



Executive Summary

LAND PROVISION IN CSRRP IMPLEMENTATION



FOREWORD



The series of earthquakes, tsunamis, and liquefaction disasters that occurred in Central Sulawesi on September 28, 2018, have impacted community activities with damaged housing and infrastructure supporting social and economic activities. Data collection conducted by the National Disaster Management Agency (NDMA) showed that the total damage reached more than 18 trillion rupiah. The settlement sector and basic infrastructure including roads and bridges, irrigation systems, drinking water, wastewater, electricity and communication networks, and public facilities were the most affected.

Rebuilding better, safer, and more sustainable is the vision of restoring life in affected districts. The *Central Sulawesi Rehabilitation and Reconstruction Project* (CSRRP) is present to support this vision through (i) provision of permanent housing units and settlement infrastructure; (ii) rehabilitation and reconstruction of public facilities; and (iii) activity implementation support. In its implementation, CSRRP prioritizes the principles of earthquake-resistant buildings, universal design, risk mitigation for Gender-Based Violence, waste and debris management, and the application of green buildings. CSRRP as part of the *Indonesia Disaster Resilience and Reconstruction* (IDRAR) program also targets improving the preparedness and resilience of disaster-affected, high-risk, and center of economic development areas.

This Study Report on Land Provision in CSRRP Implementation is one of six reports on evaluation and study activities carried out by ESC CSRRP in 2024. The report provides an overview of the types of land provision, budgets, institutional arrangements, land issues, land acquisition processes, and their keys to success, as well as land status and livelihood conditions after occupancy. Stakeholders are expected to learn lessons from this study so that they can better implement rehabilitation and reconstruction activities in post-disaster locations in the future.

Jakarta, September 2024

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LIST OF ABBREVIATIONS

APBD	: Anggaran Pendapatan dan Belanja Daerah
APBN	: Anggaran Pendapatan dan Belanja Nasional
BAPPEDA	: Badan Perencanaan Pembangunan Daerah
BAPPENAS	: Badan Perencanaan Pembangunan Nasional
BP2JK	: Balai Pelaksana Pengadaan Jasa Konstruksi
BP2P	: Balai Pelaksana Penyediaan Perumahan
BNPB	: Badan Nasional Penanggulangan Bencana
BPBD	: Badan Penanggulangan Bencana Daerah
BPPW	: Balai Prasarana Permukiman Wilayah
CPMU	: Central Project Management Unit
CSRRP	: Central Sulawesi Rehabilitation and Reconstruction Project
DAP	: Disaster Affected People
DED	: Detailed Engineering Design
DJCK	: Direktorat Jenderal Cipta Karya
DPKP	: Dinas Perumahan dan Kawasan Permukiman
DPRD	: Dewan Perwakilan Rakyat Daerah
DPRP	: Dinas Penataan Ruang dan Pertanahan
DPU	: Dinas Pekerjaan Umum
DPZ	: Disaster Prone Zone
ESC	: Evaluation and Study Consultant
HAT	: Hak Atas Tanah
Huntap	: Hunian Tetap
Huntara	: Hunian Sementara
KPI	: Key Performance Indicators
LAP	: Land Acquisition Plan
LARAP	: Land Acquisition and Relocation Action Plan
LC	: Land Consolidation
LCP	: Land Consolidation Participant
LG	: Local Government
MAASP/NLA	: The Ministry of Agrarian Affairs and Spatial Planning/National Land Agency
NALP	: Non-Acquisition Land Provision
NDMA	: National Disaster Management Agency
NMC	: National Management Consultant
NSUP-CERC	: National Slum Upgrading Project-Contingency Emergency Response Component
NSUP	: Nasional Slum Upgrading Project
OPD	: Organisasi Perangkat Daerah
OSP	: Oversight Service Provider
PAD	: Project Appraisal Document
PAP	: Project Affected People
PDO	: Projects Development Objective
PIU	: Project Implementation Unit
PJU	: Penerangan Jalan Umum
PKP	: Perumahan dan Kawasan Permukiman
PMC	: Project Management Consultant
PMU	: Project Management Unit



POKJA	: <i>Kelompok Kerja</i>
POM	: <i>Project Operational Manual</i>
PPK	: <i>Pejabat Pembuat Komitmen</i>
PTSL	: <i>Pendaftaran Tanah Sistematis Lengkap</i>
PUPR	: <i>Pekerjaan Umum dan Perumahan Rakyat</i>
RAB	: <i>Rencana Anggaran Biaya</i>
RAP	: <i>Rencana Aksi Pemindahan / Relocation Action Plan</i>
RPJMD	: <i>Rencana Pembangunan Jangka Menengah Daerah</i>
RPJMN	: <i>Rencana Pembangunan Jangka Menengah Nasional</i>
RPP	: <i>Rencana Penataan Permukiman</i>
RT	: <i>Rukun Tetangga</i>
RTH	: <i>Ruang Terbuka Hijau</i>
RTP	: <i>Ruang Terbuka Publik</i>
RTRW	: <i>Rencana Tata Ruang dan Wilayah</i>
RW	: <i>Rukun Warga</i>
SSLA	: <i>Small-Scale Land Acquisition</i>
SETDA	: <i>Sekretariat Daerah</i>
SHM	: <i>Sertifikat Hak Milik</i>
SITABA	: <i>Sistem Informasi Tanggap Bencana</i>
SK	: <i>Surat Ketetapan/Keputusan</i>
SKPT	: <i>Surat Keterangan Penguasaan/Pemilikan Tanah</i>
STB-HAT	: <i>Surat Tanda Bukti Hak Atas Tanah</i>
TFL	: <i>Tim Fasilitator Lapangan</i>
TMC	: <i>Technical Management Consultant</i>
TP	: <i>Tanah untuk Pembangunan</i>
TUB	: <i>Tanah Usaha Bersama</i>
WB	: <i>World Bank</i>



CHAPTER 1 INTRODUCTION

1.1. Background

A 7.4 magnitude earthquake with a depth of 10 km north of Palu City, Central Sulawesi Province, followed by a tsunami and liquefaction at several points on September 28, 2018, displaced more than 50,000 people. The disaster caused damage to key infrastructure and thousands of public and social facilities in Palu City and surrounding districts. Damage to residential (houses) and social sectors such as education, health, and public service office buildings resulted in a decrease in community productivity in the affected locations. The National Disaster Management Agency (NDMA) and support from Non-Governmental Organization (NGOs) are providing temporary housing (*huntara*) for people who lost their homes after the disaster, education, health, and other basic facilities that were severely damaged. Activities in temporary buildings will continue until permanent buildings are rebuilt. Activities in temporary buildings have continued until permanent buildings are rebuilt.

Based on Presidential Instruction No. 10/2018 on the Acceleration of Earthquake and Tsunami Post Disaster Rehabilitation and Reconstruction in Central Sulawesi Province and Other Affected Areas, the Ministry of Public Works and Housing (MPWH) is responsible for, among others, carrying out rehabilitation and reconstruction of education, health, economic support, and basic infrastructure facilities; supervising the implementation of rehabilitation and reconstruction of the facilities as mentioned above; and assisting and supervising the construction of earthquake-resistant housing carried out under self-help schemes by the community and contractually.

This study is expected to capture lessons learned from the land provision process and contribute to the formulation of operational guidelines and safeguards for land provision, especially for special and urgent disaster management activities.

1.2. Purpose and Objectives

The purpose of this study was to gain an in-depth understanding of land provision as a key challenge for CSRRP implementation and to draw lessons for application in other locations facing similar situations.

The specific objectives of the study are:

1. To map land issues are faced by central and local government (Palu, Sigi, and Donggala) in implementing CSRRP.
2. To analyse the process of land provision, the key success and failure of the process.
3. To analyse the potential recommendation process to replicated in other location (in the context of disaster)



1.3. Study Framework and Expected Outputs

The study implementation framework was prepared based on the expected results of this study following the study objectives, key questions, and stages of study activities following the ESC TOR (subchapter 1.3). Based on the objectives and key questions, the main variables were compiled, which also constituted the scope of the study, and then decomposed into indicators/data requirements that were explored according to the method used to serve as the basis for preparing the report. Figure 1 illustrates the study framework and expected outputs.

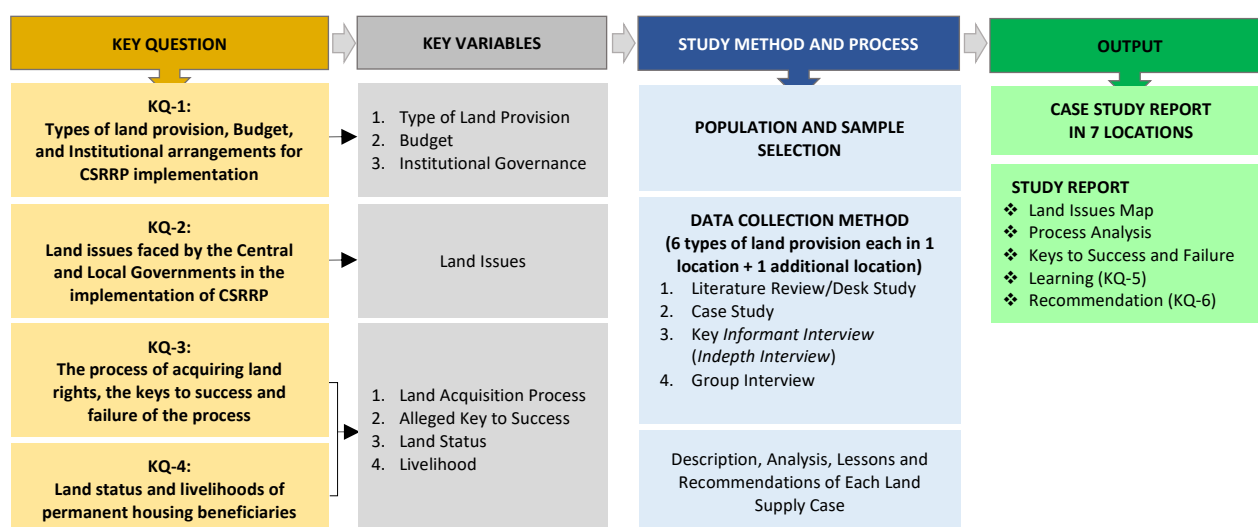
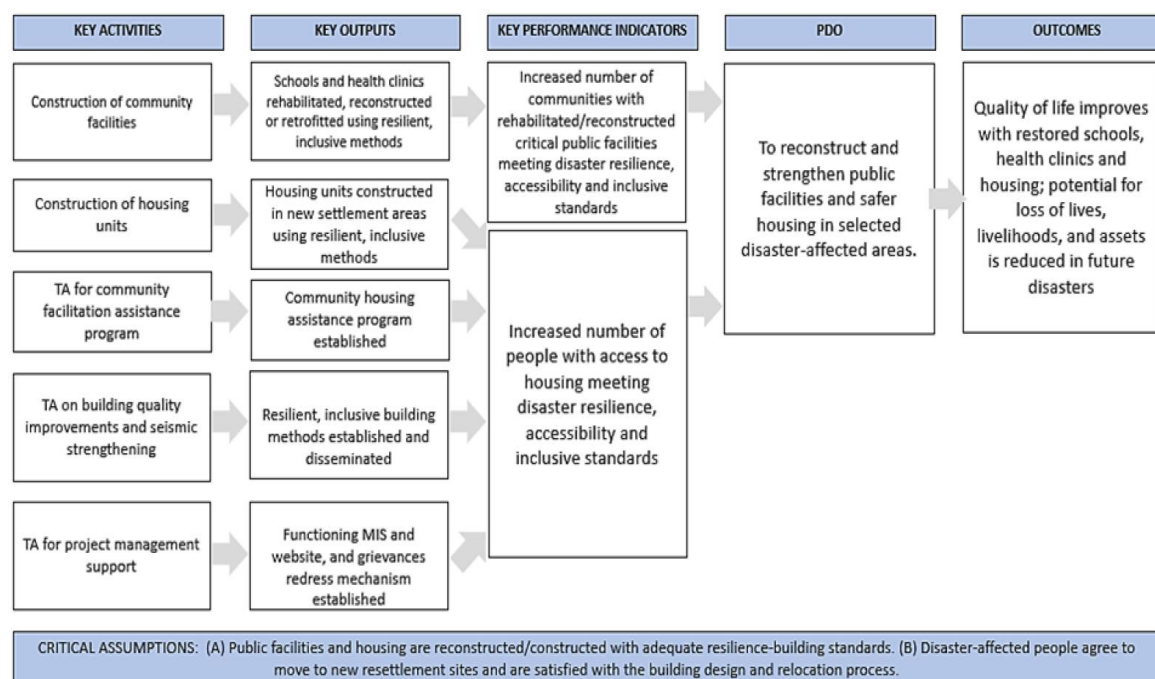


Figure 1 Study Framework and Expected Outputs



CHAPTER 2 LITERATURE REVIEW: CSRRP

CSRRP is part of the *Indonesia Disaster Resilience and Reconstruction (IDRAR)* program that aims to rebuild and improve the resilience of selected areas in Indonesia that are affected by disasters, have high risks, and are centers of economic development.



