

# Resettlement Policy Framework & Process Framework

Ecosystem Approach to Fisheries Management,  
in Eastern Indonesia  
(Fisheries Management Areas 715, 717, 718).

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## EXECUTIVE SUMMARY

### *Introduction*

This document constitutes a Resettlement Policy Framework (RPF) and a Process Framework (PF) for the Ecosystems Approach for Fisheries Management in Eastern Indonesia, Fisheries Management Area 715, 716, 718 (hereinafter referred to as the “Project”). This Framework sets out resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation.<sup>1</sup> The RPF/PF relates specifically to the three Project Components under WWF responsibility, based on a Memorandum of Understanding between The Ministry of Marine Affairs and Fisheries (MMAF), WWF Indonesia and the Kehati Foundation with Conservation International.

This RPF/PF has been prepared based on recognized that activities that will be undertaken under various project components may affect Project Affected Persons’ (PAPs’) assets, economic livelihood sources, or access to natural resources. The Project will seek to avoid or minimize such negative impacts, wherever feasible, by exploring all viable, alternative project designs. Where it is not feasible to avoid adverse social or economic impacts, the Project will ensure that the pre-project sources of livelihood and living standards of PAPs are improved, or at least restored. All PAPs will be meaningfully consulted and will have opportunities to participate in planning, implementing and monitoring of the conservation and resettlement programs. The Project is not expected to involve any land acquisition or physical resettlement at any of the Project sites.

In the context of this Project, restricted access to Marine Protected Areas is the livelihood impact triggering the Resettlement Policy and preparation of this Resettlement Policy/Process Framework.

A key objective of this RPF / PF is to suggest mitigation measures to improve or at least restore the socio-economic conditions and livelihood sources of indigenous peoples (IPs) and local communities that will be affected by Project activities.<sup>2</sup> This RPF/PF also intends to identify measures that could improve the livelihood sources of women and other vulnerable groups (e.g., unemployed, elderly, disabled, etc.).

This Framework was prepared in consultation with Project preparation team members, current WWF-Indonesia program stakeholders, and a small selection of PAP from East Seram and the Kei Islands (community members, indigenous peoples representatives) identified during the process between May and June, 2016. Efforts were made to achieve gender balance during these processes, however as noted in the recommendations section of this document, further effort at balanced consultation, as well as additional gender analysis and engagement will improve the safeguards and other aspects of the Project through its implementation phase.

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<sup>1</sup> For the purposes of this Framework, “resettlement” covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning—physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) restriction of access to natural resources or other sources of economic livelihood; (d) economic rehabilitation of project affected persons to improve (or at least restore) incomes and living standards.

<sup>2</sup> For the purposes of this RPF / PF, the definition of IPs will be based on the common WWF definition, according to which characteristics of indigenous and tribal peoples include social, cultural and economic ways of life different from other segments of the national population, traditional forms of social organization, political institutions, customs and laws and long-term historical continuity of residence in a certain area, as well as self-identification as indigenous or tribal.

## ***Legal Framework***

The WWF's resettlement policy is directed at improving (or at least restoring) incomes and living standards of project affected people, rather than merely compensating them for their expropriated assets. This approach broadens the objective of the policy to include the restoration of income streams and retraining of people unable to continue their old income-generating activities after displacement. The emphasis on incomes and living standards, in contrast to the conventional emphasis on expropriated property, expands the range and number of people recognized as adversely affected.

The Government of Indonesia regulations on Conservation of Natural Biota and Ecosystems (UU5/1990), UU31/2004 concerning Fisheries, PP 60/2007 on Fisheries Conservation, UU27/2007 on Management of Coastal Areas and Small Islands, PERMEN KP No PER.30/MEN/2010 on Management Plans and Zoning of Marine Conservation Areas<sup>3</sup>, as well as the broader regulation on environmental and social impact assessment (Head of Bapedal Decree No. 299/1996 (Technical Guidelines for Social Aspect Study in ESIA (AMDAL) Analysis Preparation). Social assessment is analyzed in AMDAL document referring to MOER No. 16/2012, MOER No. 16/2012, Appendix 3, Environmental Management Plan (RKL), and a selection of other laws on resource acquisition relate in part to mitigation of economic displacement due to restricted access to natural resources. Identification of impacted populations and consultation for appropriate compensation or mitigation are common elements of these laws, that align with the WWF policy generally.

## ***Anticipated Project Impacts & Suggested Mitigation Measures***

The Project-affected populations have been identified using the following criteria:

- Indigenous tenure and governance systems that dictate which groups have traditional responsibility for the areas where project activities will be concentrated;
- Proximity of villages to the MPA within the FMA, and proximity to the no take zone, in particular; and
- Contemporary patterns of use of the area, both for cultural and livelihood activities.

The anticipated Project impacts are closely connected to the current fisheries management regime applicable in Indonesia. All marine areas are considered governmental resources, with legislated zoning for different uses, including commercial and traditional fishing activities, partial and complete conservation. The Marine Protected Areas that come under this Project are all established by law, and further effort is planned to enhance the protection of the areas, as well as the sustainable use of resources for nearby, coastal communities' livelihoods. The principle impacts identified by MPA are outlined below.

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<sup>3</sup> Achmad Satiri, 'Stratgi dan Konsep Regulasi Hukum Kawasan Konservasi Perairan'. Ministry of Oceans and Fisheries, Republic of Indonesia, Directorate General of Seas, Coast and Small Islands.

(i) ***Southeast Maluku – Kei Kecil***

Project activities that are planned in the FMA 718 region and may have resettlement implications include the strengthening of the Eco-System Approach to Fisheries Management (EAFM), including the increased enforcement of the established Marine Protected Area within the FMA. The MPA is existing but the Project interventions will strengthen both government capacity to enforce the conditions of the MPA, including the restrictions such as no-take zone, as well as the indigenous community awareness and changes of selected traditional, subsistence practices in the MPA area. The anticipated impacts of these activities, accompanied by possible mitigation measures, are listed below.

Area	Concern / Issue	Mitigation
<p><b>FMA 718</b> <b>Southeast Maluku (Kei Kecil)</b></p>	<p><b><i>Restrictions on fisheries activities.</i></b> The Marine Protected Area (MPA Kei Kecil) is located within the FMA 718. Restricted fisheries activities in the MPA, including a no-take zone within the MPA may affect selected community livelihoods.</p>	<p><b><i>Sustainable livelihood alternatives.</i></b> Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. Seaweed farming groups and mudcrab cultivation groups based on indigenous rights ownership of the marine area have begun receiving technical support and basic equipment to generate alternative livelihoods as replacement activities for restricted fisheries access in Kei Kecil. For other users, who do not have indigenous rights to the area the Fisheries Improvement Program under Project Component B targets these fishing communities. Alternative livelihood assessment and community consultation may also be carried out to determine suitable activities for Project support.</p>
	<p><b><i>Restrictions on hunting leatherback turtles.</i></b> Local communities, and in particular IPs, hunt for subsistence and pursuant to their cultural heritage and traditions (only men are involved in hunting leatherback turtles). However, hunting of endangered species is prohibited in FMA 718, and thus the increased enforcement of EAFM in the area will prevent the local community from hunting.</p>	<p><b><i>Mitigate restrictions on hunting.</i></b> Within the MPA Kei Kecil, Indonesian regulations provide areas for limited uses including aquaculture, tourism and fish capture), as well as for traditional uses to support subsistence activities. In the southern area of the MPA where community tradition of leatherback turtle hunting has expanded beyond sustainable limited, the Project has begun working with indigenous institutions to review the tradition and revise the indigenous legal regime (<i>hukum adat</i>) to limit turtle hunting activities.</p> <p>The Project will collaborate with affected communities to support their legal transition and communication activities, as well as offering support for sustainable tourism development including training and technical support. Efforts to safeguard the relevant aspects of indigenous identity related to leatherback turtles will be made from the Project outset.</p>

**Gender.** Preliminary baseline data and Consultations revealed that women in Kei Kecil (western area adjacent to the Marine Protected Area) are actively involved in household economic activities. To support subsistence diets, women do ‘bamete’ - a tradition of scouring the reef and shoreline areas during low tide to gather shellfish and seafood. This activity is still allowed in the FMA such that the MPA also has no impact. Whereas the traditional owners rarely used the marine area other than for these subsistence activities on a seasonal basis, with the introduction of alternative livelihood activities to engage their support for the MPA, women will be increasingly active and in control of the income generated by their activities, particularly for seaweed farming and crab cultivation, in which they are the primary actors.

In the area targeted for tourism development, the Project should invest efforts in training women and actively engage them in the organization of Project-related events and annual festivals that the IP community of Nuvit are planning as part of their cultural revitalization, tourism development and conservation of leatherback turtles. These activities should ideally seek to engage the most vulnerable women (IP, unemployed, single heads of households, poor, etc.) and women who belong to households that have been involved in turtle hunting and can help champion the change at the community level.

**Indigenous Peoples (IP).** The Kei Islanders in the western part of Kei Kecil may be considered indigenous people based on the dominance of their language, social structures, governance systems and territorial attachment to natural resource areas, also recognized by law. The project affected people include both IP and others that are also native to Kei Islands but have intermarried extensively and adopted Islam as their religion, are more in the mainstream system of village organization such that for Project purposes they are considered non-IP. The later are users of the MPA who do not have traditional custodial rights to the area, but conduct fishing for livelihood purposes.

### ***(ii) FMA 715 – East Seram, Koon Island***

Project activities that are planned in FMA 715 area around East Seram, which may have resettlement implications include (i) the increased enforcement of no take zones within the existing Koon MCA area, which is part of FMA 715. Koon was initiated as MCA (Marine Conservation Agreement), between WWF Indonesia and the King of Kataloka as No take area for FSA (Fish Spawning Agregation) site, since 2013. At the moment, the local government in East Seram has proposed Koon as an MPA based on Indonesia regulation for MPA Development. Koon Island is uninhabited, whereas nearby Gorom and Grogos are inhabited. The anticipated impacts of these activities, accompanied by possible mitigation measures, are listed below.

<b>Area</b>	<b>Concern / Issue</b>	<b>Mitigation</b>
<b>FMA 715 (East Seram, Maluku – Koon Island)</b>	<b><i>Restrictions on fisheries activities.</i></b> The Marine Protected Area (MPA Koon) is located within the FMA 715. Restricted fisheries activities in the MPA, including a no-take zone within the MPA may affect selected community livelihoods.	<b><i>Sustainable livelihood alternatives.</i></b> Fisheries Improvement Program under Project Component B targets these fishing communities. Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. A program of eco-tourism based on payment for ecosystem services being established with the local indigenous community in exchange for protecting the fish spawning area of the MPA Koon may also be supported.

**Gender.** Preliminary baseline data and consultations revealed that women in the neighboring islands (Goram and Grogos) are actively involved in household economic activities. While on a larger scale in Kei, the women of East Seram also support subsistence diets by doing ‘bameti’ - a tradition of scouring the reef and shoreline areas during low tide to gather shellfish and seafood. This activity is still allowed in the FMA such that the MPA also has no impact. The women’s role in potential eco-tourism and other trade/economic development activities will require assessing in more detail, site-specific gender analysis will be carried out based on that assessment and consultation with women affected by MPA Koon. Given the apparent dominance of men in the traditional governance system that is undergoing a renewal, the participation of women in consultation and decision-making around future economic activities supported by the Project is a key area for attention as the project moves forward.

In the overall management institution for the area, as well as in relation to activities targeted for tourism development, the Project should invest efforts in livelihoods and participation-related<sup>4</sup> training women and actively engage them in the organization of Project-related activities. As there may be cultural barriers to women’s participation, the Project will develop a strategy, for example seeking to engage any women, as a first step, and then shift a focus to the most vulnerable women (IP, unemployed, single heads of households, poor, etc.), or it may find strategic ways to immediately target more vulnerable women who belong to households that will be most affected by project activities.

