs/MHA communities are identified, ROMS and District Coordinator will organize training for relevant CFTs to develop their capacity to work with IPs/MHAs in a culturally appropriate manner and strategies to identify mechanisms for effective participation through free, prior, and informed consultation and address specific challenges facing these groups, for instance, power hierarchy or conflict with the dominant groups, etc.
- g. Since facilitators will be hired locally to the extent possible, they are expected to have experience or familiarity working with IPs/MHA communities. Whenever possible, the Project will recruit CFTs from members of IPs/MHA communities to ensure smooth entry and Project acceptability. They will also be rotated as necessary to ensure that those who have been trained or have specific skill-sets working with IPs/MHA communities are placed in the right places. Management and capacity development of CFT will be handled by the ROMSs and District Coordinators.
- h. Where IPs communities are identified, efforts will be made to ensure that at least one Community Cadre is selected from the group. The person is expected to be familiar and able to communicate easily with his/her community.
- i. Where the IPs/MHA communities speak a language different from Bahasa Indonesia or prefer to speak in a language(s) other than Bahasa Indonesia, relevant materials (brochures and documents) and audio-visual materials should be translated in the locally-appropriate language. The selection of language and media to disseminate information is done through prior consultation with IPs/MHA communities, possibly through IMAS and a special consideration needs to be language varieties used across age and social community segments. Provision has been made in the Project budget to allow additional expenses for translations of relevant Project documents and use of alternative means of information dissemination.

7. The steps above are structure in a way to foster full and sustained participation of IPs/MHA communities in the Project based on the principle of free, prior and informed consultation. Furthermore, special provision of information dissemination strategies are aimed at enhancing their awareness of rights and responsibilities once they decide to participate in the Project. Additional provision of consultation mechanisms, such as separate meetings, use of local facilitators, etc. is intended to enable them to voice their aspirations and needs during the IMAS and development of RKM. The Project Management Unit shall ensure that all of the steps above are duly followed and consistently documented during the Project implementation.

Monitoring and Grievance Procedures

8. The Terms of References for the CMAC, ROMS and District Coordinator include the responsibility to monitor the Project implementation and special arrangements for IPs / MHA communities. ROMSs and DCs are required to regularly report on the level and quality of participation in the Project.
9. Provision will be made in the Management Information System (MIS) to monitor the involvement of IPs communities. This will be followed and monitored by the CMAC during supervision missions.
10. The Project establishes a complaint-handling system that allows community members to raise issues or complaints at different levels—at the *village*, Kota/Kabupaten or Province, and the national levels. The Project has designated contact numbers for complaints through calls and short text message (SMS). There is a designated staff member at the CMAC, ROMSs, and District ROMSs responsible for following up on complaints and ensuring that they are handled adequately. Where IPs / MHA communities are concerned, the CFTs/DCs and ROMSs will ensure that grievance redress mechanisms are developed in a culturally appropriate and gender-sensitive manner in close consultation and collaboration with the relevant community members.

Disclosures

11. As is the case with other documents, the IPP/MHA Plan will be disclosed in the respective villages. Special provision to translate the documents in locally acceptable languages and use of comprehension aid (either audio or visuals or both) will be made. The IPP will be part of the RKM, as relevant.
12. In the case of IPs is the sole or the overwhelming majority of direct project beneficiaries, all of the Project planning documents (RKM sub-project proposals and implementation reports) will be disclosed at the village level.
13. The draft of IPP and/or MHA Plan is disclosed to the public in the Project's website (www.pamsimas.org) and Infoshop.