Source: *Project Appraisal Document*, World Bank, 2019

Figure 2 Diagram of CSRRP Activities, Outputs, Performance Indicators, Outcomes

Based on Presidential Instruction No.10 of 2018 concerning the Acceleration of Rehabilitation and Reconstruction after the Earthquake and Tsunami Disaster in Central Sulawesi Province and Other Affected Areas, the Ministry of Public Works and Public Housing (MPWH) through CSRRP plans to provide permanent housing and settlement infrastructure that is resilient, decent and safe in Palu City, Donggala Regency, and Sigi Regency as many as 8,140.

Table 1. Provision of Permanent Housing Units in Central Sulawesi

No.	Category	Forms of Permanent Housing Assistance and Criteria
1.	Government Funds	<ol style="list-style-type: none"> In situ, with a degree of damage: <ol style="list-style-type: none"> Lightly Damaged Medium Damaged Severely Damaged Relocation <ol style="list-style-type: none"> Located in Disaster Prone Zone (DPZ) 4 or following the applicable RTRW Regulation Lost house
2.	Non-Government Funds	A mutual agreement was required between the government and the funding source.

Source: CSRRP POM



Table 2. Number of Affected Houses

No.	City/District	Lightly Damaged (unit)	Medium Damaged (unit)	Heavy Damaged (unit)	Total (unit)
1	Palu City	17,293	12,717	12,854	42,864
2	Sigi Regency	10,612	6,480	13,144	30,236
3	Donggala Regency	7,989	6,099	7,290	21,378
4	Parigi Moutong Regency	4,191	826	533	5,550
Total		40,085	26,122	33,821	100,028

Source: BNPB, February 27, 2019, in CSRRP OSP Quarterly Report Week I, April 2024

Table 3. CSRRP Permanent Housing Relocation Plan

No.	City/District	Initial Plan (Unit)	August 2022 Plan (unit)
1	Palu City	7,913	4,738
2	Sigi Regency	2,665	2,011
3	Donggala Regency	1,210	1,391
Total		11,788	8,140

Source: CSRRP OSP Quarterly Report Week I, April 2024

The permanent housing relocation policy was designed using a participatory inclusive approach involving LGs, communities, and potential beneficiaries, especially beneficiaries who lost their homes due to *liquefaction* and tsunami, as well as beneficiaries who cannot rebuild their homes due to the red zone policy in the *liquefaction* site area.

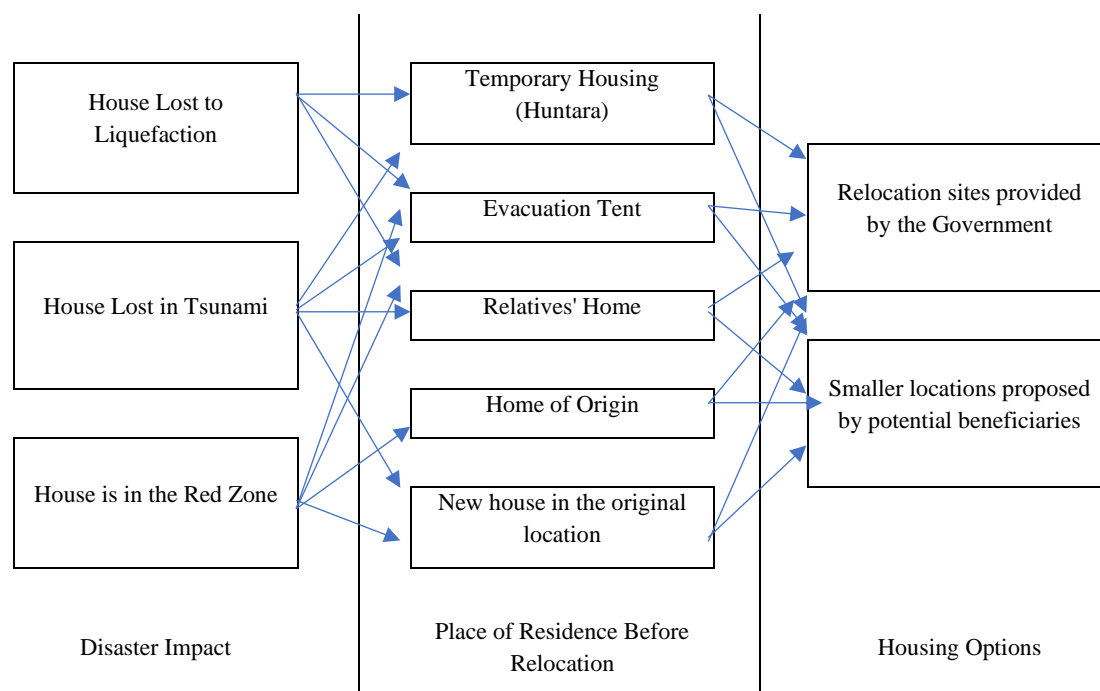


Figure 3 CSRRP Relocation Approach Diagram

Relocation scheme:

1. Relocation to designated land: at the time this document was prepared, the following sites had been proposed through a Governor's Decree, which include: Duyu, Tondo-Talise, and



Pombewe Olobuju. Communities will be given the option to relocate to these areas and priority will be given to affected communities living close to the designated land to minimize impacts on their livelihoods (e.g. Balaroa communities relocating to Duyu);

2. Satellite-scale relocation: a smaller-scale relocation option (location to be identified later) proposed by the potential beneficiaries themselves in the form of a group. The group will be assisted in identifying potential land as well as the administrative process of transferring ownership. The potential land is subject to further assessment process with consideration of the safety and legal status of the proposed land;
3. Self-relocation is considered as an alternative option. The financing scheme is considered to follow the self-help housing assistance scheme of the One Million Houses Program (national housing provision) or REKOMPAK.

The CSRRP relocation policy resulted in 3 types of permanent housing which according to the typology of the program consist of; 1). Area-Scale Permanent Housing (*Huntap Kawasan*); 2). Satellite-Scale Permanent Housing (*Huntap Satelit*); and 3). Self-Land Provision Permanent Housing (*Huntap Mandiri*).

Table 4. Characteristics of Permanent Housing

Type of Permanent Housing	Land Size	Construction of Housing	Construction of Settlement Infrastructure	Number of Housing Units
Area-Scale	> 5 Ha	Contractual	Contractual	655 - 961
Satellite-Scale	< 5 Ha	Contractual	Contractual	50 - 200
Collective Self-Land Provision	< 5 Ha	Contractual	Contractual Quality Improvement and Existing Conditions	300
Individual Self-Land Provision	< 5 Ha	Contractual	Existing conditions	5-30

Source: processed from PMC Report

Table 5. Number of Permanent Housing Locations

Type of Permanent Housing	Number of Villages	Number of Location	Number of Housing (Unit)	Land Size (Ha)
Area-Scale	3	3	2,309	112,14
Satellite-Scale	17	26	1,310	55,92
Self-Land Provision	15	264	261	19,55
Total CSRRP	32*)	293	3,880	202,41

Source: CSRRP OSP Report, W1 April 2024

*) There are 3 villages in Palu City whose names overlap with the Area-scale permanent housing, namely Tondo, Petobo, and the *Huntap* Satellite-scale of Talise Panau Site in *Kelurahan* Panau



CHAPTER 3 METHODOLOGY

The scope of the study, namely: 1) Types of Land Provision, 2) Land Provision Budget, 3) Institutional Arrangement in Land Provision, 4) Land Issues faced by the Government and LGs, 5) Process of Provision/Acquisition of Land Rights, 6) Land Status, and 7) Livelihood.

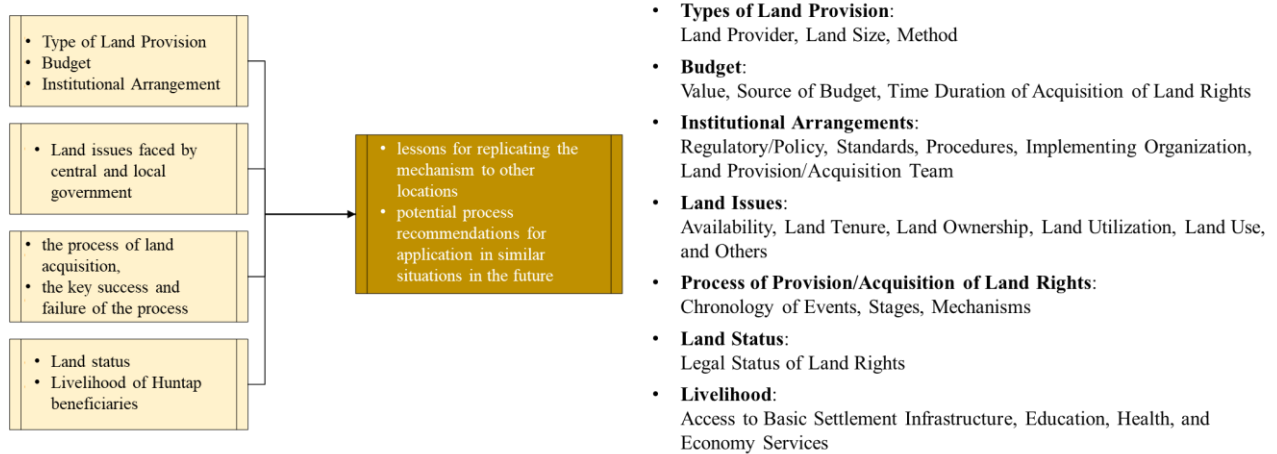


Figure 4 Scope of Study Diagram

The study used a qualitative approach with a case study strategy. The study reviewed 7 (seven) cases of land provision by documenting and examining land issues, mechanisms applied, sequence of events and activities, financing and budget sources, governance, explanations of success, and lessons learned from the experience of each case. The study population is all CSRRP permanent housing relocation target locations in Palu City, Donggala Regency and Sigi Regency (indicated by the number of Permanent Housing LAP documents).