**Indigenous Peoples (IP).** The people of Negeri Kataloka are part of the wider Maluku islands ethnic groups; they have embraced Islam and retained to some degree elements of their traditional institutions and practices. They self-identify as indigenous people based on their historical ties to territory, dominance of governance systems and some traditions. The project-affected people include a majority of people that identify as the members of the indigenous group of Negeri Kataloka, and some others that are also native to East Seram islands and/or are from other parts of Indonesia and have intermarried. They live mostly on Grogos and Gorom islands, though their kinfolk are likely found further afield, in Ambon and beyond. The Kingdom system of traditional rule is such that the land and sea areas are under the jurisdiction of the King of Negeri Kataloka. The people reside on the islands based on his approval, but they are not owners. While Project negotiations respect and work through the King and his recently developed formal institution (Badan Perencanaan dan Pembangunan Negeri Atalo’a), the Project will also ensure it consults directly with affected community populations to gather balanced information and assess the implications of agreements made or to be made with the King.

### ***(iii) FMA 717 – West Papua, Wondama Bay***

Project activities that are planned in the Wondama Bay area of West Papua, and may have resettlement implications include the strengthening of management of the Cenderawasih Bay National Park (Taman Nasional Teluk Cenderawasih, or TMTC) and strengthening enforcement of MPA and no take zones within it. The anticipated impacts of these activities, accompanied by possible mitigation measures, are listed below. This site assessment is based on consultations with the Program manager and document reviews only, noting that the site is an existing work area under WWF Indonesia, since the 1980s.

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<sup>4</sup> May include training in how to participate effectively in meetings, decision-making, note-taking, community organization and so forth.



Issue	Concern	Mitigation
<b>FMA 717, West Papua, Wondama Bay</b>	<b>Restrictions on fisheries activities.</b> The Marine Protected Area (Cenderawasih Bay National Park – TNTC) is located within the FMA 717. Restricted fisheries activities in the MPA, including a no-take zone within the TNTC may affect selected community livelihoods of indigenous people from 5 villages. Whereas subsistence activities by indigenous peoples are not restricted, fishing limitations are in force that affect outsider fisherfolk.	<b>Sustainable livelihood alternatives.</b> Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. Fisheries Improvement Program under Project Component B targets these fishing communities. A program of integrated tourism planning, including eco-tourism elements based on whaleshark protection has also been established with the indigenous people and local community in Kwatisore village. Potential for religious and cultural tourism have been identified. Roles for the non-indigenous fishermen and increased participation and benefits for community members, including women, will be enhanced through Project involvement.

**Gender.** A baseline of local women’s activities was established through assessments and consultations conducted in 2011, 2013 and 2015. The Project should actively engage local women in communication programs planned as part of the Project and prioritize their access to training opportunities that will be created, mostly related to the fisheries improvement program. Gender analysis across the project area suggests that women’s roles are largely restricted to the household and subsistence economy, as well as church activities. Their expressed interest in economic development to support education of their children, and experience in small trade (of agricultural products, coconut oil and handicrafts) provides a basis for gender-specific element of the livelihoods support activities planned for MPAs across the Project area.

**Indigenous Peoples.** The majority of Wondama Bay communities may be considered indigenous people based on the dominance of their language, social structures, governance systems and territorial attachment to natural resource areas, also recognized by Special Autonomy law 21/2001, which is specific to Papua region. The project affected people include both IP of the Wame, Yeresuab, Yaur and Umari tribes and others that are migrants that use the area periodically, predominantly from Sulawesi, but also from Nabire and Serui (Papua). The Wondama peoples’ traditional livelihoods are based on a combination of simple agriculture, hunting, gathering and fishing, primarily for subsistence. Incomes are also derived from forestry. Traditionally whale sharks were not hunted but rather were feared; Lola, trepang, grouper and lobster are other local economic products. Through facilitation and guidance from WWF Indonesia over many years, the indigenous people of Kwatisore village and surrounds have embraced the whale sharks as a cultural icon and recognize its protection as potentially important for their livelihoods being sustainably complimented with income from tourism. By working with the regency government on park conservation strengthening, WWF Indonesia also supports local government focus on these other potential community-based sustainable enterprise opportunities.

### ***Implementation Arrangements***

**Institutional responsibilities.** The Table below summarizes the RPF / PF responsibilities of each of the Project stakeholders.

Entity	RPF / PF Responsibilities
WWF-GEF Agency	<ul style="list-style-type: none"> <li>• Overall supervision and oversight of the RPF / PF implementation</li> </ul>
PMU Project Manager with technical input from the Safeguards specialist /Consultant	<ul style="list-style-type: none"> <li>• Day-to-day implementation of the measures outlined in the RPF / PF at the national level.</li> <li>• Supervision of the RPF implementation in each of the regions</li> <li>• Ensuring that all project activities comply with the principles and provisions outlined in the RPF</li> <li>• Consideration of appeals related to communities' grievances and complaints that could not be satisfactorily resolved by the Regional Programme Coordinators (RPCs)</li> <li>• Coordination of resettlement-related activities among the RPCs</li> </ul>
Site Project Coordinators (SPC) Maluku Tenggara, Seram and Wondama Bay	<ul style="list-style-type: none"> <li>• Day-to-day implementation of the measures outlined in the RPF / PF at the regional (province, district, sub-district and village) level</li> <li>• Holding bi-annual consultations and information sessions to inform local men and women of ongoing Project activities, seek their views, and invite questions and grievances</li> <li>• Management of the regional grievance redress mechanism</li> <li>• Monitoring of the implementation of the RPF in each of the regions according to the indicators specified in the RPF</li> </ul>

**Grievance redress.** Pursuant to the WWF policy on involuntary resettlement and process framework requirement, the Project should set up and manage a grievance redress mechanism (GRM) that would address PAPs' grievances, complaints, and suggestions. The GRM should be managed by the SPCs in each of the regions and regularly monitored by the PMU. There are no specific Government regulations or requirements related to grievance redress, other than the positive legal process for disputes and breaches of law. As the GRM will be specific to this project, its active socialization will be important, both at the community level and with national, provincial and local government, including the district, sub-district and village levels. governments. Effort to map the grievance resolution process are provided, placing the field teams as main interface for community grievance, and identifying roles of WWF, government and local IP organizations (adat) in the process.

**Monitoring & Evaluation.** No later than three months after the confirmation of the precise Project activities and locations, RPCs in all three regions will be responsible for consulting and confirming the design of socio-economic activities to address the socio-economic impacts on PAPs in each of the Project areas and to specifically identify vulnerable PAPs (including women, IPs and the poor) that would require special livelihood restoration measures. The activity detail design, along with the existing survey results, will serve as a benchmark for the subsequent monitoring & evaluation (M&E) activities. The impact of Project activities on PAPs should be monitored and evaluated on an annual basis, throughout the duration of the Project. The purpose of this annual audit will be to verify that the mitigation measures specified in this RPF/PF are undertaken in a satisfactory manner. Suggested M&E indicators are available in Section 8 of this RPF/ PF.

**Budget.** The budget for all measures that are recommended in this RPF / PF will be included in the Project work plan, including for gender analysis and engagement/IP plans per site. However, funds

should be allocated for livelihood interventions through the FIP activities will include non-IP users of the MPA Kei Kecil, who come from the villages and islands around Dunwahan village (Sidni Hoi, Ut Island and Krus Island). The FIP are planned and budgeted within the Project, as enabling tools, so the cost associated with targetting and including these areas should be made available.

**Consultations.** Site Project Coordinators should hold annual public consultations with PAPs to inform them on ongoing Project activities, seek their views, and discuss any unforeseen project impacts and/or outstanding implementation-related matters. Representatives of the PMU and/or safeguard specialists should attend these consultations, as part of their supervisory function.

## DEFINITIONS

Compensation means the payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.

Indigenous People: See definition in section 1.3. below.

Land acquisition means the taking of or alienation of land, buildings or other assets thereon for purposes of the Project.

Process Framework describes the project and how restrictions of access to natural resources and measures to assist affected communities will be determined with the participation of affected communities.

Project affected persons (PAPs) means persons who suffer from a direct economic or social adverse impact of the project, through loss or damage of assets; land expropriation; involuntary displacement; adverse effect on right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed (temporarily or permanently); adverse effect on access to productive assets, such as land or natural resources (temporarily or permanently); or adverse effect on business, occupation, work or place of residence or habitat.

Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning—physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) restriction of access to natural resources or other sources of economic livelihood; (d) economic rehabilitation of project affected persons to improve (or at least restore) incomes and living standards. In the context of this Project, restricted access to Marine Protected Areas is the livelihood impact triggering the Resettlement Policy and preparation of this Resettlement Policy/Process Framework.

Resettlement Policy Framework (RPF) is a resettlement document that establishes resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation.

Vulnerable Group refers to people who cannot cope with crisis or shock situations to maintain their wellbeing or livelihood. In practice, these are often single-headed households, or households headed by disabled individuals, elderly, marginalized groups, low income or unemployed individuals. This group is among other things, characterized by low nutrition levels, low or no education, lack of employment or revenues, old age, ethnic minority and/or affected by gender bias.

## 1. INTRODUCTION

### 1.1. Project Description<sup>5</sup>

The Indonesia GEF Coastal Fisheries Initiative (CFI) under the United Nations Food and Agriculture Organisation (FAO), will implement a Child Project in FMAs 715, 717, and 718 as part of an effort to improve environmental and economic benefits through the application of improved coastal fisheries management including EAFM principles, fisheries management projects, sustainable financing tools, and improved knowledge management and information dissemination. Coastal fisheries in Indonesia are defined as any fishing activity occurring within 12 nautical miles (NM) of shore.

The waters of eastern Indonesia which have the highest marine biodiversity of any place on the planet are included in three Fisheries Management Areas (FMAs 715, 717 and 718) encompassing approximately 1.6 million square kilometers of ocean. Approximately 12 million Indonesians depend on these eastern Indonesia waters for their food and livelihoods. Given their importance for fisheries and biodiversity, these are priority FMAs for the Indonesia government.

Against this backdrop, the EAFM in Eastern Indonesia Fisheries Management Area 715, 717 and 718 (hereinafter referred to as the “Project”) seeks to achieve the following overarching objectives:

- improve sustainability of protected area systems;
- reduce threats to biodiversity;
- sustainably use biodiversity; and
- mainstream conservation and sustainable use of biodiversity into production landscapes/seascapes and sectors.

These objectives will be achieved through the following project components with specific objectives:

#### **Component A: Implementing Enabling Conditions in FMA 715, 717 & 718**

Objective: Improved capacity and compliance of coastal fisheries stakeholders to EAFM policies and regulations by applying relevant rights-based and collaborative management mechanisms and financial incentive schemes at specific sites within the three FMAs.

#### **Component B: Implementing Enabling Tools in FMA 715, 717 and 718.**

Objective: Select coastal fisheries improved using MPAs, FIPs, and Best Management Practices (BMPs) as well as the application of EAFM principles at key locations in the three FMAs.

#### **Component C: Permanently sustaining critical coastal ecosystem protection to support fisheries production in FMA 715 and 717.**

Objective: Through the capitalization the Blue Abadi Fund in West Papua Province (FMA 715 and 717), permanently support a network of local institutions working to protect coastal

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<sup>5</sup> The project description is based on the information available in the WWF – Global Environment Facility Project Document (May 2016).

ecosystems, increase fisheries production, and enhance EAFM for the benefit of small-scale local fishers and their communities<sup>6</sup>.

**Component D: Implementing Knowledge Management, Monitoring & Evaluation for Sustainable Coastal Fisheries in FMA 715, 717 and 718.**

Objective: Platforms established for project monitoring, evaluation, reporting, and knowledge management promote data sharing, communication of lessons learned and adaptive management.

Whereas Components A, B and D will be implemented by WWF-GEF Agency, the Project Component C will be implemented by Conservation International (CI) and Kehati Foundation. As such, the safeguards planning and implementation for activities under Component C will follow CI's safeguards policy and is the responsibility of CI. WWF-GEF Agency has responsibility for safeguarding the activities implemented under Components A,B and D.