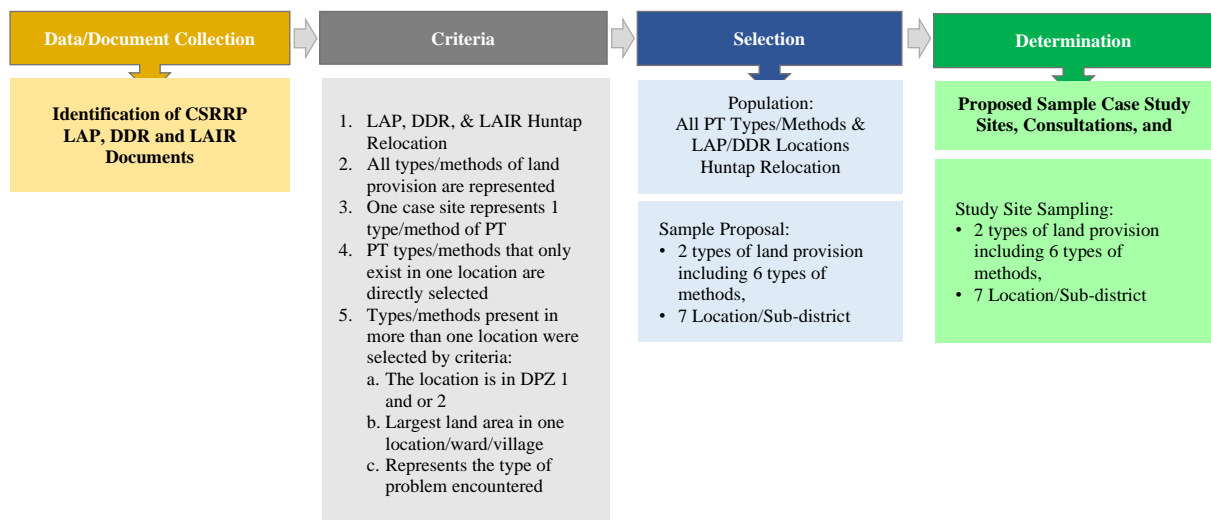


Figure 5 Flowchart of Case Sample Selection Process



Table 6. Selected Cases Study Locations

No.	Types and Methods	Type of Permanent Housing	Land Area (Ha)	Huntap location	Regency/City
A	Small Scale Land Acquisition				
1	Direct Purchased	Satellite-scale (<i>Satelit</i>)	8.25*	Huntap Tompe	Donggala Regency
2	Land Swap	Satellite-scale (<i>Satelit</i>)	2.41	Huntap Sibalaya Selatan	Sigi Regency
B	Non-Acquisition				
1	Utilization of Ex-HGB State Land	Area-scale (<i>Kawasan</i>)	46.83	Huntap Talise	Palu City
2	Utilization of Ex-HGB State Land	Area-scale (<i>Kawasan</i>)	65.31	Huntap Tondo-2	Palu City
3	Community/LCP Donation	Area-scale (<i>Kawasan</i>)	14.80	Huntap Petobo	Palu City
4	Self-Land Provision (Collectively)	Self-Land Provision (<i>Mandiri</i>)	13.40**	Huntap Lompio	Donggala Regency
5	Self-Land Provision (Individually)	Self-Land Provision (<i>Mandiri</i>)	0.56***	Huntap Pantoloan	Palu City

Source: SITABA, LAP, DDR, PMC Report, TMC *)Total Area 3 Overlay; **)300 land parcels ***)27 land parcels

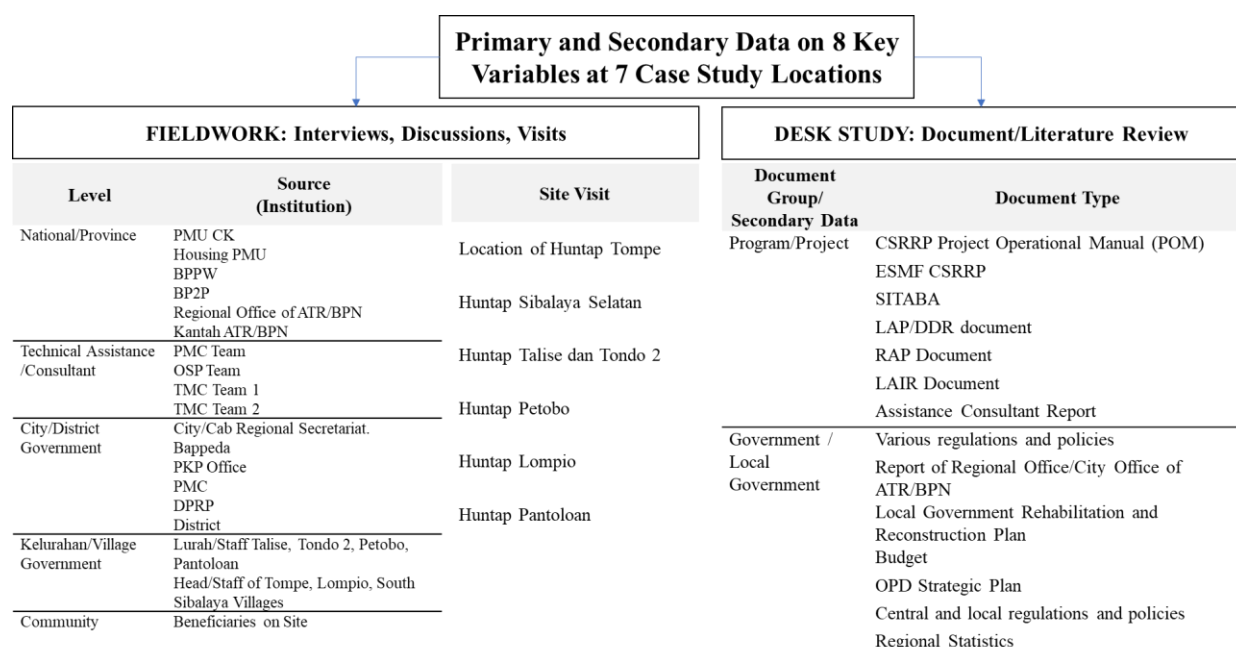


Figure 6 Diagram of Data Collection Methods

Data collection. Data was collected in two ways, namely; 1) Secondary data collection and document review (*desk study*), and 2) *Fieldwork*, namely in-depth interviews, focus group



discussions; and observations. A desk study was conducted on official documents of CSRRP and Government Agencies, including LAP, DDR, Reports, Minutes, Decrees, etc. The LAP and DDR were used as initial sources to find out; i) the type of land provision; ii) budget, and iii) institutional arrangements, and to find out land issues, as long as the data/information is available. Land Acquisition *Plan* (LAP) and *Relocation Action Plan* (RAP) for Permanent Housing in Petobo Village, Talise Village, Tondo Village, Pantoloan Village in Palu City, Tompe Village, and Lompio Village in Donggala Regency, *Sibalaya Selatan* Village in Sigi Regency. The documents were prepared by the Housing and Settlement Office, Palu City, with the assistance of OSP CSRRP through the Social Safeguards and Community Organizing Expert, Regional Coordinator and team, and Facilitator Team. Program documents consist of POM, CERC NMC Report, CSRRP PMC Report, CSRRP OSP Report, 2021 annual report of the Central Sulawesi Land Office, magazines published by the Land Office of Palu City, budget documents related to land provision for Palu City, Donggala Regency, and Sigi Regency.

		
Land Office FGD	DAPs Interview	LG Interview
		
TMC FGD	TMC FGD	Village Secretary Interview
		
Donggala DPKP Interview	Village Head Interview	DPKP Palu Interview
		
Huntap Observation	Huntap Observation	Huntap Observation

Figure 7 Documentation of Field Data Collection Activities



CHAPTER 4 STUDY RESULTS

4.1. Land Issues in CSRRP

The CSRRP relocation policy has encouraged the provision of land for permanent housing covering an area of 202.35 Ha, accommodating 4,162 dwellings (3,880 plus 282 housing units built by NSUP-CERC at *Huntap Lompio*) in Palu City, Sigi Regency, and Donggala Regency with a total land value of Rp 232,506,000,000.00. There are 2 types of land provision and 6 types of methods in the implementation of CSRRP, namely: 1) *Small-Scale Land Acquisition* (SSLA), which consists of 2 methods: a). Direct Purchase, and b) Land Swap, and 2). *Non-Acquisition Land Provision* (NALP) consists of 4 methods, namely: a). utilization of state land ex HGB, b). Community/Land Consolidation Participant (LCP) Donation, c). Self-land provision (collective), and d). Self-land provision (individuals).

4.1.1. Types of Land Provision, Budget, and Institutional Arrangement in CSRRP

The character of each type/method of land provision in CSRRP differs based on the type of provider, the type of permanent housing built on the land, the number of sites, the size of the land, and the total number of dwellings accommodated on the land.

Table 7. Types of Land Provision in CSRRP

No.	Type of Land Provision	Provider	Type of Permanent Housing	Number of locations*	Land Area		Total Permanent Housing
				overlay of land parcel	Ha	%	Unit
A	Small Scale Land Acquisition						
1.	Direct Purchase	LG	Satellite-scale	25	53.45	27%	1.133
2.	Land Swap	LG	Satellite-scale	1	2.47	1%	118
	Total			26	55.92	28%	1.251
B	Non-Acquisition						
1.	Utilization of ex-HGB State Land	G & LG	Area-scale	2	112.14	55%	1.654
2.	Community/LCP Donation	Community	Are-scale	1	14.80	7%	655
3.	Self-Land Provision - Collective	Community	<i>Mandiri</i>	1	13.40	7%	300**
4.	Self-Land Provision - Individual	Community	<i>Mandiri</i>	263	6.15	3%	302
	Total			267	146.49	72%	2.911
	TOTAL			293	202.41	100%	4.162

Source: LAP and CSRRP OSP PMC Report

*) The definition of "location" in Land Acquisition, Utilization of Ex-HGB State Land, Land Donation, and Collectively Self-Land Provision is an overlay of land, meanwhile, Individually Self-Land Provision is a land parcel for a permanent housing unit.

**) Number of permanent housing units including 282 units built by NSUP-CERC



Small-Scale Land Acquisition (SSLA)

Small-scale land acquisition in CSRRP was carried out through Direct Purchase and Land Swap, successfully providing 55.92 Ha of land (28%), accommodating 1,251 dwelling units (30%). Small-scale land acquisition was carried out in 26 Satellite-scale permanent housing locations, namely 2 in Palu city, 7 locations in Sigi regency, and 17 locations in Donggala regency, which were spread entirely in 17 villages. The total land area obtained from Direct Purchase is 53.45 Ha. (17% of the total CSRRP land area), and the land area obtained through Land Swap is 2.47 Ha (1%).

Small Scale Land Acquisition requires a budget from the LG budget (and Provincial Government grants) equivalent to a land value of approximately IDR 27,466,000,000.00. The total land acquisition cost used to purchase land is estimated at IDR 24,834,000,000,000.00, including IDR 24,134,000,000,000.00 for direct purchase (Direct Purchase), and IDR 700,000,000.00 for the purchase of replacement land in the land swap mechanism. The land purchase by the Palu City Government for the land of 1 Satellite-scale Permanent housing location in Talise Panau of around Rp 1,920,000,000.00 was sourced from the Central Sulawesi provincial grant fund. Land purchases by the Sigi Regency Government, both for direct land purchases, and replacement land, for land for permanent housing construction in 7 Satellite-scale Permanent housing locations amounted to Rp 6,609,000,000.00, sourced from the Regional Revenue and Expenditure Budget (APBD) and grants of the Central Sulawesi Provincial Government. Meanwhile, the purchase of land by the Donggala Regency Government to be used as land for permanent housing construction in 17 Satellite-scale Permanent housing locations is around Rp. 16,305,000,000.00, all of which comes from the APBD. The entire cost does not include operational costs for the activities of the implementing team/committee.

Non-Acquisition Land Provision (NALP)

Non-acquisition land provision in CSRRP is carried out through the Utilization of ex-HGB State Land, land donations from LC participants, and self-land provision – collective and individuals, all of which have succeeded in providing 146.49 (72%) of land, accommodating 2,911 dwelling units (70%). Non-acquisition land provision does not require land acquisition financing from either the State Budget (APBN) or the Regional Revenue and Expenditure Budget (APBD). The total value of land successfully provided is around Rp 205,040,000,000.00.

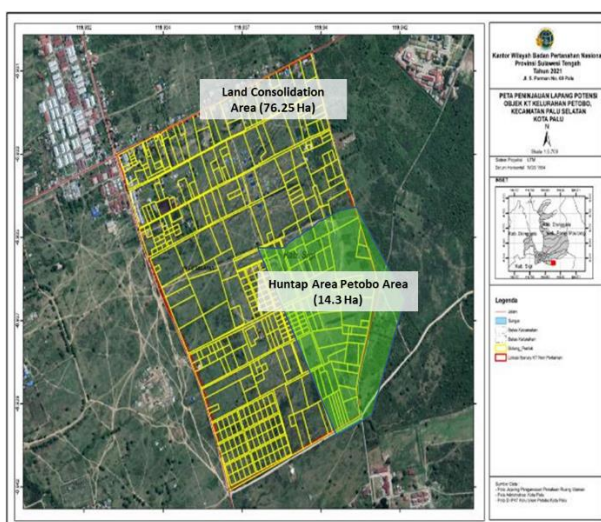
The utilization of ex-HGB state land was applied in 2 Area-scale permanent housing locations, namely in Talise Area Permanent housing (46.83 Ha) accommodating 693 dwelling units, and Tondo-2 Area Permanent housing (65.31 Ha), accommodating 961 dwelling units. The locations of permanent housing units are located in Talise Village and Tondo Village, Palu City. The total land value generated in the two locations is approximately IDR 168,210,000,000.00. This total land value does not include the value sourced from operational costs to fund its implementation either sourced from the APBN (for example, the total budget realization for Land Acquisition and Land Reserve activities of the Central Sulawesi Regional Office of MAASP/NLA in 2021 was IDR 152,938,628.00, which is 96% of the budget target) or from the APBD.

The land donation of LC participants (Community Land Donation) was implemented in 1 location of the Area-scale permanent housing, namely in the Petobo Area-scale Permanent housing, Petobo Village, Palu City. The Land Consolidation was initiated by the Regional Office of



Self-land provision (collective) is implemented in 1 location, namely in *Huntap Mandiri* Lompio, in Lompio Village, Donggala Regency. The DAPs in Lompio Village collectively handed over their plots of land to be built with a total land area of 13.40 Ha. The number of permanent housing units built was 300 units (282 units financed by NSUP-CERC, 18 units financed by CSRRP). Then the self-land provision (individual) was carried out in 263 locations (263 plots of land owned by individuals), spread across 14 Kelurahan in Palu City, with a total land area submitted for construction of 6.14 Ha, accommodating 302 dwelling units. The total value of land surrendered by the DAP for construction is around IDR 5,360,000,000.00 in Self-Land Provision (Collective) locations and IDR 9,225,000,000.00 for all land contributed by the individual self-land provision.

Huntap Land Provider	: Community Participants Prog. KT
Category Area (Ha)	: > 5 Ha (Large Scale)/ 14.3 Ha
Consolidated Land Area	: 76.25 Ha
KT Type	: Non-Farm Small Scale
Jml KT Object Fields	: 313(365) Field
% Total LI Contributed (TP/TUB)	: 18,75%
Penlok KT	: Mayor's Decree / Sept 2021
Penlok Huntap	: Governor Decree / Dec.2021
Initial Land Status	: Various
TP/TUB Release Date	: October 13, 2022
TP/TUB Release Recipient	: Kantah Kota Palu
Releasing Party	: Society Through Association
Post-Release Land Status	: State Land
Final Land Status	: SHM (Residential), Local Government Assets (PSU)
Jml SHM Residential	: 655 Fields
Acquisition Cost	: Nil
Certificate Issuer	: Kantah Kota Palu
Operational Costs	: APBN; APBD
Planning and Implementation Team	KT Planning Coordination Team (City Government) KT Planning Team (Regional Office) KT Implementation Coordination Team (City Government) KT Implementation Team (Kantah)

**Table 8. Land Value and Cost of Land Provision**

No.	Type of Land Provision in CSRRP	LS (Ha)	Average Land Value (Rp/M2)*)	Land Value (Rp)	Land Acquisition Cost by Government/LG (Rp) (est.)	Source of Land Acquisition Cost
A	Small Scale Land Acquisition					
1	Direct Purchased	53.45	50.000	26,725,000,000.00	24,134,000,000.00	APBD + Grant Prov.
2	Land Swap	2.47	30.000	741,000,000.00	700.000.000.00	APBD
	Total	55.92		27,466,000,000.00	24,834,000,000.00	
B	Non-Acquisition					
1	Utilization of ex-HGB State Land	112.14	150.000	168,210,000,000.00	Nil	N.r

No.	Type of Land Provision in CSRRP	LS (Ha)	Average Land Value (Rp/M2)*	Land Value (Rp)	Land Acquisition Cost by Government/LG (Rp) (est.)	Source of Land Acquisition Cost
2	Community/LCP Donation	14.83	150.000	22,245,000,000.00	Nil	N.r
3	Self-Land Provision (Collective)	13.40	40.000	5,360,000,000.00	Nil	N.r
4	Self-Land Provision (Individual)	6.15	150.000	9,225,000,000.00	Nil	N.r
	Total	146.49		205,040,000,000.00	Nil	N.r
	TOTAL	202.41		232,506,000,000.00	24,834,000,000.00	

Source: LAP and CSRRP OSP PMC Report; N.r: Not relevan

Table 9. Land Value and Cost of Small-Scale Land Acquisition

No.	Type/Method of Land Provision/ - City/District	LS (Ha)	Average Land Value (Rp/M2)*	Total Land Value (Rp)	Cost Source Land Acquisition
A	Small Scale Land Acquisition				
1	Palu City	1.28	150.000	1,920,000,000.00	Prov Grant
2	Sigi Regency	24.03	30.000	6,609,000,000.00	APBD + Prov Grant
3	Donggala Regency	32.61	50.000	16,305,000,000.00	APBD
	Total	55.86		24,834,000,000.00	

*) Average Land Value using KJPP appraisal price data for land purchases in Donggala Regency (Rp 30,000 to 50,000), Sigi Regency (Rp 30,000), and Palu City (Rp 126,000 to Rp 197,000 Talise Panau Market Value) (Source: LAP, OSP CSRRP)

Table 10. Types of Operational Activities for the Utilization of Ex-HGB State Land

Activities	Activity Description	Source of Financing
Release of Building Rights Title (HGB) by PT DDB	The Ministry of Land and Spatial Planning invited the Director of PT DDB to discuss the release of building use rights on land in the Duyu area (Palu City).	DIPA Regional Office of MAASP/NLA Central Sulawesi Province 2019
Measurement of the land boundary of the permanent housing location	Measurements and boundaries carried out by the National Land Agency, the area that can be used for the Talise Permanent Housing site is 46.83 hectares.	DIPA Regional Office of MAASP/NLA Central Sulawesi Province 2019
Compensation negotiation with cultivators	Series of meetings from March 2020 to December 2023 (until the time of the field study team in March 2024)	Budget of Palu City Government 2020 - 2023
Formation of PAPs Verification Team and Assessment of Affected Assets	Series of meetings and assessments of affected assets, field visits, and determination of the PAP list	Budget of Palu City Government 2020
Series of activities in the process of land distribution program (as an alternative form of compensation for replacement land)	Land clearing, site plan preparation (drawings and on the ground), basic site development, allocation and distribution of land to PAPs, legal processing of land parcels	Central Sulawesi Provincial Budget (Public Works Department) and Palu City Government, possible support from the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency in the Land Redistribution/Agrarian Reform Program.

Source: LAP Huntap Talise Area



Table 11. Land Value and Cost of Land Acquisition in Case Study Sites

No.	Types of Land Provision in CSRRP	LT (Ha)	Average Land Value (Rp/M2)*)	Total Land Value (Rp)	Land Acquisition Cost by Government/LG (IDR)	Source of Land Acquisition Cost
A	Small Scale Land Acquisition					
1	Direct Purchase	8.25	50.000	4,125,000,000.00 **)	4,125,000,000.00	APBD
2	Land Swap	2.41	30.000	723,000,000.00	700,000,000.00	APBD
	Total	10.66		4,848,000,000.00	4,825,000,000.00	
B	Non-Acquisition					
1	Utilization of ex-HGB State Land	112.14	150.000	168,210,000,000.00	Nil	NR
2	Community/LCP Donation	14.80	150.000	22,245,000,000.00	Nil	NR
3	Self-Land Provision (Collective)	13.40	40.000	5,360,000,000.00	Nil	NR
4	Self-Land Provision (Individual)	0.56	150.000	840,000,000.00	Nil	NR
	Total	140.9		196,655,000,000.00	Nil	NR
	TOTAL	151.56		201,503,000,000.00	4,825,000,000.00	

Source: LAP and Case Study Reports 7 Study locations

*) Average Land Value using KJPP valuation price data for land purchases in Donggala Regency (IDR 30,000 to 50,000), Sigi Regency (IDR 30,000), and Palu City (IDR 126,000 to IDR 197,000 Talise Panau Market Value)

**)KJPP valuation for the 2020 Phase I location is worth IDR 3,441,475,000, land acquisition is carried out in 3 stages.

Institutional Arrangement

Institutional Arrangement of Small-Scale Land Acquisition

The laws and regulations referenced for the implementation of Small Scale Land Acquisition are: 1). Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest; 2). Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development in the Public Interest; 3). Ministerial Regulation of MAASP/NLA Number 19 of 2021 concerning Provisions for the Implementation of Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development in the Public Interest; and 4). Minister Regulation of Home Affairs number 72 of 2012 concerning operational costs and supporting the Prov / City APBD land acquisition budget. All of these regulations are references for Direct Purchase and Land Swaps. In the implementation of CSRRP, the implementation of land swaps occurs with the object of land in the form of village government assets, namely Village Land. In this case, two regulations become additional references, namely Law No.6 of 2014 concerning Villages and Minister Regulation of Home Affairs Number 1 of 2016 concerning Village Asset Management.



Table 12. Regulation on Small-Scale Land Acquisition

Type of Land Provision		Methods	ESMF CSRRP - ESS5 (Scheme & Procedure)	Regulations/Policies
A. Small-Scale Land Acquisition	1.	Direct Purchase	Direct Purchase/ Negotiated Settlements	<ul style="list-style-type: none"> • Law No. 2 Year 2012 on Land Acquisition for Development in the Public Interest • Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development in the Public Interest • Ministerial Regulation of MAASP/NLA Number 19 of 2021 concerning Provisions for the Implementation of Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development for the Public Interest • Minister Regulation of Home Affairs number 72 of 2012 concerning operational and support costs of the Prov / City APBD land acquisition budget.
	2.	Land Swap	Involuntary Land Acquisition and Resettlement Scheme (no specifics, but similar to land replacement/ swap compensation)	Additional Regulatory Foundation: <ul style="list-style-type: none"> • Law No.6 of 2014 on Villages • Minister Regulation of Home Affairs No. 1/2016 on Village Asset Management

Source: Case Study Reports in 7 Study Sites

In terms of managing social impacts, the project has provided standards and procedures in the CSRRP ESMF guidelines, namely ESS-5 related to land provision (acquisition of land rights). ESS-5 regulates provisions regarding the handling of social impacts for the Direct Purchase scheme. As for Land Swap, there is no explicit procedure but there is a provision for Land Replacement/Swap in the Involuntary Land Acquisition and Resettlement Scheme.

The formation of a land acquisition team/committee is not specifically regulated in the provisions of Small Scale Land Acquisition in Government Regulation No.19 of 2021 and Ministerial Regulation of MAASP/NLA No.19 of 2021. In these two regulations, the formation of a Land Acquisition Team/Committee is part of the Stages method of Land Acquisition with an area above 5 Ha. In the two case studies studied, namely small-scale land acquisition through Direct Purchase in Tompe Village, Donggala Regency, and Land Swap of Village Cash Lands in *Sibalaya Selatan* Village, Sigi Regency, the respective district governments formed a Team/Committee. The Donggala Regency Government formed a Small Scale Land Acquisition Team for Development for the Public Interest which was stipulated through the Decree of the Donggala Regent Number 188.45/0290/DPKP2 concerning the Establishment of a Small Scale Land Acquisition Team for Development for the Public Interest of the Post-Natural Disaster Area Rehabilitation and Reconstruction Program in Donggala Regency. Previously, the District Government had formed a Technical Team for the Preparation of Land Acquisition and Resettlement Action Plan Documents stipulated through Regent Decree No. 188.45/0657/BAPPEDA. In Sigi Regency, the district government formed a LARAP Implementation Technical Team which was determined



through Regent Decree No. 764-112 Hold 2020 to form a Land Acquisition and Resettlement Action Plan (LARAP) Implementation Technical Team Kab. Sigi.