Of these components implemented by WWF-GEF Agency responsibility, Project activities related to Components B have the most direct community involvement and impact. Component B includes space for site-specific collaborations to be defined based on consultation during the Project implementation phase. A sample of activities under Component B includes:

- Conduct training assessment for postharvest stakeholders including women and traditional fisher groups.
- Conduct training on Seafood Ecolabel Certification and a training on Good Handling Practices designed for various stakeholder groups.
- Based on the outcomes of the feasibility study, identify potential stakeholders for collaborative funding agreements including women and community based groups.
- Conduct training on BMPs for sustainable fishing for private sector fishers (including women) at the site level.
- Develop collaborative funding agreements to fund coastal ecosystem conservation that consider women and traditional stakeholder groups.
- Based on the outcomes of the feasibility study and stakeholder analysis, initiate two community based pilot Payment for Ecosystem Services or other financial mechanism projects.
- Continue to monitor whale shark population (FMA 717) and Leatherback turtles population (FMA 718) based on WWF Indonesia's on going monitoring program for these species.
- Conduct training assessment for postharvest stakeholders including women and traditional fisher groups.
- Focus Group Discussion in three pilot sites to determined woman productive activities and possible project interventions.
- Promote the participation of women and small scale fishers in CFI exchanges.

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<sup>6</sup> Component C is the responsibility of Kehati Foundation and Conservation International, not covered under WWF safeguard preparations.

## 1.2 Rationale

This document constitutes a Resettlement Policy Framework (RPF) and a Process Framework (PF), prepared in compliance with the requirements of WWF-US as stated in the WWF's Environment and Social Safeguards – Integrated Policies and Procedures. The RPF/ PF are also designed to serve the interests of national stakeholders in the Indonesia, where specific requirements do not exist relevant to this Project context. National Stakeholders include WWF-Indonesia, the government of Indonesia, other implementing parties under the overall Project, and local, coastal fishing communities. This Framework sets out resettlement objectives and principles, organizational arrangements, and funding mechanisms for any resettlement operation that may be necessary during project implementation.

While the Project does not involve any land acquisition or physical resettlement at any of the Project sites, it is recognized that activities that will be undertaken under various project components that may affect Project Affected Persons' (PAPs') traditional marine tenure areas, economic livelihood sources, or access to natural resources.

The Project will seek to avoid or minimize such negative impacts, wherever feasible, by exploring all viable, alternative project designs. Where it is not feasible to avoid adverse social or economic impacts, the Project will ensure that the pre-project sources of livelihood and living standards of PAPs are improved, or at least restored. All PAPs will be meaningfully consulted and will have opportunities to participate in planning, implementing and monitoring of the conservation and resettlement programs.

This Framework was prepared in consultation with Project preparation team members, proposed program stakeholders, a small selection of PAP (community members, indigenous peoples representatives) identified during the process between May and June, 2016. Efforts were made to achieve gender balance during these processes, however as noted in the recommendations section of this document, further effort at balanced consultation, as well as additional gender analysis and engagement will improve the safeguards and other aspects of the Project through its implementation phase.

## 1.3 Indigenous Peoples and local communities

A key objective of this RPF / PF is to suggest mitigation measures that could improve or at least restore the socio-economic conditions and livelihood sources of indigenous people and local communities that will be affected by Project activities. While there is no single globally-recognized definition of indigenous peoples, WWF adopts the statement of coverage contained in International Labour Organization Convention 169 (ILO), which includes both indigenous and tribal peoples. Characteristics of indigenous and tribal peoples include social, cultural and economic ways of life different from other segments of the national population, traditional forms of social organization, political institutions, customs and laws and long-term historical continuity of residence in a certain area. In some regions, the term indigenous also refers to residence prior to conquest or colonization by others. WWF also, in accordance with ILO 169, recognizes self-identification as indigenous or tribal as a key criterion in identifying indigenous peoples. Two other characteristics recognized as important in identifying indigenous peoples are: relative political marginalization and special ties, and relationships with their customary lands and resources, closely connected to their cultural identity.<sup>7</sup>

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<sup>7</sup> Larsen, Peter Bille and Jenny Springer 2008. *Mainstreaming WWF Principles on Indigenous Peoples and Conservation in Project and Programme Management*. Gland, Switzerland and Washington, DC: WWF.

Indonesia is a plural nation of more than 220 million people. The government of Indonesia recognizes 1,128 ethnic groups (IWIGA, web). The Ministry of Social Affairs identifies some indigenous communities as geographically-isolated indigenous communities (*komunitas adat terpencil*). However, many more peoples self-identify or are considered by others as indigenous. Recent government Acts and Decrees use the terms *masyarakat adat* and *masyarakat hukum adat* (customary law peoples) to refer to indigenous peoples. According to the national indigenous peoples' organization, Aliansi Masyarakat Adat Nusantara (AMAN), the number of indigenous peoples in Indonesia falls between 50 and 70 million people. Diversity within as well as between indigenous groups in Indonesia is high, and groups are often fragmented due to historical reasons, loss of rights to ancestral domains, processes of migration, intermarriage et cetera.

Over the past decade particularly, a basis for improved indigenous peoples' rights and development has been strengthened, due to sustained advocacy efforts and collaboration between a range of international and national actors. Key area of progress and needs include legal reforms, environment and sustainable resource management, citizen participation and service delivery, targeting indigenous people as marginal and vulnerable groups.

The third amendment to the Indonesian Constitution recognizes indigenous peoples' rights in Article 18b-2. In more recent legislation, there is an implicit, though conditional, recognition of some rights of peoples referred to as *masyarakat adat* or *masyarakat hukum adat*, such as Act No. 5/1960 on Basic Agrarian Regulation, Act No. 39/1999 on Human Rights, MPR Decree No IX/2001 on Agrarian Reform, Act No. 27/2007 on Management of Coastal and Small Islands and Act No. 32/2010 on Environment also refer to Masyarakat Adat. In May 2013, the Constitutional Court affirmed the Constitutional Rights of Indigenous Peoples to their land and territories including their collective rights over customary forest (*hutan adat /hutan hak*) (IWIGA, web). Nevertheless, a widespread and common understanding of the terms and meaning of Indigenous People in Indonesia is lacking and there is not a coherent capacity amongst actors to engage in efforts to support indigenous peoples' participation in development. Continual effort to identify indigenous people on a project, site and case-by-case basis is required, to ensure indigenous people and local community identities and interests are understood and can be treated appropriately.

## **1.1. Socio-Economic Background of Project Regions**

### **1. Southeast Maluku, Kei Kecil<sup>8</sup>**

The Southeast Maluku regency comprises 2 main islands, Kei Kecil and Kei Besar, where the town of Langgur in Kei Kecil is the administrative capital for both islands. The Regency comprises approximately 73 islands, of which only 12 are inhabited. The main island of Kei Kecil is surrounded by smaller islands, mostly concentrated on the west side down to Kei Tanimbar Island, under the Districts of Kei Kecil and Kei Kecil Barat (West Kei Kecil). Adjacent to the Marine Protected Area within the larger FMA 718 are villages using the west Kei Kecil coastal area, with a combined population of approximately 20,000, divided amongst 3999 households. This represents 20,7% of the total population of Southeast Maluku Regency.

In the West Kei Kecil district, most immediately connected to the MPA, are 8 'new' traditional villages (*ohoi*) and 2 'old' villages (*ohoi soa*), with combined population of 5728 people, and 1145 households. The population area is characterized by indigenous peoples with social structure, natural

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<sup>8</sup> This section relies on WWF (2013) Study of West Kei Kecil Community Institutions (*Studi Kelembagaan Masyarakat Lokal Kei Kecil Bagian Barat Kabupaten Maluku Utara, Analisis Kelembagaan Lokal Wilayah Tujuan Kawasan Konservasi Perairan*).



resource management practices and governance systems in use. Local government regulation (Perda 3/2009) formalizes the traditional structure and function of village government in line with the local tradition.

The people of West Kei Kecil practice mixed, seasonal subsistence agriculture and fishing activities, and derive income largely from a combination of activities around copra, embal (local bread), agriculture, forestry and other sources such as small trade, government incomes and pensions. More than 50% of fishing is done by canoes without motors, and the indigenous tradition of gathering shellfish and seafood from reef and coastal areas at low tide (called *Bamete*) is common. Health services are generally available although doctor ratios are low and service capacity is limited; education standards are low and economic development is relatively stagnant; the predominant religion is Catholicism, followed by Islam and Protestant Christen.

The people of Ohoi Debut are the traditional custodians of Nay and Hoat Islands, which are closest to the no-take zone. Further north of Langgur town, in the villages of Dunwahan, Sidni Ohoi, Krus Island and Ut Island are local populations of Kei Islanders who have no traditional custodianship or user rights to the MPA area, but are nevertheless users of the area for small-scale commercial fishing, and are known to use destructive fishing practices in the MPA. A socio-economic assessment and local community institutional analysis has defined the profile of these potential affected populations as a foundation for livelihood interventions under the Project. These populations are predominantly mixed, comprising Kei islanders who have intermarried with outsiders and adopted Islam as their religion, and subsequently decreased identity based indigenous governance norms and traditions.

The project affected populations have been identified using criteria as follows:

- Indigenous tenure and governance systems that dictate which groups have traditional responsibility for the areas where project activities will be concentrated;
- Proximity of villages to the MPA within the FMA, and proximity to the no take zone, in particular; and
- Contemporary patterns of use of the area, both for cultural and livelihood activities.

## 2. East Seram, Koon Island and surrounds <sup>9</sup>

Koon Island is one of several in the Gorom Island Sub-district, under a capital city (town) of Gorom on Gorom Island. The area includes Koon, Gorom, Grogos and Nukus islands. The sub-district is around 78,68 km<sup>2</sup> in area, or approximately 1,36% of the total area of East Seram District. Whereas the western side of the main island and sub-district is characterized by vast, shallow sandy and coral areas, the eastern, northern and southern sides have deeper water. Many islands in the sub-district are low-lying and uninhabited. Gorom Island topography goes up to 500m above sea level whereas many others in the area are less than 2 meters above sea level. The District population is approximately 18,000 people, based on 2013 government data.<sup>10</sup>

The people of Negeri Kataloka are part of the wider Maluku islands ethnic groups; the majority have embraced Islam, and retained to some degree elements of their traditional institutions and practices. They self-identify as indigenous people based on their historical ties to territory, dominance of

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<sup>9</sup> Information is based primarily on WWF (M. Korembina et al.) report Socio-Economic Survey of Gorom Island Sub-District, East Seram District. 2015.

<sup>10</sup> Gorom Island District in Figures, 2013. *Kecamatan Pulau Gorom dalam Angka 2013*, BPS Kabupaten Seram Bagian Timur.

traditional governance systems and some resource management and other traditions. The project-affected people include a majority of people that identify as the members of the indigenous group of Negeri Kataloka, and some others that are also native to East Seram islands and/or are from other parts of Indonesia and have intermarried. They live mostly on Gorom and Grogos, though their kinfolk are likely found further afield, in Ambon and beyond.

The Kingdom system of traditional rule is such that the land and sea areas are under the jurisdiction of the King of Negeri Kataloka. The people reside on the islands based on his approval, but they are not owners. While Project negotiations respect and work through the King and his recently developed formal institution (Badan Perencanaan dan Pembangunan Negeri Atalo'a), the Project will also ensure it consults directly with affected community populations to gather balanced information and assess the implications of agreements made or to be made with the King.

As dictated by seasonal weather patterns and winds in particular, the island populations' economic activities are a mixture of sea and land-based subsistence and small trading. They are also civil servants and other professionals found amongst the Gorom Island communities.

A preliminary survey by Korembina et al (2015) for WWF reports that in selected villages such as Grogos, Aroa and Sikaru, the majority of people derive their incomes from fishing, whereas in other villages such as Dadas and Reumeon, people reported to have approximately half their livelihood from fishing. Fishing relies on very simple equipment and techniques, and is primarily for household consumption, with sales only made in neighboring villages or Grogos town when catches exceed household needs. Grogos islanders report selling their fish to the closer Geser Island, where there is more demand. They also catch live reef fish and sell them to a company on Kidam island.

### **3. West Papua, Wondama Bay area<sup>11</sup>**

West Papua Province ranks .61 on the Indonesian Human Development Index, making it the second poorest in the country, after Papua Province. The Cenderawasih Bay National Park (TNTC) within Wondama Bay and Nabire Districts is the largest in Indonesia has been established since 2009. Half the area of Wondama Bay District is marine area under the TMTC. It comprises 13 sub-districts and 75 villages. 90% of the District land is forested. Its coastal areas including 7 main villages are key traditional users and custodians of the area. Yendes, Syabes, Isenebuai, Yomakan, Naoanyaur, Goni and Kwatisore are the villages most affected by this project, located between 1 and 4 hours from the district town of Rasei in South Wasior. The combined population of these 7 villages is approximately 2274 people amongst 498 households.

The affected people in the villages are indigenous people of Wondama area tribes, including Yeresian, Yaur and Umari. The majority of people in each of these villages lists fishing as their primary occupation. The methods used are simple and for the most part sustainable, whereas outsiders from Sulawesi, Nabire and Serui (Papua) are known for destructive fishing practices in the area. Sea-based incomes are derived from grouper, trepang, lobster and crocus snails, whereas forestry and small scale agriculture are other sources in the area. While most of the traditional poverty indicators used by the Government of Indonesia are considered inapplicable for the Wondama Bay area, WWF data on MDG indicators in the Project area indicates that health and education standards are poor, and that the position of women and girls is relatively marginal.

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<sup>11</sup> Information is based primarily on WWF reports including Tourism Potential of Cendrawasih Bay National Park (2013) and Social and Resource Participatory Mapping in Wasior (2013); Study of the Social Structure and Cultures of Communities on the Cenderawasih Bay National Park, in Nabire and Wondama Bay Districts (2014); and Report of Activities to Identify Natural Resource Use at Village level (2013).

Tourism potential of the Taman Nasional Teluk Cenderawasih (Cenderawasih Bay National Park, or TMTC) has been assessed and under development since around 2010. The marine park is one attraction, however before its declaration, local tourism based on religious history and cultural attractions existed. The current marine-based tourism is dominated by live-aboard package tourism, which generates very little benefit for local people, such that a revitalization of traditional culture, especially amongst youth, has been identified as a means to promote marine conservation as well as to improve livelihoods through land-based tourism.

## **2. LEGAL FRAMEWORK**

### **2.1. Principles and objectives governing resettlement preparation and implementation**

The WWF's resettlement policy is directed at improving (or at least restoring) incomes and living standards, rather than merely compensating people for their expropriated assets. This approach broadens the objective of the policy to include the restoration of income streams and retraining of people unable to continue their old income-generating activities after displacement. The emphasis on incomes and living standards, in contrast to the conventional emphasis on expropriated property, expands the range and number of people recognized as adversely affected. Recognition of this broader range of adverse socio-economic impacts leads to a greater appreciation of the issues to be considered in resettlement and consequently requires careful delineation of responsibilities, elaborate risk management, and nuanced resettlement planning.

The WWF Policy on Involuntary Resettlement mirrors the World Bank and GEF guidelines, and is based on the following principles:

- Adverse socio-economic impacts as a result of Project activities are to be avoided or at least minimized.
- All projects requiring resettlement activities by necessity must include active engagement with affected communities and free, prior, and informed consent (FPIC).
- Rehabilitation and mitigation provisions provide PAPs with opportunity to improve, or at least restore, pre-project incomes and living standards.
- PAPs should be fully informed and consulted on land acquisition and resettlement compensation options.
- PAPs' socio-cultural institutions should be supported and protected as much as possible.
- Compensation will be paid at replacement cost to PAPs, without deduction for depreciation or any other purpose.
- Lack of legal title of PAPs should not bar PAPs from compensation or alternative forms of assistance as needed to achieve policy objectives.
- Particular attention should be paid to IPs and households headed by women and other vulnerable groups.
- The costs of resettlement mitigation measures that are set out in this RPF/PF should be included in Project costs and budget.
- Compensation and resettlement subsidies will be fully provided prior to clearance of right of way/ ground leveling and demolition.

## 2.2. Legal Framework for Resettlement in Indonesia

The National Laws of the Government of Indonesia (GOI) on Land Acquisition and Resettlement are not explicitly compatible with the WWF policy requirements and clear legal requirements relevant to the impacts of the Project are not easily discernable. At the same time, the collective provisions of the various laws are generally aligned with the WWF policy on Resettlement guiding this RPF.

In 2012 Indonesia decreed a Law that regulated “Land Acquisition for the Development of Public Interest”. In August 2012, the new Perpres No. 71/2012 “Implementation of Land Acquisition for the Development of Public Interest” replaced the previous Perpres No. 65/2006 and No. 36/2005. By the end of 2012, the National Land Agency through Regulation No. 5/2012 issued the Implementation Guideline for Perpres No. 71/2012, which replaces Regulation No. 3/2007. In addition, Ministry of Finance Regulation No. 13/PMK 02/2013 and Ministry of Home Affairs No. 72/2012 have been issued for the law implementation.

Other laws that relate to land acquisition and resettlement issues include: (i) Act no. 41/1999 Law on Forestry;<sup>4</sup> (ii) Act No. 32/2004 concerning Local Government;<sup>5</sup> (iii) Act no.11/2005 on Economic, Social, and Cultural Rights;<sup>6</sup> (iv) Act No.41/2009 on Agricultural Land for Food Security.<sup>7</sup>

Based on the new Law, land acquisition should be undertaken by the government by involving all entitled holders (*pihak yang berhak*) and concerned stakeholders taking into account the interests of development and community. Those entitled shall be, inter alia: a. landholders; b. land concessionaires; c. *waqf* organizers, in the case of *waqf* land; d. *ex-customary land owners*; e. *indigenous people*; f. parties in possession of the state land in good faith; g. land tenure holders; and/or h. owners of buildings, plants or other objects related to land. The object land acquisition include; (i) land; (ii) over ground and underground space; (iii) plants; (iii) buildings; (iv) objects related to land; and (v) other appraisable loss. Land acquisition implementation handled by National Land Agency should be conducted by providing fair and adequate compensation. The act also recognizes that a location determination will be required prior to land acquisition. For the efficiency consideration, acquisition of land for public interest if less than 1 hectare can be conducted by the institution needing the land through the transaction, exchange, or other means acceptable to both parties.<sup>8</sup>

Compensation for losses in terms of land acquisition and resettlement activities now covers “*Other appraisable loss*” means *nonphysical loss equivalent to money value, for example, loss due to loss of business or job, cost of change of location, cost of change of profession, and loss of value of the remaining property*. Losses in terms of restriction/limitation or restriction to access to natural resources such as marine-fishery resources that can impact on the economic activities of people are now categorized as losses by the new Law and may be valued for compensation purposes and may be in any of the following forms (Article 36): (i) money; (ii) substitute land; (iii) resettlements;<sup>9</sup> (iv) shareholding;<sup>10</sup> or (v) other forms as agreed upon by both parties.<sup>11</sup>

The other main legal provision where socio-economic and socio-cultural components of Projects in Indonesia generally are regulated is through the Head of Bapedal Decree No. 299/1996 (Technical Guidelines for Social Aspect Study in ESIA (AMDAL) Analysis Preparation). Social assessment is analyzed in AMDAL document referring to MOER No. 16/2012, MOER No. 16/2012, Appendix 3, Environmental Management Plan (RKL) contains measures for prevention, controlling and mitigation of significant impacts, and the development of positive impacts through technological, economic, and social means. The Environmental Monitoring Plan (RPL) is aimed to evaluate the compliance level of the project proponent’s implementation of environmental management. However, AMDAL is not required for Marine Protected Areas, and as such, the impact management related to IP’s and local

communities' social, economic and cultural lives in the context of this Project in not covered by this law.

In practice there is no guidance or emphasis on vulnerability, media, and not requirement for gender disaggregated data or gender specific analysis in the AMDAL regulations. Furthermore, while 'the impact of 'public perception; is frequently identified using the ESIA laws, the handling of grievances/complaints is not required as a process, with consequent difficulty in communicating an agreed process with relevant institutions.

### **On Indigenous Peoples**

Act No. 39 of 1999 on Human Rights. Article 6 Para. 1: "In the framework of maintenance of human rights, the differences in and the needs of, adat law communities are observed and protected by the law of society and Government." Article 6 Para. 2: "Cultural identity of adat law communities, including rights to ulayat land, is protected in line with the evolvement of time."

Law Number 27 of 2007 on the Management of Coastal Areas was recently subject to a Judicial Review of articles related to HP-3.<sup>13</sup> The decision ensured the utilization of the earth, water, and natural resources contained therein for the greatest welfare of the people, not the private sector, let alone foreign ones. It confirmed the recognition and respect for the unit of indigenous peoples and their traditional rights, and to uphold social justice for all Indonesian people, including the fisher folk family.<sup>14</sup>

Specific to indigenous peoples, there are three main laws considered relevant for this RPF:

- Presidential Decree No. 111/1999 regarding Provision of Isolated Traditional Communities (KAT)
- Social Ministry Decree No. 06/PEGHUK/2002 regarding Implementation Guidelines for Empowerment of Isolated Traditional Communities.
- Social Empowerment Director General Decree No. 020.A/PS/KPTS/2002 regarding Implementation Guidelines for Isolated Traditional Community.

### **3. ANTICIPATED PROJECT IMPACTS**

This section provides an assessment of anticipated Project impacts on local communities that reside in areas where Project activities are planned to be implemented. It also delineates possible mitigation measures that aim to improve, or at least restore, the livelihoods and standards of living of project affected people. The suggested mitigation measures were considered as part of consultations with local communities and gained the consent of consultation participants. It should be noted, however, that the assessment is limited to the problems and measures that were discussed as part of these specific consultations and does not consistute a full-scale needs assessment for the project area.

The discussion of impacts is presented first by themes, as impacts and community level issues associated with this Project are common across all three sites. Site-specific discussion and mitigation strategies is provide summarised in a diagram of logic between impact source, mitigation and impacts of mitigation. Gender, indigenous peoples status and processes of consultation used to engage potentially impacted populations are also addressed.

The anticipated project impacts are identified based on initial screening in the preliminary design stage, and subsequent specific analysis of the proposed project and site-specific characteristics, including literature/document review, field visit, observations, interviews and FGDs. The socio-economic and cultural profile of the population in the Project area is “overlayed” with the description of planned Project activities, then a matrix of variables that are most relevant are considered in further detail.

The WWF screening tool first used to identify potential impacts of the EAFM Eastern Indonesia Fisheries Project highlights Indigenous People, Involuntary Resettlement and Gender as aspects of the project design with potential safeguard implications. The specific variables considered most relevant include territory/tenure, localised economic (fishing) activities, cultural identity and practices.

### 3.1 Identification of impacted or affected persons

Based on the processes described above, the populations that will be directly or potentially significantly impacted by this Project have been identified using criteria as follows:

- Indigenous tenure and governance systems that dictate which groups have traditional responsibility for the areas where project activities will be concentrated;
- Proximity of villages to the MPA within the FMA, and proximity to the no take zone, in particular; and
- Contemporary patterns of use of the area, both for cultural and livelihood activities.