Table 13. Small-Scale Land Acquisition Team/Committee

Type of PT		Methods	Team/Committee Type	Policy Foundation
A. Small-Scale Land Acquisition	1.	Direct Purchase	<ul style="list-style-type: none"> Small Scale Land Acquisition Team for Development for Public Interest (Donggala Regency) Facilitated by MPWH*) 	<ul style="list-style-type: none"> Decree of Donggala Regent Number 188.45/0290/DPKP2
	2.	Land Swap	<ul style="list-style-type: none"> LARAP Technical Implementation Team (Sigi District) Facilitated by MPWH*) 	<ul style="list-style-type: none"> Bupati Decree No. 764-112 Tahan 2020 establishing the Technical Team for Implementing the Land Acquisition and Resettlement Action Plan (LARAP) Kab. Sigi

Source: Case Study Reports in 7 Study Sites

The implementation of Small Scale Land Acquisition involves various stakeholders as the experience of Donggala Regency is illustrated in the table below.

Table 14. Stakeholders of Small-Scale Land Acquisition in Donggala Regency

No	OPD/Institution/Team	Role
A	Housing, Settlement and Land Agency (DPKPRP)	DAP data identification, budget planning, identification and initial land data collection (location search), KJPP appointment, Payment, Releasing Recipient (<i>leading sector</i>)
B	Regional Secretariat (Head of Regional Spatial Planning Coordination Team)	Determination of Recommendations for Compliance of Space Utilization
C	BAPPEDA	Formation of Technical Team for the Preparation of Land Acquisition and Resettlement Action Plan Document
D	Public Works and Spatial Planning Office	Coordination of spatial suitability of land location
E	Local Disaster Management Agency	Provision of DPZ Map
F	DPRD	Determination and Supervision of Budget Implementation
G	Sub-district Head/Village Head (RT/RW)	Locate, Identify, and Collect Evidence of Land Legality, Data Collection of Number of Eligible DAPs
H	Land Office (MAASP/NLA)	Measurement, issuance of certificates, implementation of PTSL, (NLA version of DPZ map)
I	KJPP	Land Price Assessment
J	MPWH Assistance/Consultant, Area Coordinator, and OSP Facilitator Team - CSRRP/MPWH	Review and assist with the technical feasibility of land location, assisting LG in collecting land legality data, measurement, receiving complaints, mediating disputes, and assisting LG in preparing RPT/LAP/DDR, RAP, and LAIR.

Source Case Study on Direct Purchase of Land - *Huntap Tompe*



Institutional Arrangement of Non-Acquisition Land Provision

The laws and regulations used as references for implementing Non-Acquisition land provisions include some regulations following the provision method used. In the Utilization of Ex-HGB State Land, main regulations are used as references, namely: 1). Law No.5 of 1960; 2). Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest; 3). Government Regulation No. 19 of 2021 on implementing Land Acquisition for Development in the Public Interest and No. 18 of 2021 on Management Rights, Land Rights, Flat Units, and Land Registration; 4). Ministerial Regulation of MAASP/NLA No. 19 of 2021 concerning Provisions for the Implementation of Government Regulation No. 19 of 2021 concerning the Implementation of Land Acquisition for Development in the Public Interest and Ministerial Regulation of MAASP/NLA No.18 of 2021 concerning Procedures for Determining Management Rights and Land Rights; and 5) Presidential Regulation No. 62 of 2018 Handling Community Social Impacts in the Context of Providing Land for National Development. Regarding handling social impacts, the project has provided Involuntary Land Acquisition and Resettlement Scheme procedures that apply in the middle of implementing land provisions related to claims to ownership of non-land assets.

The implementation of land donation by LC participants (Community Land Donation) refers to the MAASP/NLA Ministerial Regulation No. 12/2019 on Land Consolidation, which also refers to Law No.5/1960 and Law No.12/2012. The donation of LC participants to be used as permanent residential land for DAP has not specifically been regulated. Still, there are similar provisions related to the land donation of LC participants for development (TP) and for joint business (TUB). Referring to the general provisions, Land for Development (TP) is part of the participant's land handed over or provided for the construction of infrastructure, facilities, utilities, and Joint Business Land by the agreement. Meanwhile, Land for Joint Business (TUB) is land the participants own that can be cultivated, cooperated, or transferred with third parties for mutual benefit. Regarding handling social impacts, the project has provided a *Land Donation* procedure, which is more or less similar to the land donation for TP and TUB.

The self-provision of land, whether provided collectively or individually, to be used as land for the construction of permanent housing units does not yet have a regulatory basis that specifically regulates its implementation provisions. In implementing collective-self-land provision, several land acquisition provisions are referred to, such as the formation of the Land Acquisition Team, the preparation of a Land Acquisition Plan (LAP) document, and provisions related to PTSL. The implementation also refers to project provisions, namely those of the NSUP-CERC POM and CSRRP POM. CSRRP's social impact management procedures have not yet developed provisions for the self-land provision. However, general provisions in the *Land Donation* scheme have been provided, the difference being that there is no transfer of land rights as with land donation.

In the implementation of the utilization of state land ex HGB, the Regional Office of MAASP/NLA Central Sulawesi and the City Government of Palu formed a team. The Regional Office of MAASP/NLA formed a Land Acquisition Implementation Team (TPP), which was determined by the Decree of the Head of the Central Sulawesi Regional Office of MAASP/NLA Number 035/SK-72.500/I/2019 dated January 4, 2019. The Palu City Government formed a Working Group for Land Acquisition and Resettlement for the Post-Natural Disaster Area



Rehabilitation and Reconstruction Program in Palu City, which was stipulated by the Decree of the Mayor of Palu No. 650/801/DPRP/2019. This team was formed by considering the possibility of the need for action plans/activities for land acquisition and resettlement, as well as handling social impacts in the provision of land. This team was formed by considering the possibility of the need to prepare Land Acquisition and Resettlement Plan (LARAP) documents in rehabilitation and construction activities in Palu City. In addition, a Data Verification Team was also formed to identify PAP data related to claims of asset ownership at the *Huntap* Talise location. This team was established by the Decree of the Mayor of Palu Number: 650/609/DPRP II/2020 concerning the Team for Inventory, Verification, and Validation of Data on Residents Eligible for Land Distribution in Palu City, July 20, 2020.

In the implementation of LC, there were four types of Teams/Committees formed by the Regional Office of MAASP/NLA, the LG of Palu City, and the Land Office of Palu City, namely: 1) Land Consolidation Planning Coordination Team, 2) Land Consolidation Planning Team, 3) Land Consolidation Implementation Coordination Team, and 4) Land Consolidation Implementation Team. All of these teams involved *BAPPEDA*, *BPBD*, *DPKP*, *DPRP*, *DPU*, and *SETDA* of the Palu City Government.

Table 15. Regulations on Non-Acquisition Land Provision

	Methods	ESMF CSRRP - ESS5 (Scheme & Procedure)	Legislation/Policy
1.	Utilization of Ex-HGB State Land	Involuntary Land Acquisition and Resettlement Scheme (In mid-process this provision applies) Cat: Initially voluntary HGB release, and acquisition of expired land, handover to LG for utilization.	<ol style="list-style-type: none"> 1. Law No. 2 Year 2012 on Land Acquisition for Development in the Public Interest 2. Government Regulation No. 19 of 2021 on the Implementation of Land Acquisition for Development in the Public Interest and Government Regulation No.18 of 2021 3. Ministerial Regulation of MAASP/NLA Number 19 of 2021 concerning Provisions for the Implementation of Government Regulation Number 19 of 2021 concerning the Implementation of Land Acquisition for Development for the Public Interest and Ministerial Regulation of MAASP/NLANo.18 of 2021 4. Presidential Regulation No. 62/2018 Handling Social Community Impacts in the Framework of Land Provision for National Development 5. Presidential Instruction Number 10 of 2018 concerning the Acceleration of Rehabilitation and Reconstruction after the Earthquake and Tsunami Disaster in Central Sulawesi Province and Other Affected Areas and Presidential Instruction No.8 of 2022.
2.	Community/LCP Donation	Voluntary Land Donation Scheme (similar to TP/TUB procedure in LC)	Special regulations: Ministerial Regulation MAASP/NLA Number 12 of 2019 on Land Consolidation (especially regarding the donation of Land for Development/TP, Land for Joint Business/TUB)
3	Self-Land Provision (Collective)	<i>Voluntary Land Donation Scheme</i> (but not similar	1. Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency



	Methods	ESMF CSRRP - ESS5 (Scheme & Procedure)	Legislation/Policy
		as there is no transfer of ownership)	of the Republic of Indonesia Number 6 of 2018 on Complete Systematic Land Registration
4	Self-Land Provision (Individual)	Voluntary Land Donation Scheme (but not similar as there is no transfer of ownership)	1. Government Regulation No. 24 of 1997 on Land Registration 2. Regulation of the Minister of Agrarian Affairs/Head of the National Land Agency Number 3 of 1997 on Provisions for the Implementation of Government Regulation Number 24 of 1997 on Land Registration

Source: Case Study Reports in 7 Study Sites

Table 16. Non-Acquisition Land Provision Team/Committee

	Methods	Team/Committee Type	Policy Foundation
1.	Utilization of Ex-HGB State Land	<ul style="list-style-type: none"> TPPT (MAASP/NLA, Regional Office of MAASP/NLA) Working Group on Land Acquisition and Resettlement Rehab Recon Post Disaster in Palu Region Data Verification and Validation Team (Related to Talise PAPs Identification) Facilitated by MPWH, (ex. LAP/DDR preparation, Government assistance in informal dispute mediation, verification, finalization of DAP data) 	<ul style="list-style-type: none"> Decree of the Head of Central Sulawesi Regional Office of MAASP/NLA Number 035/SK-72.500/I/2019 dated January 4, 2019 Decree of the Mayor of Palu 650/801/DPRP/2019 Decree of the Mayor of Palu Number: 650/609/DPRP II/2020 concerning the Team for Inventory, Verification, and Validation of Data on Citizens Eligible for Land Distribution in Palu City, July 20, 2020
2.	Community/LCP Donation	<ul style="list-style-type: none"> LC Planning Coordination Team LC Planning Team LC Implementation Coordination Team LC Implementation Team LC Participants Association Facilitated by MPWH (ex. LAP/DDR preparation, Government assistance in informal dispute mediation, verification, finalization of DAP data) 	<ul style="list-style-type: none"> Decree of the Head of the Central Sulawesi Regional Office of MAASP/NLA No. 105.1/SK-72.AT.02.02/VIII/2021 Decree of the Head of the Land Office of Palu City Number 133/SK72.71.AT.02.03/X/2021 Decree of the Mayor of Palu 650/1060/DPRP II/2021 Decree of the Mayor of Palu Number 650/1193/DPRP II/202
3.	Self-Land Provision (Collective)	<ul style="list-style-type: none"> Part of the duties of the Small Scale Land Acquisition Team for Development for Public Interest. Facilitated by MPWH 	<ul style="list-style-type: none"> Decree of Donggala Regent Number 188.45/0290/DPKP2
4.	Self-Land Provision (Individual)	<ul style="list-style-type: none"> Part of OSP and Small Scale Land Acquisition & Larap Team (DPKP) tasks (Palu City) Facilitated by MPWH, ex. physical and juridical identification of land 	<ul style="list-style-type: none"> N.a

Source: Case Study Reports in 7 Study Sites

4.1.2. Dynamics of Land Issues

Each type of land provision under CSRRP has different types and degrees of problems (risks). The land dispute problem is found in the utilization of state land ex HGB. This can be seen from the character of the problems faced by the national and LGs in the 7 case study locations.



Table 17. Land Ownership Dispute and Asset Claim in Sample Case Study Sites

No.	Type of Land Provision	Huntap Name	Land Area (Ha)	Total Occupancy (Units)	Ownership Dispute Land/Claims	Asset Claim on Project Site Land	Completion Result
A Small Scale Land Acquisition							
1.	Direct Purchase	Tompe	8.25	288	Emerge	None	Mediation in progress
2.	Land Swap	Sibalaya Selatan	2.47	118	None	None	N.r
B Non-Acquisition							
1.	Utilization of ex-HGB State Land	Talise	46.83	693	Emerge	Emerge	Claims Not Proven, Asset Replacement Agreed upon
2.	Utilization of ex-HGB State Land	Tondo 2	65.31	961	Emerge	None	Outcome A lawsuit is proceeding in court
3.	Community/LCP Donation	Petobo	14.80	655	Emerge	None	Successfully organized
4.	Self-Land Provision (Collective)	Lompio	13.40	300**	None	None	N.r
5.	Self-Land Provision (Individual)	Pantoloan	6.15	302	None	None	TR

Source: Case Study Reports in 7 Study Sites

Problems faced by the government and LGs in this type of small-scale land acquisition are also minimal; there was one claim in *Huntap Tompe*. The implementation of the village treasury land swap in *Sibalaya Selatan* Village has no issues, this method is a solution to budget limitations and the fulfillment of the location preferences of the DAP. The prominent problem faced by the government and LGs is in the type of Non-Acquisition, especially the utilization of ex-HGB state land in the form of formal ownership claims and informal control of assets on the land, which has an impact on adjusting contract administration and project work schedules.

Table 18. The Character of Issues in Small-Scale Land Acquisition

No	Methods	Problems Facing the National Government			Issues Facing by LG
		BPPW	BP2P	Regional Office / Kantah	
1	Direct Purchase	No issue	Adjustment of contract administration, and project implementation cost and schedule	Partial landowner lawsuit	There are objections and land ownership lawsuits on a small portion of the land purchased by the District Government. The settlement process through mediation is ongoing, alternative solutions to the shortage of land for 10 permanent housing units are being sought from the LG land in the location of the permanent housing that is already available at the location in coordination with MPWH.
2	Land Swap	No issue	No issue encountered	No issue encountered	LGs face limited land that is suitable for DPZ, and budget constraints in the current year, as well as the problem of preferences of the DAP who choose to move to the location of the original village. Tukar Menukar Tanah Kas Desa is a solution to these problems for LGs and village governments.

Source: Field/Case Reports in 7 Study Sites



Table 19. The Character of Issues in Non-Acquisition Land Provision

	Methods	Problems Facing the National Government			Issues Facing by LG
		BPPW	BP2P	Regional Office / <i>Kantah</i>	
1	Utilization of Ex-HGB State Land	<ul style="list-style-type: none"> - Adjustment of contract administration, cost, and overall project implementation schedule - Technical condition of some land 	Adjustment of contract administration, and project implementation cost and schedule	Limited budget for land acquisition, and Land titling Land ownership claim lawsuit (Tondo-2)	<ul style="list-style-type: none"> - Land ownership claims (Tondo 2 case). Informal land cultivation/use (Talise). - Limited secure land in large expanses due to DPZs - City government budget limitations for large-scale land acquisition - Location Preferences. DAP chooses to go to a location that is close to their home location
2	Community/LCP Donation	No issues	No issue	<ul style="list-style-type: none"> - Shortage of ownership data entry personnel and field personnel for land measurement - Land titling budget constraints - Land Book Adjustment - Challenges of resolving ownership disputes and donation agreements 	Challenges in facilitating agreement on the amount of land donation

Table 20. Types of Land Disputes in CSRRP

Type of Land Provision		Methods	Types of Land Disputes	Description of Land Dispute/Disputes	Time of Appearance	Mitigation and Settlement Channels	Completion Result
A. Small-Scale Land Acquisition	1.	Direct Purchase	Ownership Dispute	<ul style="list-style-type: none"> • There are claims on land that the LG has purchased 	Land Clearing and Cultivation Phase	<ul style="list-style-type: none"> • LG mediation (lurah, camat) • Relocating the construction site to green space land 	<ul style="list-style-type: none"> • Mediation is still ongoing
B. Non-Acquisition	1.	Utilization of Ex-HGB State Land	Affected Asset Disputes	<ul style="list-style-type: none"> • Claims of ownership of assets on land 	Land Clearing and Cultivation Phase	<ul style="list-style-type: none"> • Formation of Data Verification and Validation Team • Agreement on Form of Compensation 	<ul style="list-style-type: none"> • The form of compensation is agreed upon, compensation is provided according to the Mayor's policy.
			Land Tenure and Ownership Disputes	<ul style="list-style-type: none"> • Ownership claims from communities on SKPT rights bases • HGB holder's claim for compensation 	<ul style="list-style-type: none"> • After Penlok, Ahead of the HGB release • Land Clearing and Development Phase 	<ul style="list-style-type: none"> • LG mediation (lurah, camat) • Proof of ownership at the Land Office • Court • Relocation of construction site 	<ul style="list-style-type: none"> • SKPT claims canceled and not proven • Outcome The lawsuit is still pending in court
	2.	Community/LCP Donation	<ul style="list-style-type: none"> • Tenure and ownership disputes between landowners • Dispute over the size of donated land 	<ul style="list-style-type: none"> • Multiple tenure and ownership on the same piece of land • Dispute over size of donated land & new HAT location point 	<ul style="list-style-type: none"> • Potential tenure disputes identified at the preparation/planning stage • Disputes over land size emerged at the LC implementation stage. 	<ul style="list-style-type: none"> • Land arrangement by MAASP/NLA • Companion of Tomas • Participatory Siteplan and DAP Registration 	<ul style="list-style-type: none"> • Tenure and ownership successfully organized • Joint decision on the amount of donation accepted by all participants



4.2. Keys to Success and Failure of the Land Provision Process

4.2.1. Key to Success and Failure of SSLA: Direct Purchase and Land Swap

The success and failure of small-scale land acquisition in the CSRRP are also related to 1) the commitment of the local government in the form of a budget, and 2) the availability of safe land (purchased/exchanged).

Generally, the Direct Purchase Land Swap processes are by the Small Scale Land Acquisition regulations stipulated in the Ministerial Regulation of MAASP/NLA No.19 of 2021. Regarding time required, Direct Purchase takes 17 months, and Land Swap takes 23 months. The process of both is relatively the same, and both have additional stages/innovations, namely the process of splitting the land parcel, administration and transferring LG asset land to beneficiaries with the status determined by the LG (Property Rights or Use Rights).

Table 21. of Compliance with Regulation - Small-Scale Land Acquisition

Methods	Proof of Release	Time Duration (Month)	Ministerial Regulation of MAASP/NLA No.19 of 2021				DPZ (Pergub No. 10 Year 2019)	Village Meeting (Village Law)
			Penlok	Planning Document	Land Use Suitability	Land Valuation		
Direct Purchase	Person-to-person Submission Letter (JB Receipt)	17*	Donggala Regent Decree No. 188.45/0560/DKP2/2 020	LAP <i>Huntap Tompe</i>	Recommendation No:650/0515/DMPWH/2 020	KJPP	DPZ 2	No Village Meeting
Land swap	Submission Letter No. 594.4/16/ Setcam	23**)	No Penlok	LAP of <i>Huntap Sibalaya Selatan</i>	Letter No. 600/01.368/DPUP/2022, January 26, 2022. Certificate No. 809/463/Distanhorbun	KJPP for replacement land	DPZ 1G, DPZ 2G and DPZ 2L	The results of the village meeting are determined.

*) Starting from the formation of the Land Acquisition Team on May 16, 2019, until the Phase I Land Release (November 16 - 23, 2020). The longest time is at the initial data collection stage of 12 months (for the details see Appendix 1. Case Study Report on the Purchase of Huntap Tompe Land). **) Starting from the formation of the LARAP Implementation Technical Team on March 9, 2020, until the issuance of the ATR/BPN Land Certificate on February 23, 2022. The longest time is the agreement on the exchange of rolls and the budgeting of the APBD of replacement land (for the details see Appendix 2. Case Study Report on Land Exchange in Huntap Sibalaya Selatan)

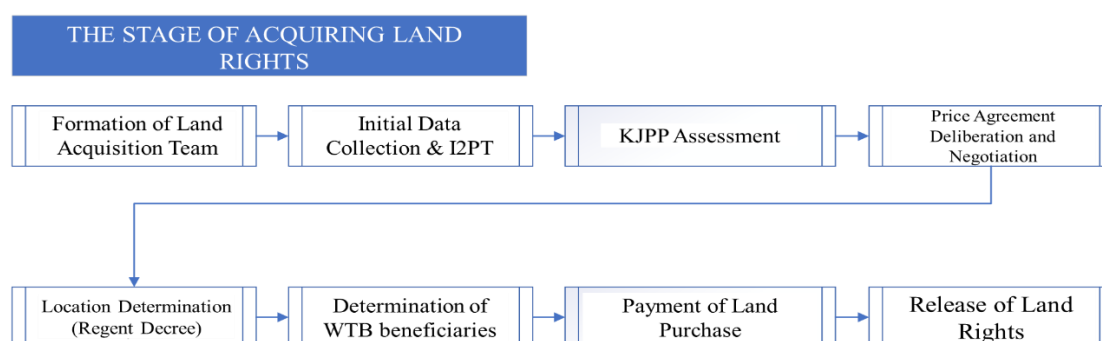


Figure 9 Flowchart of Land Purchase Process - Huntap Tompe

In *Sibalaya Selatan*, the land used as permanent housing land is the South Sibalaya Village treasury land given to the Sigi Regency Government for the construction of permanent housing



for DAPs of the earthquake and liquefaction natural disasters with a swap process. Both parties agreed to release the land. This agreement is contained in Submission Letter Number 594.4/16/Setcam.

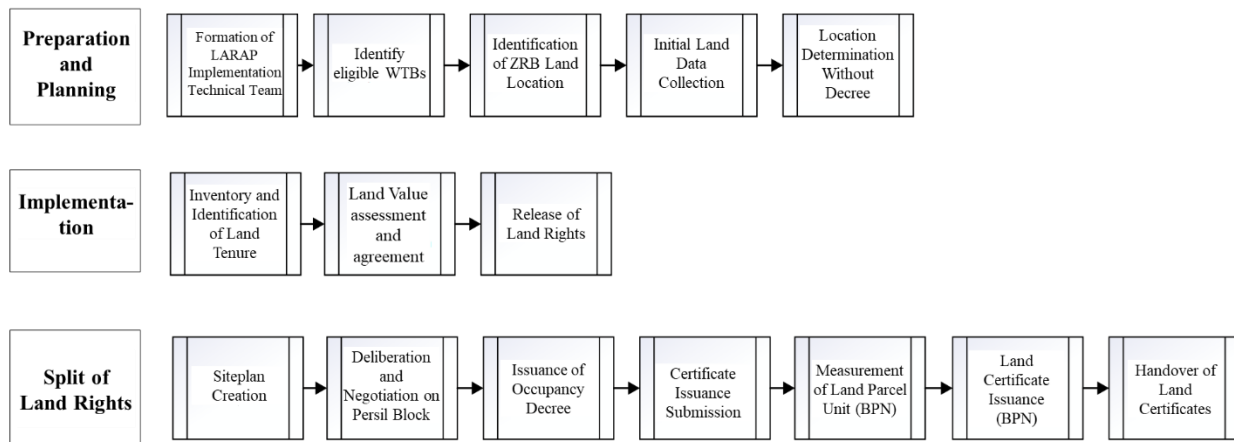


Figure 10 Flowchart of the Land Swap Process – Huntap Sibalaya Selatan

4.2.2. Keys to Success and Failure of Utilizing Ex-HGB State Land

The success of the failed process of using the former HGB state land is also specifically related to; 1) the availability of HGB land that is no longer active, and 2) mitigation and mediation through formal and informal communication methods.