Specifically, by site, the affected populations are:

- **Maluku Tenggara, Kei Kecil (FMA 718):** indigenous and local communities of West Kei Kecil district dwelling in coastal and inland areas of Kei Kecil Island, in particular the people of NuVit, where leatherback turtle hunting restrictions are being strengthened, the Kei Islanders of Ohoi Debut who have traditional custodianship and responsibility for Nay Island and Hoat Island, which are closest to the no-take zone in the MPA. It is noteworthy that these people do not traditionally fish in the no-take zone, but rather are focused on tidal areas and dryland agriculture. Another group of impacted people is fishermen from an area north of Langgur town, including Dunwahan and Sidni Ohoi villages, Krus Island and Ut Island. These fishermen are also Kei Islanders and are known as capable fishermen who venture further from their villages to fish in areas where they have no traditional custodianship, including into the MPA area and its no-take zone opposite Nay Island.
- **East Seram, Koon Islands and surrounds (FMA 715):** indigenous and local communities of Gorom and Grogos Islands, under the Kingdom of Negeri Kataloka. The traditional owner of the area is the King of Negeri Kataloka, and in the traditional structure, the residents of the islands live there at his bequest. The main population is on Gorom Island, however on Grogos Island, a small strip of island to the east approximately 70 households reside and live exclusively from fishing activities. They have no agricultural land and fish mostly in the near-shore area of the MPA, but also to some extent in the no-take zone, which takes up less than 2% of the entire FMA 715.
- **West Papua, Wondama Bay (FMA 717):** indigenous peoples of 7 coastal villages in Wondama Bay District, comprising approximately 2274 people amongst 498 households. The

affected people are traditional users and custodians of the marine area, from various local tribes. Their clan-based social structure operates informally and predominantly in relation to natural resource use and social relations, whereas the local government structure and Protestant Church are dominant formal systems in use. The village people are predominantly fisher folk, with subsistence livelihoods as well as occasional income from marine as well as agricultural produce. Limited and traditional use of the TMTC means there are not significant economic impacts on these people, however in the context of increased pressure for resources, including demand for use by outsiders (both in the TMTC and on land, forests), they are target populations for marine conservation support activities. Other, illegal users from outside the area, are likely to be impacted from increased enforcement of the rules protecting the TMTC from overfishing and destructive practices.

## **3.2 Key impacts identified**

### **3.2.1 Restrictions on access to fishing grounds**

The principle Project impact on local communities, including indigenous peoples, derives from the nature of the Project, which is ultimately about conservation and improved sustainability of fish stocks in the target Fisheries Management Areas. The Project is designed to build on existing classifications of marine areas, both as FMA and as Marine Protected Areas (MPA). As such it does not introduce new areas which would cause a fundamental change to ocean classification and fisheries maps, or to the allowable uses in marine areas. Rather, the Project is to strengthen capacity for the Ecosystem Approach to Fisheries Management (EAFM) amongst key stakeholders, which has already been formally adopted by the Government of Indonesia. By strengthening this approach, the rules of use for the marine areas where the Project will work are already designated, formal and have been communicated to some extent with local stakeholders such as communities and fishing industry companies. Many activities are designed to improve understanding and ability to work within the rules, to secure livelihoods in a manner which is sustainable and legal.

Improved understanding and enforcement of the MPA rules, which dictate areas for restricted use related to fish capture, aqua-culture and tourism, as well as no-take zones, will have the effect of stopping, or at least minimizing, fishing activities in the Project area, specifically in the no-take zone. Traditional activities such as Bamete, or gathering from reefs during low tide, are not forbidden. Traditional fishing in canoes, with hand lines and some types of nets, are also not forbidden. In this regard, the Project impact of reduced access to marine areas is not negative or significant from a livelihoods perspective for the traditional custodians, but does have potentially negative economic implications for the other users.

For the traditional custodians of the Kei Kecil MPA, there are implications in terms of their role in protecting the area from mis-use. The no-take zones are offshore, and there is an agreement by local government (marine-related agencies) that the indigenous communities monitor and enforce proper use of the areas. Given the (illegal) use of the no-take zones by outsiders, this has impact on indigenous custodians in terms of revitalizing their cultural function, potentially affecting their livelihoods, and also potential for conflict between custodians and outsiders, who are often kin from neighboring districts.

For the Kataloka people of East Seram, the restrictions to marine access in the Koon MCA area have already been in force before the project. For the King of Kataloka as the traditional custodian, then

there are not significant economic implications for increased enforcement of the no-take zone at Koon. However for his 'subjects', the people of Grogos Island who have resided near Koon on the King's (ancestral) instructions to guard Grogos and Koon islands, there will be potentially significant impacts in terms of their household economy/income. Based on WWF Indonesia's 2015 socio-economic survey, it is known that the Grogos Island residents fish using traditional methods in a wider area of the MPA, and the no-take zone represents approximately 2% of the fishing area. The Grogos people mostly catch fish around Grogos, Koon, Nukus and Kidan islands, and some reefs and coral areas close to those islands.

Grogos islanders' catch a variety of fish for subsistence and sale, i.e. the majority of their incomes is derived from fishing and a large part of their catch was derived from the area being established as the no-take zone for Koon. Although the no-take zone represents a small area, it is the area where the Grogos islanders (and others) have used traditionally as it is known for its abundance. The area is referred to locally as 'pasar ikan' or fish market, and is the preferred fishing location for the islanders. Thus, while they can still fish in the wider MPA area, the impact on their capture for consumption or sale is considered significant. Based on a rapid assessment of the fishing community's environment, they do not have obvious alternative livelihood activities available to them (for example, seaweed farming is not suitable).

For the indigenous people and local communities of Wondama Bay (TMTTC within FMA 717), the Project activities will have limited cultural or economic impacts, but a potential for social conflict is noted, given the historical and political sensitivities of the region. As in other Project sites, the Project will not introduce new restrictions or expand MPAs within the FMA. The focus on strengthening capacity for EAFM means improved enforcement as well as diversified opportunities for livelihoods for the users of the marine area.

The Papuans of Wondama Bay traditionally subsist from inshore fishing activities, agriculture and forestry. Fishing in no-take zones is not an activity that affects the indigenous population, but rather affects the outsider (migrant) fishermen who are predominantly from Sulawesi and operate from mobile, pontoon-like structures called bagan. The Wondama Bay MPA has been in force since 2009 and migrant fishermen are generally accustomed to, and compliant with, the rules for fishing activity in the area.

### **3.2.2 Whaleshark-based ecotourism**

WWF Indonesia has been working with the local community on whale shark conservation in the area, to support an ecosystem approach in the MPA. Whereas the indigenous people did not hunt whale sharks, but feared them, they are now prized as a natural asset that can attract eco-tourism revenue for local people. While strengthening this important activity, the increased enforcement of the MPA rules targeting migrant fishermen brings to light potential conflict, where the migrant fishermen are seen to be 'encroaching' on the whale shark ecotourism venture, for example by selling their baitfish directly to tourists, effectively cutting out the indigenous operators that are being developed as custodians of the MPA and whale sharks in particular. The whale shark tourism is not directly affected by the Project, however through Project activities in Component B (Fisheries Improvement Program) there will be increased opportunities to support the local communities' livelihoods in a sustainable manner, with improved catch, handling and traceability, linked to responsible buyers. These activities may positively impact the tourism-related social dynamics in the affected area by bringing economic improvement.



### 3.2.3 Enforcement of bans on hunting Leatherback Turtles

For the Nuvit peoples of southern West Kei Kecil, the Project will strengthen the enforcement of bans on hunting endangered species such as the Leatherback Turtle. While the ban already exists by law and is not being introduced by the Project, the indigenous peoples' practice of hunting the turtles for food (not for sale), will be targeted for change as part of Project activities. The process of engagement to reduce hunting by indigenous peoples and local communities has already begun as part of other, ongoing WWF Indonesia activities in the area. Although some resistance is anticipated, and time will be required for the change to become widespread, based on consultations with the affected people, this Project activity will not have a negative cultural impact, but rather is anticipated to have a positive impact. The local indigenous leaders value turtle conservation as a way to revitalize traditional values, linking limited turtle capture to earlier practices that were more in harmony with nature and aligned with their own creation/migration legend. They see this change as a way to refocus indigenous youth on their cultural heritage, and strengthen community identity with the Leatherback Turtle as a cultural icon for NuVit.

## 4. SUGGESTED MITIGATION MEASURES

The resettlement process / policy framework (RPF) provides a level of analysis at the Project level, with some site detail, but not detailed implementation plans. This approach respects the dynamic nature of Project implementation, including changing stakeholder needs and preferences, as well as the need for flexibility in order to respond to emerging data and lessons learned from Project monitoring. The mitigations described here reflect a combination of processes and activities that the Project will pursue during implementation, recognizing that further assessment activities are part of the implementation approach, as are ongoing consultations with affected people.

The logical flow of analysis between this Project (selected relevant activity) and the anticipated impacts, provides a rationale for mitigations. These, along with the intended effect of the suggested mitigation activities, is demonstrated in the diagram below. Ultimately the mitigations should at a minimum be neutral in terms of the overall project objective, however the Project preparation team's approach is that ideally, mitigations will contribute to or enhance the achievement of the Project goal. For this project, the key socio-economic and cultural impacts can be mitigated effectively, and have a positive contribution toward the Project goal. An overview of the planned mitigations is provided below.

### 4.1 Engagement and facilitation

The Project team will proactively engage with key stakeholders, building relationships with the affected people through appropriate social structures, institutions and cultural norms. Through previous activities and as part of this Project preparation the teams have established rapport with Provincial and local government agencies, as well as with the indigenous institutions that exist formally and informally in each location. In Southeast Maluku and East Seram, the Kings, Indigenous Council (*Dewan Adat*) and respective leaders (*ketua/perangkat petuanan*, *kepala ohoi*, *kepala suku* and so forth) have been engaged, along with village heads and key community figures who facilitate access and sharing of information at the community level. The Project team's approach is to position itself as trusted partner, source of information and facilitator or bridge between parties, to collaborate on activities in support of the Project objectives.

At a wider level, to reach broader groups as well as a greater number of individuals within the indigenous and local communities, the Project teams will develop specific communication strategies appropriate to each site. For example, in Kei Kecil, the program team, including local government Fisheries department representatives, will participate periodically in a radio program called “Laut Biru” (Blue Seas) which airs weekly around the Kei Islands.

## **4.2 Economic support for appropriate alternative livelihoods**

A key mitigation approach for this Project is to facilitate alternative livelihood strategies for affected people, in ways that are appropriate to their traditions, resources, capacities and interests. Mitigation activities under the heading of supporting sustainable livelihood alternatives directly support the project objectives as well as strengthening rapport and good will between the Project and its stakeholders.

Based on consultations and preliminary assessments, the main livelihood activities to be pursued are as follows: seaweed farming, aqua-culture (sustainable crab harvesting), and support for improved fishing-based incomes through better management practices (related to fish size, handling and processing options), as well as access to sustainable markets. Eco-tourism support may also be considered part of the sustainable livelihoods activities planned to mitigate impacts from this Project. Some preliminary information on each of these activities is provided below.

## **4.3 Fisheries Improvement Program (FIP)**

Through Project activities in Component B (Fisheries Improvement Program) there will be increased support for sustainable local communities’ livelihoods, with improved catch, handling and traceability, linked to responsible buyers. The focus on commodities is small pelagic and reef fish. These activities will be targeted in specific areas, to mitigate potential negative impacts and to positively impact the affected peoples by bringing economic improvement. The FIP is a comprehensive set of activities, detailed further in the Project Document (Prodoc), and supported by extensive technical experience in implementation by WWF Indonesia and partners over several years. It is the principle activity planned to meet project objectives and to mitigate potential risks and impacts at the community level.

## **4.4 Sustainable crab harvesting, seaweed farming**

The Project will consult separately with each impacted group, to further develop a program of support already identified, and to identify other livelihood options that the Project could also support, if needed. In Kei Kecil (FMA 718), the custodians of the MPA and the area near the no-take zone will be supported to develop seaweed farming as an economic activity. Seaweed farming is a growing industry in the Kei islands and elsewhere in Indonesia, for which there is considerable interest, technical capacity and reliable markets. Based on a market assessment conducted in the region, prices for seaweed are expected to increase with improvements in seaweed quality and increased volumes of supply. The indigenous communities consulted about seaweed farming confirmed the appropriateness of this activity, and highlighted that women are the more active participants in seaweed farming and retain some control over incomes from seaweed.