The process of Utilization of Ex HGB State Land as a whole is an innovation in the provision of relocation land that applies 4 Legislation in the fields of Agrarian, Land, Spatial Planning, Procurement of Goods / Services - Management of State / Regional Property, Assistance, Donations, Disaster / Disaster, and Disaster Management, namely: 1) Law No.5 of 1960, 2) Law No.12 of 2012, 3) Government Regulation No.18 of 2021, and 4) Presidential Regulation No.62 of 2018 which regulates Land Acquisition and Transfer of Land Rights from HGB to State Land and transfer of utilization, as well as Handling Social Impacts on the Community. Another innovation is the form and mechanism of compensation in the form of land redistribution.

The process of utilizing ex-HGB State Land is complied with several regulations that are used as references, namely: Law No.2 of 2012, Government Regulation No.19 of 2021, Law No.5 of 1960, Government Regulation No.18 of 2021, and Presidential Regulation No.62 of 2018. The construction of *Huntap* on former HGB state land is based on the determination of the construction location by the Governor through Governor Decree No. 369 / 516 / DIS-BMPR G.ST / 2018 concerning Location Determination issued based on Presidential Instruction Number 10 of 2018 concerning the Acceleration of Rehabilitation and Reconstruction after the Earthquake and Tsunami Disaster in Central Sulawesi Province and Other Affected Areas whose contents ask the Ministry of AASP/NLA to facilitate the acquisition of relocation land and post-disaster rehabilitation. The decree was signed on December 18, 2018.

It took about 30 months from the determination of the location to the submission of the utilization to the Palu City Government. The process in Talise and Tondo 2 is relatively the same. The utilization of ex-HGB state land is an innovation in the provision of post-disaster relocation land, because it has never existed in Indonesia, there are innovations in the form and mechanism of



compensation, as well as additional activities that are specific to the post-disaster location that have no provisions in the land acquisition regulations and other regulations related to land provision.

Table 22. Indicators of Compliance with Regulation - Utilization of Ex-HGB State Land

Type Land Provision	Methods	Time (Month)	Law No.2/2012 Article 49, paragraph 1 - 3 and Government Regulation No.19 of 2021 Article 118, paragraph 1 - 4*)		Appropriateness of Utilization	Law No.5/1960 Government Regulation No.18 Year 2021**)		Presidential Regulation No. 62/2018		ZRB (Governor Regulation No. 10 Year 2019)
			Disaster Determination	Penlok		HGB Release Letter	Handover to Local Government	Planning Document	PDSK Integrated Team	
B. Non Procurement	1. Utilization of Ex- HGB State Land	30***)	Central Sulawesi Governor Decree No: 466/459/BPB D/2018	<ul style="list-style-type: none"> Letter of Head of Bappenas No. B579/M.PPN/D.2/HM.01.01/10/2018 dated October 31, 2018 Central Sulawesi Governor Decree No: 369/516/Dis.B MPR-G.ST/2018 	Letter of the Head of DPRP of Palu City No. 650/575/X/DPRP /2020 and No. 650/577/X/DPRP /2020 Regarding KRK	BA PT DDB Release Letter August 15, 2019 (Talise) BA Release Letter PT SPM & PT SW September 10, 2019 (Tondo-2)	<ul style="list-style-type: none"> Letter from the Minister of ATR/BPN Letter from Head of Regional Office / BA Submission 	LAP, RAP and DDR of Talise and Tondo-2 Hutap	Decree of the Mayor of Palu Number: 650/609/D PRP II/2020	ZRB 2G

***) Starting from the Determination of the Governor's Location to the Handover of Land from the ATR/BPN Regional Office to the Regional Government. The longest stage is the time duration between the release of the HGB to the handover to the Regional Government 21-23 months (see Appendix 2 & 3 of the Case Study Report on the Utilization of State Land Ex-HGU/HGB Talise and Tondo-2).

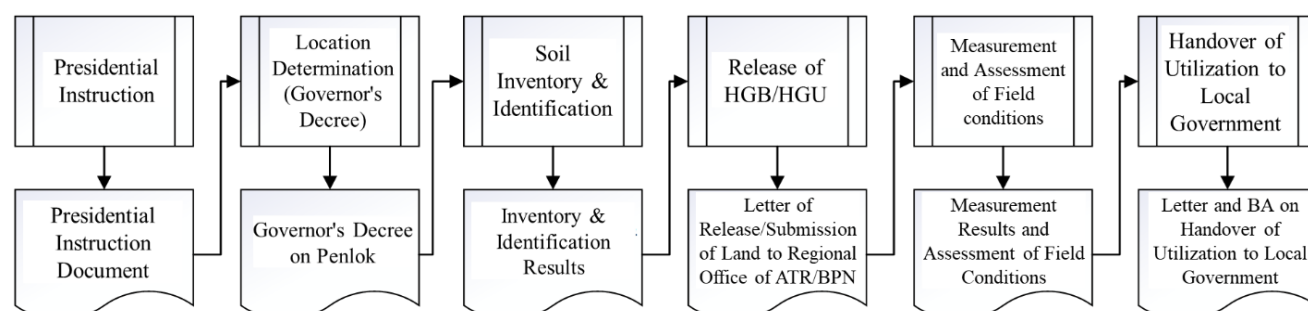


Figure 11 Utilization Process of Ex-HGB State Land

4.2.3. Keys to Success and Failure of Community/LCP Donation (Land Consolidation)

The success of the KT Participant Donation is specifically related to 1) The commitment and involvement of the Regional Government and community leaders; and 2) the Willingness of LC participants to release land by owned.

The community/LCP donation is an innovation in the provision of relocation land in post-disaster locations. There are *innovation* activities and stages, namely: 1) Determination of *Huntap* Location, 2) Identification, Verification, and Validation of Beneficiaries for Determination of Eligible Beneficiaries, 3) Involvement of Beneficiaries in making and agreeing on the LC siteplan and the location of the permanent housing.

The community/LCP donation is part of the overall Land Consolidation process. There are 2 (two) main stages, namely: 1) the Land Consolidation Planning Stage, and 2) the Land Consolidation Implementation Stage. The implementation of both stages is conducted by the Technical Guidelines for Planning and Technical Guidelines for Implementing Land Consolidation issued by the MAASP/NLA. Provisions for the implementation of Land Consolidation for post-disaster handling follow the provisions of the Land Consolidation Implementation stipulated in Article 21



through Article 32 Ministerial Regulation No.12 of 2019, this provision allows for changes in procedures in urgent circumstances (natural disasters), which include activities; 1) Collection of Physical, Juridical Data and Assessment of Land Consolidation Objects; 2) Preparation of Land Consolidation Design and Action Plan; 3) Release of Land Rights and Land Affirmation of Land Consolidation Objects; 4) Implementation of Land Consolidation Design (Staking Out); 5) Issuance of Land Rights Certificate and Submission of Land Consolidation Results.

Table 23. Indicators of Compliances with Regulation - the Community Land Donation

Type Land Provision	Methods	Time (Month)	Penlok Huntap	Pemen ATR/BPN Number 12 of 2019 on Land Consolidation						ZRB (Governor Regulation No. 10 Year 2019)
				Socialization of Utilization Conformity	Local Government and Community Commitment	Penlok KT	Establishment of Participant Association	Design and Donation Agreement	Land Release	
B. Non Procurement (Continued)	2. KT Participant Land Donation	3*	Decree of the Governor of Central Sulawesi No. 369/372/DIS-BMPR-G.ST/2021	Assessment at Planning Stage and Socialization to LGs Minutes of Socialization No. 080.1/BA-72.AT.01.02/V III/2021 Minutes of Site Selection No.080.2/BA-72.AT.01.02/V III/2021	Minutes and BA of Joint Agreement or Minutes of Results of Socialization of Land Consolidation to the Community	Letter of the Minister of Agrarian and Spatial Planning/ Head of the National Land Agency No. A7.02/656/V/2021 Decree of the Mayor of Palu Number 650/1160/D PRP II/2021	Minutes of the formation of KT participant association	Minutes of Design Result Agreement and land release donations	Minutes of Release of Land Donation from Land Consolidation Participants to Land Office of Palu City	ZRB 2G

*) Starting from the Formation of the Coordination Team and Planning Team to the Release of Land Donations

In summary, the preparation and planning stages of land consolidation that occurred in Petobo Village consisted of 18 activities, namely:

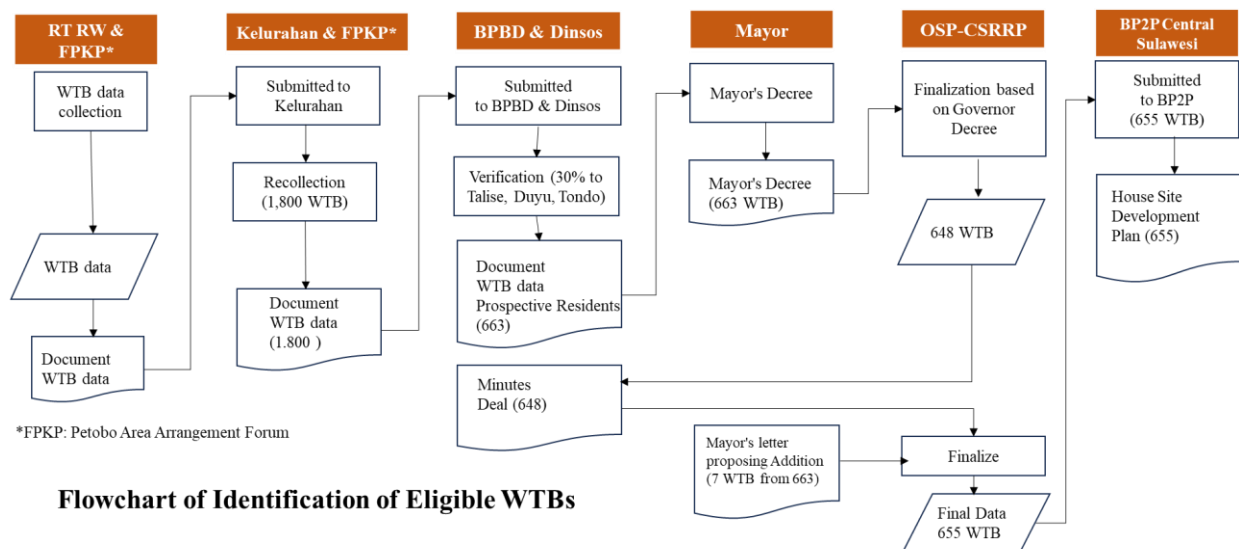
1. Formation of Coordination Team / Acquisition Team / Working Group
2. Formation of Planning Team
3. Initial Data Preparation
4. Spatial Review
5. Review of Sector Policies, Plans and Programs
6. Socialization of LC to LG
7. Site Selection (Coordination with LG)
8. Socialization of Land Consolidation to the Community
9. Social Mapping and Area Potential Analysis
10. Field Data Processing
11. Creation of Initial Design/Visioning (*Sketch Block Plan*)
12. Socialization of LC Plan to the Community and Agreement
13. Exposure to the Center
14. LG Approval and Support
15. Submission and Determination of Location Determination (Head of Land Regional Office Decree)
16. Location Determination Decree to the Mayor/Regent
17. General Plan of LC Activities



18. Report Preparation

The stages of Land Consolidation implementation in summary consist of 18 activities:

1. Forming Coordination Team (Mayor/Regent Decree)
2. Forming Implementation Team/Land Acquisition Team (Head of Land Office Decree)
3. Establishment of LC Participants Association
4. Issuance of Power of Attorney for LC Participants
5. Physical Data Collection
6. Juridical Data Collection
7. Land Consolidation Object Valuation
8. Preparation of Land Consolidation Design / Site Siteplan Design
9. Deliberation on New Plot Assignment Plan
10. Land Consolidation Action Plan
11. Release/Surrender of Land Rights to LG
12. Affirmation of Land as an Object of Land Consolidation
13. Field Application of LC Design (Staking-Out)
14. Issuance of Decree on Granting Land Rights
15. Issuance of *Surat Tanda Bukti Hak Atas Tanah* (STB HAT) for DAP
16. STB HAT Issuance for Infrastructure
17. Supervision and Monitoring
18. Reporting



Source: Petobo Huntap Case Study Report

Figure 12 Example of the Process of Identifying Eligible DAPs

4.2.4. Keys Success and Failure of Self-Land Provision

In particular, the success and failure of the self-land provision (collective) are also related to 1) Penlok Decree by the Regent; 2) DAP deliberations collectively provide land for permanent housing; Facilitation of Village and Regency Governments in the PTSL Program of the Ministry of ATR/BPN; Meanwhile, the success and failure of the individual self-land provision is



supported by the effectiveness of physical identification and the completeness of land juridical evidence.