The main threat to seaweed production is related to water quality, affected by destructive fishing practices in nearby waters. For seaweed farming to remain a viable alternative livelihood this issue

must be addressed as part of the Project's impact mitigation plans with other stakeholder groups (particularly in Kei). Consultations to assess the potential for seaweed farming, along with other potential livelihood activities specific to the area that the other users in the Kei Kecil MPA will be initiated during Project implementation.

Crab harvesting support builds on traditional activity in the Kei area, and is an area that communities see as a potential source of sustainable livelihood improvements. The crab harvesting group identified has been working informally for some years, and is now finalizing its registration that will enable it to access greater support from local government. WWF intends to facilitate the group's access to resources to improve sustainability of catch, handling and markets.

#### **4.4 Ecotourism and cultural / religious based tourism**

Eco-tourism in the Project area is a proposed mitigation strategy, based on the abundance of natural beauty and cultural uniqueness, which are assets worthy of promotion to domestic and international tourists. For all three FMAs, the Project teams have consulted with affected peoples and identified interest in developing eco-tourism as a complementary or possible core source of alternative livelihoods. WWF Indonesia will work with the local government and community institutions on a site-by-site basis, to support their tourism development aspirations in an eco-friendly and realistic manner.

The eco-tourism program at Wondama Bay is established, and based on lessons learned, it will be enhanced and expected to provide increased benefits to the indigenous and other populations over time. The main constraint at this site is the political instability and access restrictions that are applied to international visitors. The cooperation with WWF Indonesia is however a draw-card, and this relationship has already proven effective in attracting visitors to the area.

The approach for eco-tourism in Kei Project sites is related to the indigenous peoples' plan to restrict Leatherback Turtle hunting, and rather launch it as a cultural icon, with festivals and local attractions and experiences to be established over time. The Project plans to develop eco-tourism plans with the communities in the south, with cooperation of the Kei Kecil government tourism agency.

In East Seram, the MPA Koon has tourism potential related to scuba diving, as has already commenced through live-aboard vessels in transit to the more famous Raja Ampat archipelago in West Papua. The potential for Grogos and Goram islanders to participate more significantly in that existing market, or to diversify services and facilities to a wider range of eco-tourism activities will be assessed in detail during the Project inception. The Indigenous Peoples' Planning and Development Agency called Wanu Atalo has already established a committee to focus on tourism development opportunities.

A key constraint for eco-tourism development for all sites is the remoteness – although this is also an appeal for certain tourists, it has higher travel costs and risks associated with it, which may limit the market potential. Another constraint identified for attention by the Project team is the low baseline of hospitality experience amongst the target populations, and a lack of expertise, strategy and coordination amongst relevant government agencies (Tourism Agency and Local Development Planning Agency). Tourism development in remote areas is blossoming in Asia and in Indonesia in particular, but it takes a long time to establish, with persistent effort, resources and technical expertise.

Managing community expectations about the timeframe for returns in tourism will be important for Project teams and government alike.

#### 4.5 Cultural revitalization

Cultural revitalization is an important project mitigation strategy at all sites, but in particular in Kei and East Seram. The approach taken is to engage with the traditional structures, discuss conservation issues and provide information related to the MPAs within the traditional custodial areas, and over time, build rapport and trust, so that effective collaborations on marine conservation can occur, and cultural revitalization can also emerge as appropriate.

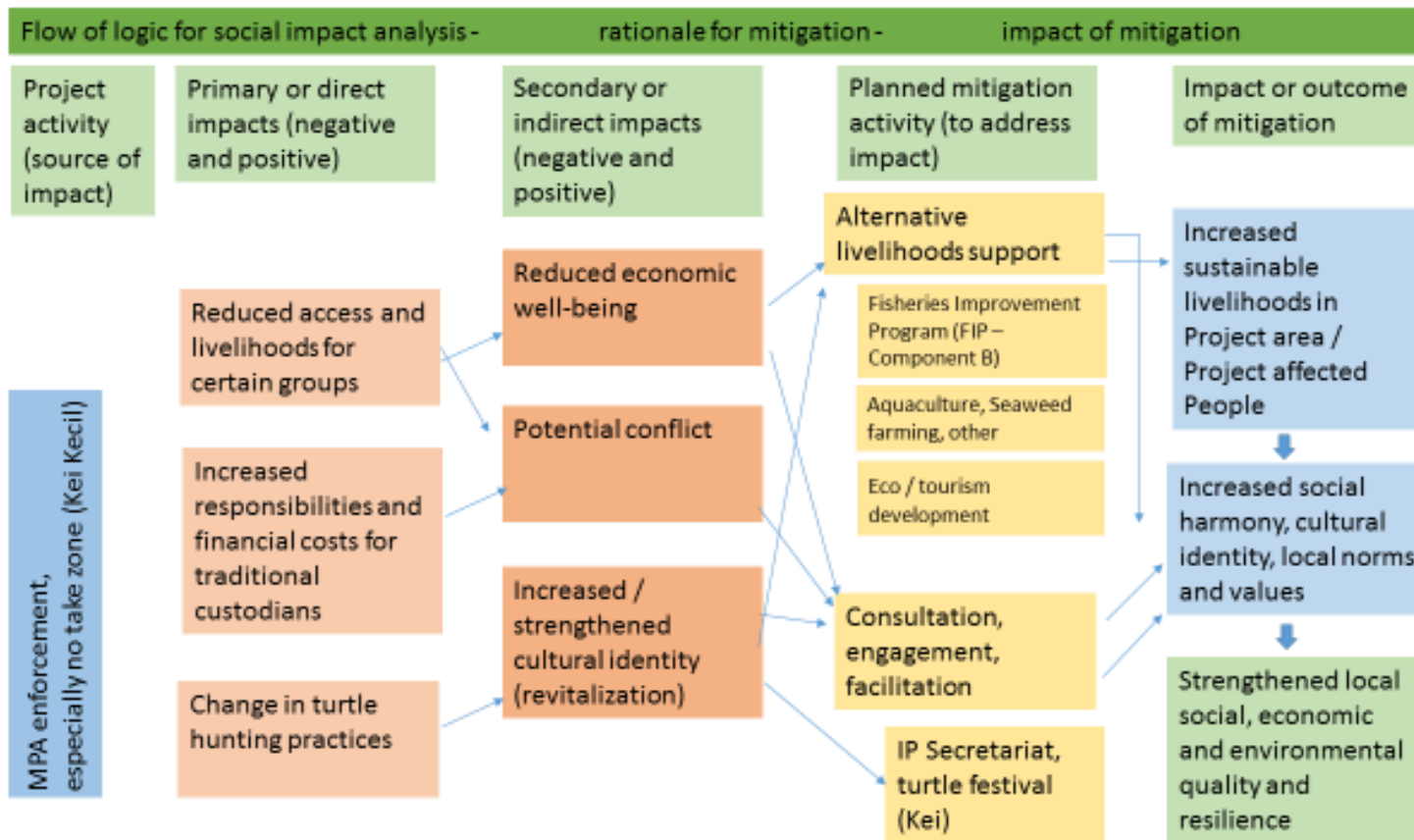
As the Project areas lie in the domain of three main groups of indigenous people, the mitigation approach related to local cultural revitalization must also be tailored by site. As a principle, the Project aims to work through existing cultural structures and institutions, with a view to strengthening these and introducing gender equality and other safeguard measures in appropriate ways. Conversations around benefit sharing and democratic processes, for example, will take place in the context of established relationships and collaborations with traditional (adat) institutions. In East Seram, for example, this means working closely with the King of Negeri Kataloka; in Kei Kecil, the Dewan Adat and various different layers of indigenous authorities related to separate areas have been identified for collaboration under this Project.

For example, in Kei Kecil, for the no-take zone the WWF Indonesia team works with one group (*Petuanan*) that has traditional responsibility for the area around Nay Island, and with another one for the southern coastal area where Leatherback Turtles are hunted. Through engagement with the correct structures, the WWF Indonesia Field Staff has agreed to support a series of consultations by indigenous leaders with their constituents about their leadership decision to ban leatherback hunting except under specific conditions. The leaders wish to revive traditional stories to emphasize the role of the turtle in their culture, and to launch the Leatherback Turtle as a cultural icon during a festival, planned in the first instance, for late 2016.

In the Cenderawasih Bay National Park (TNTC), WWF Indonesia with local partners and researchers have also identified the need for revitalization of local cultural knowledge and practices, particularly related to natural resource management, but also for wider application including the development of cultural tourism. Whereas culturally-determined and enforced restrictions on areas and species, known as *sasi*, are still in use in part of the Bay, there are areas where it could be reapplied and have a substantial benefit for communities and marine life. The revitalization of dance, story and handicraft traditions amongst youth particularly is considered important for Wondama area, if the long-term tourism potential is to be realized and bring benefits to the coastal villagers.

Figure 1 demonstrates the flow of logic between analysis of impacts, types of mitigations planned under this Project and the impact or outcome of the mitigation activities. In this approach, the mitigations and their outcomes are considered as part of the overall design strategy; the effect of the mitigations directly supports the overall Project objective and thus strengthens the possibility of Project success. The example illustrated below is based on analysis from Kei Kecil, but also captures the main impacts and mitigation strategies planned for East Seram and Wondama sites under the GEF-CFI Project.

Figure 1. Flow of logic – Project impacts and mitigations.



## 5. Summary of Anticipated Project Impacts and Suggested Mitigation Measures

The following Table summarizes for each of the Project's regions the anticipated impacts (or community concerns), suggested mitigation measures, and the feasibility of the implementation of these measures.

*Table 2. Summary of anticipated impacts and mitigation measures*

<b>Region</b>	<b>Anticipated impact / concern</b>	<b>Mitigation</b>	<b>Feasibility of implementation (easy/medium/difficult)</b>
<b>FMA 718 Southeast Maluku (Kei Kecil)</b>	<b>Restrictions on fisheries activities.</b> The Marine Protected Area (MPA Kei Kecil) is located within the FMA 718. Restricted fisheries activities in the MPA, including a no-take zone within the MPA may affect selected community livelihoods.	<b>Sustainable livelihood alternatives.</b> Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. Seaweed farming groups and mudcrab cultivation groups based on indigenous rights ownership of the marine area have begun receiving technical support and basic equipment to generate alternative livelihoods as replacement activities for restricted fisheries access in Kei Kecil. For other users, who do not have indigenous rights to the area the Fisheries Improvement Program under Project Component B targets these fishing communities. Alternative livelihood assessment and community consultation may also be carried out to determine suitable activities for Project support.	Medium
	<b>Restrictions on hunting leatherback turtles.</b> Local communities, and in particular IPs, hunt for subsistence and pursuant to their cultural heritage and traditions (only men are involved in hunting leatherback turtles). However, hunting of endangered species is prohibited in FMA 718, and the thus	<b>Cultural revitalization.</b> The Project will collaborate with local IP leaders to support their decision making processes and socialization activities related to changes in turtle hunting permission. Along with this, supporting the IP community wishes to launch turtle festivals and promote aspects of their culture with local youth and eventually to tourists, are plans already under discussion in the Kei project area.	Medium

	<p>the increased enforcement of EAFM in the area will prevent the local community from hunting.</p>	<p><b><i>Eco-tourism development.</i></b> Within the MPA Kei Kecil, Indonesian regulations provide areas for limited uses including aquaculture, tourism and fish capture), as well as for traditional uses to support subsistence activities. In the southern area of the MPA where community tradition of leatherback turtle hunting has expanded beyond sustainable limited, the Project has begun working with indigenous institutions to review the tradition and revise the indigenous legal regime (<i>hukum adat</i>) to limit turtle hunting activities.</p> <p>The Project will collaborate with affected communities to support their legal transition and communication activities, as well as offering support for sustainable tourism development including training and technical support. Efforts to safeguard the relevant aspects of indigenous identity related to leatherback turtles will be made from the Project outset.</p>	
<p><b>FMA 715 (East Seram, Maluku – Koon Island)</b></p>	<p><b><i>Restrictions on fisheries activities.</i></b> The Marine Protected Area (MPA Koon) is located within the FMA 715. Restricted fisheries activities in the MPA, including a no-take zone within the MPA may affect selected community livelihoods.</p>	<p><b><i>Sustainable livelihood alternatives.</i></b> Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. The Fisheries Improvement Program under Project Component B targets these fishing communities. Alternative livelihood assessment and community consultation will also be carried out to determine suitable activities for Project support. A program of eco-tourism based on payment for ecosystem services will be supported with the local indigenous community in exchange for protecting the fish spawning area of the MPA Koon.</p>	<p>Medium-Difficult</p>
<p><b>FMA 717, West Papua, Wondama Bay</b></p>	<p><b><i>Restrictions on fisheries activities.</i></b> The Marine Protected Area (MPA Wondama) is located within the FMA 717. Restricted fisheries</p>	<p><b><i>Sustainable livelihood alternatives.</i></b> Consultation and agreement with affected peoples on alternative livelihood activities consistent with their traditions and interests have been initiated. The FIP targets</p>	<p>Easy</p>

	<p>activities in the MPA, including a no-take zone within the MPA may affect selected community livelihoods. Whereas subsistence activities by indigenous peoples are not restricted, fishing limitations are in force that affect outsider fisherfolk.</p>	<p>affected villages for training and support to improve fishing livelihoods. A program of eco-tourism based on whale shark protection has also been established with part of the indigenous people and local community. Roles for the non-indigenous fishermen and increased participation and benefits for community members will be enhanced through Project involvement.</p>	
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## 6. IMPLEMENTATION ARRANGEMENTS

### 7.1 Institutional Framework

The project Executing Agency is the Indonesian Ministry of Marine Affairs and Fisheries (MMAF), specifically the Directorate General of Capture Fisheries, Directorate of Fisheries Resources Management. The project will be managed through a Project Management Unit (PMU), which will be established for these purposes. The central office of the PMU will be located at the MMAF office in Jakarta. Regional PMU staff will work at three regional offices in Kei Kecil (Langgur), East Seram (Grogon) and West Papua (Wondama). The PMU will be supervised by the Project Manager, who will be responsible for interactions with the WWF-GEF Agency, and other key project partners and co-funders. The Project Manager is accountable to the Coral Triangle Program Director, the Executing Agency (MMAF) and the National Steering Committee.

The Project will have a National Steering Committee (NSC), which will be chaired by the National Project Director and will be responsible for decisions regarding the overall project management, based on the PMU’s recommendations. The NSC will also ensure that adequate resources are allocated for the effective implementation of the project.

Three Regional Steering Committees (RSC), will be established in the project regions: Kei, Goram and Wondama, in addition to the PSC, which will take decisions based on PMU recommendations. Site Project Coordinators (SPCs) will be responsible for the implementation of Project activities in the project regions.

The general responsibility for the implementation of this Framework lies on the PMU hosted by MMAF. It will be responsible for the day-to-day organization and implementation of the measures recommended in this RPF/PF at the national level, as well as oversee the implementation of the different mitigation measures prescribed in this Framework and guide the SPCs to execute Project activities in light of the WWF’s resettlement principles and provisions, as specified in this RPF / PF. The central office of the PMU will also serve as an appeal entity, dealing with any grievances not adequately addressed by regional teams.

The SPCs will be responsible for the day-to-day implementation of the measures recommended in this RPF / PF on the regional level, together with other Project activities and closely coordinate all Project activities with local and indigenous men and women from affected communities and holds bi-annual consultations to inform the community of ongoing Project activities, seek men and women’s views, and respond to questions or grievances. Each SPC will manage a grievance redress channel that will



allow community members to lodge complaints or ask questions about any of the Project activities. The SPCs will regularly report on the implementation of the RPF to the Project Manager of the PMU, in accordance with the indicators suggested in Section 0

An internal monitoring and evaluation specialist will oversee the implementation of the Framework and report their findings on an annual basis. The purpose of this annual audit will be to verify that the mitigation measures specified in this RPF/PF are undertaken in a satisfactory manner.

The Table below summarizes the RPF / PF responsibilities of each of the Project stakeholders.

**Table 3. Institutional framework**

<b>Entity</b>	<b>RPF / PF Responsibilities</b>
WWF GEF Agency	<ul style="list-style-type: none"> <li>• Supervision and oversight of the RPF / PF implementation</li> </ul>
PMU Project Manager with technical input from the Safeguards specialist /Consultant	<ul style="list-style-type: none"> <li>• Day-to-day implementation of the measures outlined in the RPF / PF at the national level</li> <li>• Supervision of the RPF implementation in each of the regions</li> <li>• Ensuring that all project activities comply with the principles and provisions outlined in the RPF</li> <li>• Consideration of appeals related to communities’ grievances and complaints that could not be satisfactorily resolved by the RPCs</li> <li>• Coordination of resettlement-related activities among the RPCs</li> <li>• Monitoring and evaluation of the implementation of the RPF in the three regions in accordance with the indicators specified in the RPF</li> </ul>
The National Executing Agency (MMAF, Directorate General of Capture Fisheries Directorate of Fisheries Resources Management)	<ul style="list-style-type: none"> <li>• Approving expenses from the agreed-upon budget and project workplan</li> <li>• Coordinating financial activities of the project from GEF funds and other sources of co-funding</li> <li>• Control of financial reporting</li> <li>• Adoption of technical specifications and tender documentation</li> <li>• Chairmanship of the Project Steering Committee</li> <li>• Ensure effective project implementation on behalf of the Government</li> </ul>
The Project Steering Committee (PSC)	<ul style="list-style-type: none"> <li>• Making decisions on the overall project management based on review and recommendations from the PMU</li> <li>• Ensure that required resources are provided for the effective project implementation</li> </ul>
Site Project Coordinators (RPCs)	<ul style="list-style-type: none"> <li>• Day-to-day implementation of the measures outlined in the RPF / PF at the regional level</li> <li>• Holding bi-annual consultations and information sessions to inform local men and women of ongoing Project activities, seek their views, and invite questions and grievances</li> <li>• Management of the regional grievance redress mechanism</li> <li>• Monitoring of the implementation of the RPF in each of the regions according to the indicators specified in the RPF</li> </ul>

Three Regional Steering Committees (RSC)	<ul style="list-style-type: none"> <li>• Making decisions based on PMU recommendations at regional level: Kei, Goram (Koon) and Wondama</li> </ul>
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## 7.2 Grievance Redress Mechanisms

There is no national policy or regulation related to project grievance resolution in Indonesia. Pursuant to the WWF policy on involuntary resettlement and process framework requirement, the Project should set up and manage a grievance redress mechanism (GRM) that would address PAPs' grievances, complaints, and suggestions. The GRM should be managed by the SPCs in each of the regions and regularly monitored by the PMU. It should comply with the following requirements.

*Figure 2. Requirement of the Grievance Redress Mechanism*

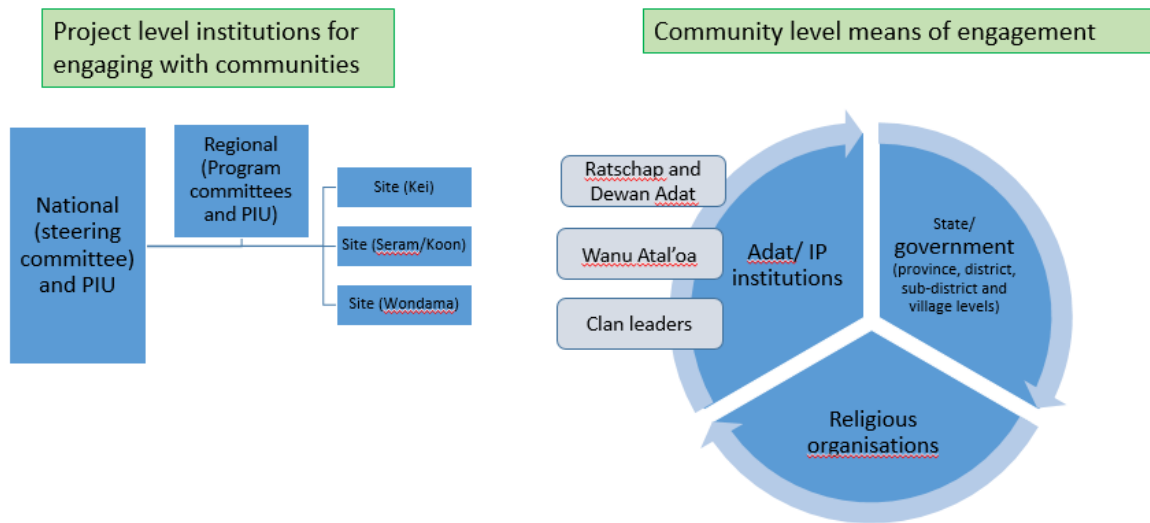


- a) **Uptake.** The GRM should have multiple uptake locations and channels. PAPs should be able to submit complaints or suggestions in person, via mail, email, phone, or complaint boxes located in strategic locations, etc. These channels should be locally-appropriate, widely accessible and publicized in written and verbal forms on all project communication materials, and in public locations (e.g., local stores, community centers, local authorities' offices, etc.).
- b) **Sort & process.** All grievances should be registered. All complaints submitted to RPCs should be registered and the complaint should be assigned a unique tracking number upon its submission. Each SPC should maintain a database with full information on all submitted complaints and responses taken. This data is important to assess trends and patterns of grievances across the Project regions and for monitoring & evaluation purposes.
- c) **Investigate & act.** Strict complaint resolution procedures should be developed and observed, and personnel should be assigned to handle the grievances. The central PMU and the SPCs in each of the regions should develop clear and strict grievance redress procedures, and assign responsibilities. Dedicated staff with social inclusion and social analysis capacity should be assigned in regional teams to investigate complaints and take appropriate actions. Such procedures should include a requirement to register all complaints, strict allocation of responsibilities, clear timelines for processing and handling complaints (e.g., responses to complaints must be provided within 15 days, or 25 days for particularly complex complaints), and regular communication with beneficiaries regarding the status of their complaints. To the extent possible, complaints should be handled at the lowest decision-making level, as close as possible to the complainant. Hence, complaints should be dealt directly by SPCs, and only brought to the attention of the PMU if the SPCs are unable to find recourse. Complaints that are beyond the Project scope should be conveyed by SPCs to relevant local or regional authorities.

- d) Provide feedback. Feedback should be provided in response to all registered grievances.** SPCs can provide feedback by contacting the complainant directly (if his/her identity is known), by reporting on actions taken in community consultations and/or by publishing the results of the complaints on community bulletin boards and as part of project materials.
- e) Enable appeals. Complainants should be notified of their right to appeal the decision taken by the regional Project team.** If complainants are not satisfied with SPCs' response to their grievance, they should be able to appeal the SPCs' decision to the PMU. All appeals should be registered and decisions should be taken within 15 days. PAPs will also have a right to bring their grievance to court if they are not satisfied with the Project's GRM.
- f) Monitor & Evaluate. The performance of the GRM should be regularly monitored.** As all information about the grievances and their resolution is expected to be recorded, the M&E of the grievance redress system in the three regions should not be challenging. This M&E data can be used to conduct in-depth analyses of complaint trends and patterns, identify potential weaknesses in the Project implementation, and consider improvements. It is also recommended that the Safeguards specialist (consultant) together with the M&E specialist assigned to the Project follows up with a selection of male, female, indigenous and non-indigenous complainants to assess their satisfaction with the grievance redress process.

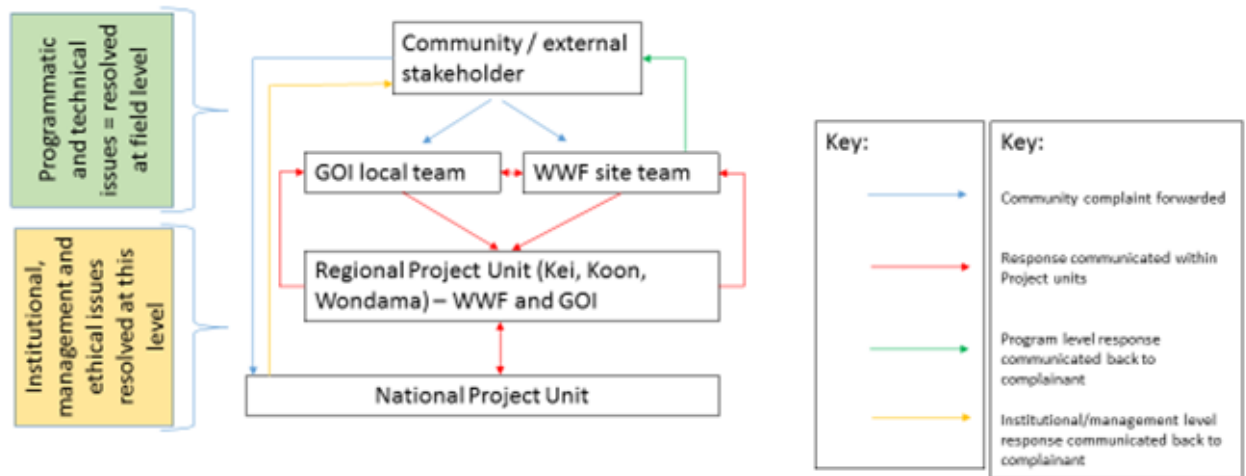
The effectiveness of the GRM depends to a large extent on PAPs' awareness and trust of the people involved in the Project, and the system of engagement generally, as well as specifically for grievance redress. The relationship between levels with the Project, and the centrality of the state-church/religion-adat (IP) cooperation in all three program sites, as demonstrated conceptually below. In order to encourage PAPs to actively use the GRM, it is necessary to ensure that they are fully aware of the grievance mechanism's availability and know how to use it. First, various channels could be employed to provide information about the GRM, explain how it works, and specify how it could be utilized. The Community Engagement Model in Figure 3 outlines the main avenues for information provision at the level of community and other local stakeholders. The Project's wider Communication Strategy should include specific sections with guidance on the socialization activities for the GRM.

**Figure 3. Community engagement model.**



The following diagram sets out the flow of communications related to grievances, delineating at which level the nature and level of complaints may be conveyed, and the responsibility for communicating responses to the complainant.

**Figure 4. Grievance Redress Process**



In addition to this, the contact details (name, phone number, mail and email address, etc.) of the person responsible for GRM at the PMU will be disseminated as part of all public hearings and consultations, as well as in the local media, on community bulletins, and in the offices of regional wildlife agencies and local authorities. It is also important to assure that information about the GRM is available in

public locations that are frequented by vulnerable groups and IPs (e.g., IP associations or women health centers).

The use of national radio (RRI) which has local channels in each Project location is a key method through which the Project teams will provide information on the Grievance Mechanism, apart from through face-to-face explanations with the PAP at each site.

## **8. Monitoring and Evaluation**

No later than three months after the confirmation of the precise Project activities and locations, SPCs in all three regions will be responsible for carrying out or finalizing a socio-economic survey to spell out the socio-economic conditions of PAPs in each of the Project areas and to confirm the identity of vulnerable PAPs (including women, IPs and the poor) that would require special effort to engage in livelihood restoration measures. It should be noted that this survey may be combined with the gender-focused survey that will be carried out in the Project sites.

The results of this survey will serve as a benchmark for the subsequent monitoring & evaluation (M&E) activities. The Project team will then develop a database of key variables across each of the three sites, to be used as a basis for monitoring. Given the range of documentation already available, the approach to data collection for the database should be one of ‘gap filling’, to be completed within the Project’s first three months. The impact of Project activities on PAPs should be monitored and evaluated on an annual basis, throughout the duration of the Project.

In addition to these M&E activities, SPCs should hold in each of the three regions annual consultations to inform the community (men, women, IPs) of ongoing Project activities, seek their views, and respond to questions or grievances. This could also be an opportunity to follow up on the effectiveness of GRM activities.

An internal Safeguards specialist will oversee the implementation of the Framework and report their findings to WWF-GEF Agency on an annual basis. Safeguards reporting by the WWF-GEF Agency is 6 monthly, to cover gender as well as safeguards. The purpose of the annual supervision mission by WWF-GEF Agency will be to verify that the mitigation measures specified in this RPF/PF are undertaken in a satisfactory manner.

Table 4 specifies the indicators that could be monitored to assess the impact of Project activities on local communities. This table provides a large range of indicators and it is recommended that the Project teams chooses from these the most appropriate ones for the Project.

**Table 4. Safeguards M&E indicators**

<b>Indicator</b>	<b>Addresses</b>	<b>Means of Verification</b>	<b>Frequency</b>
Percentage of FIP participants from PAP/villages by site	Potential impact	Survey and/or FGD; project implementation records	6 monthly
Percentage of PAP household incomes increased from Project intervention (fisheries activities, tourism, seaweed farming, etc)	Potential impact	Survey and/or FGD	annual
PAP perception of livelihood empowerment activities targeting indigenous women	Potential impact	Survey and/or FGD	annual
Increased local awareness of cultural identity linked with natural resource protection (e.g. leatherback turtles / others)	Potential impact	Survey and/or FGD; media records) event coverage)	annual
Level of PAP and wider stakeholder awareness of conservation objectives of MPA and how to engage, including grievance mechanism	Consultation, disclosure and grievance requirements	Survey and/or FGD; media coverage	annual
Number and nature of grievances raised and resolved	Consultation, disclosure and grievance requirements	Grievance log	6 monthly
Perception of PAP that marine conservation is beneficial to them / in their interest	Consultation, disclosure and grievance requirements	Survey and/or FGD; media coverage; project records	annual

The ongoing data collection on these indicators will be carried out by the SPCs and monitored by the PMU. It is recommended to complement M&E activities by hiring a safeguards specialist, who would

liaise with the SPCs and oversee the monitoring of the different indicators and report directly to WWF-GEF Agency. Such specialist should be fluent in Indonesian, skilled in social analysis and integration and familiar with the principles and objectives of the WWF Involuntary Resettlement Policy and Process Framework.

## **9. Public Consultations and Disclosure**

SPCs should hold annual public consultations with PAPs to inform them on ongoing Project activities, seek their views, and discuss any unforeseen project impacts and/or outstanding implementation-related matters. Such consultations should equitably engage female and male members of affected local and indigenous communities, representative of regional fisheries and tourism agencies, and local and regional public officials, as well as any relevant representatives of the private sector. SPCs should record the minutes of these consultations, including a list of participants, disaggregated by gender and IP status, and share them with the PMU.

This Framework should be disclosed in English on the WWF-US website and in Indonesian on the WWF-US and MMAF District Agency website. A hard-copy, Indonesian version of the Framework should be available in the District Agency offices of the MMAF and other partner organisations.

## **10. Recommendations – A Safeguards Work Plan (Recommended Approach and Actions)**

The Safeguards for the GEF-CFI project are an important means of ensuring the processes initiated through the Project activities are aligned with the WWF and GEF safeguard requirements, both as part of the design and preparation, and throughout the implementation of the Project. Of particular relevance to this project are the social safeguard policies related to indigenous peoples and to involuntary resettlement (economic displacement). The principle safeguard issues relate to consultation more generally and to Free, Prior and Informed Consent (FPIC) specifically. Baseline data gaps and gender focus have also been highlighted as an area for attention, both to ensure balanced gender participation in dialogues and decision-making, in activities such as training and livelihoods support and other forms of impact mitigation and benefit-sharing related to the Project activities in the Project areas.

The following recommendations relate to the approach to safeguards supervision for the Project, and to particular activities at the project and site level, which reflect the commitments (plans) in the Project's Safeguard instruments for Components A, B and D, namely the RPF and the IPPF.

### Responsibilities and Personnel for Safeguards

The Project's division of roles and responsibilities states that the MMAF as the executing agency has overall responsibility for implementing the Project via the PMU has responsibility to ensure WWF Safeguard policies and procedures are followed when implementing the RPF or IPPF. WWF-GEF Agency provides oversight for safeguards. Safeguard reporting to the WWF-GEF Agency should be every 6 months and reports to include information on safeguards and gender.

The Project SPCs are responsible for safeguards implementation. Reporting to GEF on safeguards is the responsibility of the WWF-GEF Agency. It is recommended that safeguards supervision be

supported by a safeguards specialist on a consultancy basis to be hired for the duration of the project with regular visits to the 3 MPAs to work directly with the MPA regional PMU staff, including MMAF staff and local WWF Indonesia field staff.

It is also recommended that the training and capacity building for PMU staff and consultants by the WWF-GEF Agency be conducted on an ongoing basis, along with the annual supervision mission by the WWF-GEF Agency safeguards coordinator.

### Consultation and FPIC

A focus on FPIC is important for the Project, both due to WWF and GEF safeguard requirements in general, and because the project has many and diverse indigenous stakeholders identified at each of the 3 Project sites. Ensuring appropriate relationships and processes are maintained with the IP and IPOs in the context of Project objectives and safeguard commitments across three diverse sites represents a challenge for the Project team. The FPIC requirement includes process and documentation of a higher order than has currently been provided by the teams.

Additional effort in planning Project communications is recommended. In particular related to stakeholder consultation, advance planning with deliberate steps to provide project information in appropriate forms (format, frequency, composition etc.), and at documenting the process including IP stakeholder input, feedback and any project adaptations to IP (or other stakeholder input) should be ensured. Plans to participate in local radio programs, for example, should be formalized and purchasing of air time for particular messaging related to the Project should be considered as part of the consultation and communication strategy. Formalising the plans with an agenda or program should include an outline in advance the project related topics to be covered, for example: MPAs in general; the Project objectives, activities and grievance mechanism; FIP target areas; traceability and sustainable seafood markets; and others tailored to local events, activities or incidents.

### Baseline Data

The Project has general community profiles for the areas where Project activities will be implemented, and this information has been used as a basis for the baseline descriptions used in the RPF and IPPF. However for each site, there are gaps in the baseline data, particularly related to the economic status of potentially-affected peoples. There are also some gaps in gender information, as noted below. For the household economic conditions to be monitored, and impacts of FIP, seaweed farming and training activities to be measured, baseline data needs to be collected during the first three months of project implementation. In particular, community profile of the indigenous people who may be impacted by the no-take zone, who do not have traditional responsibility for the area in Kei site, should be profiled. For East Seram, the baseline of households living closest to the no-take zone, and other users of the same area, need to be documented in greater detail. It is possible that the data be gathered by the Project team in collaboration with community members, or it could be outsourced to previous or other research consultants as a short scope of work.

The site teams may consider preparing the key messaging, for example information about project impacts, mitigations and grievance procedure be prepared so that it can be communicated in conjunction with the collection of missing baseline information at the community level.



## Gender

A focus on gender is recommended, as a good practice measure to ensure improved outcomes from any community level activity and from Project impact mitigation strategies in particular. Increased participation of women in livelihood activities is known to have a greater multiplier effect on household/family and community level welfare. The achievement of Project mitigation goals, for example related to economic displacement (seaweed farming, FIP, community-based eco- and cultural tourism) all rely on effective support and participation of local women. To engage this support, the Project is recommended to conduct further participatory baseline research, or use action research approaches to gather data and develop suitable activities with the indigenous communities in each site. This is to ensure there is a stronger baseline understanding of gender issues amongst the PAP groups and the Project teams, in order that simple but clear strategies and targets for gender participation be developed.

## Indigenous Peoples Plan (IPP)

In order to meet WWF safeguard requirements, the Project teams will be required to develop an IPP for each of the three sites, prior to implementation of the Project activities. The IPP is outlined in the Project IPPF, and constitutes a work plan for the duration of the project, defining activities, targets, timeframe and budgets for the implementation of the activities agreed based on local consultation.