Self-Land Provision (Collective) as a whole is an innovation that adopts several provisions of Small Scale Land Acquisition, PTSL stages, and community assistance facilitated by MPWH. Another innovation that occurs in the process is the *Huntap* Development Plan Deliberation which agrees to surrender DAP land for residential development land.

Table 24. of Compliance with Regulation - Self-Land Provision

Type Land Provision	Methods	Proof of Release	Time (Month)	Permen ATR/BPN No.19 of 2021				ZRB (Governor Regulation No. 10 Year 2019)
				Penlok	Planning Document	Land Use Suitability	Land Valuation	
B. Non Procurement (Continued)	3 Independent Group	Person-to-person Submission Letter (JB Receipt)	8*)	Decree of Donggala Regent Number 188.45/0304/DPKP2/2020	LAP/RAP of Lompio Independent Housing	Recommendation Letter Number: 660/0734/DPKP2/2020 regarding the suitability of the spatial plan for the huntap location (signed by the Head of TKPRD)	None	ZRB 2
	4 Independent Individual	Individual Submission Letter	-	No Penlok	LAP/RAP Pantoloan Self-Help Shelter	None	None	None

*) Starting from the Formation of the Land Acquisition Team to the Collective Agreement on Land Handover by WTB. The negotiation process of agreeing on the type of residential building with the community adds to the duration of the land provision time which was initially estimated at 3-4 months.

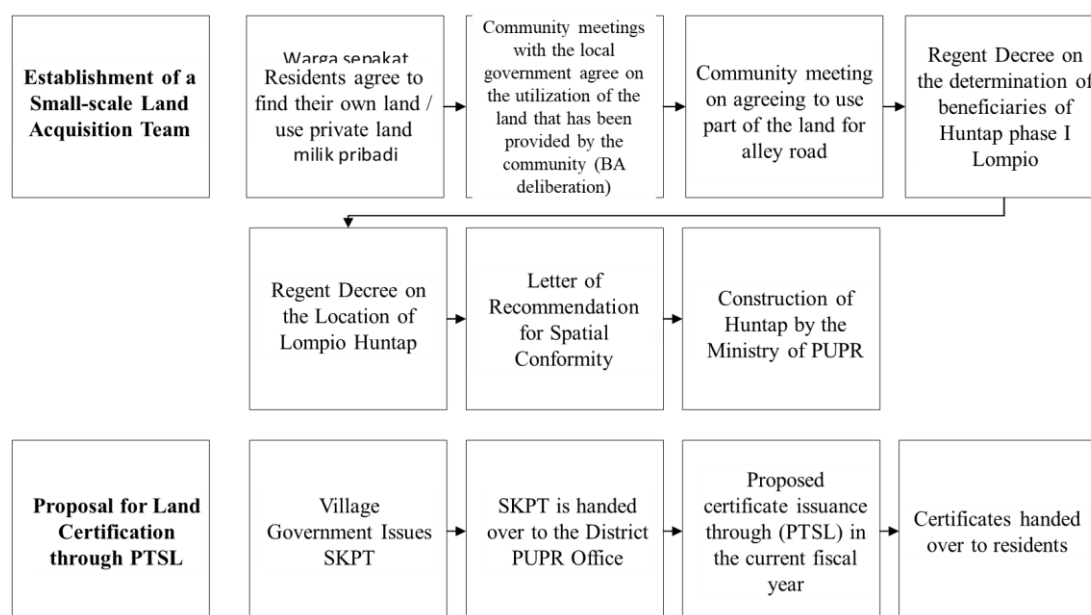


Figure 13 Flowchart of the Self-Land Provision (Collective) Process



4.3. Land Status and Livelihood of Beneficiaries

4.3.1. Land Status

The initial land legality status of each type/method of land provision under CSRRP varies. In general, there are three types of (initial) land status: 1) Land that is controlled/owned by individuals, whether it is registered and has proof of rights in the form of a certificate, or other forms of legal title issued by the LG (village, lurah, kecamatan) in the form of a land tenure certificate (SKPT), 2) Village treasury land, which is village assets in the form of land, and 3) State Land (Ex HGB, in the case of LC relinquishing the land to be donated). At the time of this study, the final land status of all types/methods of land provision was *Hak Milik* with evidence of SHM for housing and PSU both already issued and in the preparation phase (there is a possibility that the status of residential land is Hak Pakai on top of the Management Rights granted by the LG and recorded as LG Assets). Table 25 presents an overview of the initial, intermediate, and final land status transfers for each type/method of land provision in CSRRP.

Beneficiaries in the Lompio (*Huntap Mandiri*), Sibalaya Selatan (*Huntap Satelit*), and Petobo (*Huntap Kawasan*) have received; 300 residential certificate books in *Huntap* Lompio, 118 books in *Huntap* Sibalaya Selatan, and 655 books of certificates in the *Huntap* Petobo.

Table 25. Land Status of Permanent Housing Units in Case Study Sites

Type of Land Provision	Methods	Initial Land Status	Proof of Initial Land Status	Land Status Between	Proof of Intermediate Land Status	Final Land Status
A. Small Scale Land Acquisition	1 Buy and Sell	Variations	Variations	Local government assets*)	Land Release Letter from the Owner	SHM and PSU (Preparation)
	2 Exchange	Village treasury land	SKPT	Local government assets*)	BA Village Deliberation, Land Handover from Village Head	SHM Residential and PSU
B. Non-Land Acquisition	1 Utilization of Ex-HGB State Land	Ex-HGB State Land	HGB Release	Local government assets*)	Submission Letter and BAST from Regional Office of ATR/BPN	SHM Residential and PSU (Preparation)
	2 KT Participant Land Donation	Variations	Variations	State Land	Release of KT Participant Donations	SHM Residential and PSU
	3 Independent Group	Variations	SKPT	None	None	SHM Residential
	4 Independent Individual	Land Tenure & State Land Tenure Rights not Registered	SKPT, SHM & Letter of Submission	None	None	SHM (Setup)



Figure 14 Documentation of Handover of Land Title Certificates in Sibalaya Selatan

4.3.2. Livelihood of *Huntap* Beneficiaries

Huntap residents in 7 study locations have the potential to access education, health, and economic services, as well as to settlement infrastructure, facilities, and utilities (PSU) services, including access to neighborhood roads, clean water services, waste services, electricity, and communication network services so that their livelihoods have the potential to recover to pre-disaster conditions.

Table 26. Access of Permanent Housing Residents to Socio-Economic Services

Type of Land Provision	Methods	Huntap Name	Distance to Traditional Market (Km)	Distance to Pustu, Puskesmas, Clinic (Km)	Distance to Kindergarten (Km)	Distance to primary school (Km)	Distance to junior high school (Km)	Distance to high school (Km)
A. Small Scale Land Acquisition	1 Direct Purchase	Huntap Tompe	2	1,8	0,5	1,9	2	2
	2 Land Swap	Huntap Sibalaya Selatan	2	0,7	In Huntap	In Huntap	0,45	1
B. Non-Acquisition	1 Utilization of Ex-HGB State Land	Huntap Talise	4,3	3,5	2,7	In Huntap	4,1	4
		Huntap Tondo-2	6,9	1	1,4	1,8	0,9	1
	2 Community/LCP Donation	Huntap Petobo	5,1	5,2	-	2	2	6,1
	3 Self-Land Provision (Coll.)	Huntap Lompio	2	1	-	0,6	2	2,6
	4 Self-Land Provision (Ind.)	Huntap Pantoloan	-	1	1,4	1,2	1,1	1,8

Table 27. Access of Permanent Housing Residents to PSU

Type of Land Provision	Methods	Huntap Name	Huntap Type	Sanitation	Clean Water	Waste	Neighborhood Road	RTH	Street Lighting	Residential Lighting
A. Small Scale Land Acquisition	1 Direct Purchase	Huntap Tompe	<i>Satelit</i>	✓	✓	✓	✓	✓	✓	✓
	2 Land Swap	Huntap Sibalaya Selatan	<i>Satelit</i>	✓	✓	✓	✓	✓	✓	✓
B. Non-Acquisition	1 Utilization of Ex-HGB State Land	Talise Huntap	<i>Kawasan</i>	✓	✓	✓	✓	✓	✓	✓
	2 Utilization of Ex-HGB State Land	Huuntap Tondo-2	<i>Kawasan</i>	✓	✓	✓	✓	✓	✓	✓
	3 Community/LCP Donation	Huntap Petobo	<i>Kawasan</i>	✓	✓	✓	✓	✓	✓	✓
	4 Self-Land Provision (Collective)	Huntap Lompio	<i>Mandiri</i>	✓	✓	✓	✓	-	✓	✓
	5 Self-Land Provision (Individual)	Huntap Pantoloan	<i>Mandiri</i>	✓	✓	✓	✓	-	✓	✓

4.4. Lessons from the Case Studies

4.4.1. Lessons from Small-Scale Land Acquisition

- *Small-scale land acquisition for relocation in post-disaster locations potentially recovers livelihoods, legal certainty of land, and safety of settlements.* About 27% of the CSRRP relocation land area or 53.45 Ha was obtained through Sale and Purchase (96% of the total area of small-scale land acquisition), spread across 25 Satellite Huntap locations, in Palu City, Sigi Regency, Donggala Regency, accommodating 1,133 housing units, with a total land acquisition fund value of Rp 24,134,000,000.00 sourced from the APBD and Provincial Grants. 1% of the CSRRP relocation land area or 2.47 Ha was obtained through Exchange (4% of the total area of small-scale land acquisition) at 1 Satellite-scale *Huntap* location, in Sigi Regency, accommodating 118 housing units, with a land acquisition value of Rp 700,000,000. The risk level is moderate, and problems from the legal, technical, and



social aspects faced by the central and regional governments are minimal. Central and regional regulations for institutional arrangements are available; procedures and schemes for handling social impacts can replicate the procedures prepared by CSRRP. The challenge is the time required to obtain land for more than 1 year and requires careful identification of HAT administration. Land status has the potential to become a regional government asset for PSU and a beneficiary asset for housing with SHM rights. The livelihood, certainty, and security of DAP settlements have the potential to recover and have the potential for access to basic settlement, social and economic infrastructure services.

- The keys to success and failure of SSLA in CSRRP are 1) local government commitment in the form of a budget, 2) availability of safe land (purchased/exchanged), 3) compliance with regulations, 4) effectiveness of assistance from Project Managers and Implementers in planning and implementation, 5) Cooperation and policy coordination of MPWH, MAASP/NLA, Provincial Government, City/Regency Government, and Village Government.
- Innovation in the implementation of small-scale land acquisition CSRRP streamlines the process and enriches existing provisions, namely: 1) Formation of a Small-Scale Land Acquisition Team/LARAP Implementation Team at post-disaster locations, 2) Determination of Relocation Locations that meet the criteria for being safe from disasters, and 3) Identification, Verification, Validation and Determination of DAPs Recipients of Assistance, 4) Splitting HATs that do not yet have provisions in the stages of small-scale land acquisition as regulated by the Regulation of the Minister of AASP/NLA No. 19 of 2021. 5) Simplify procedures for land swaps regarding village asset land..

4.4.2. Lessons from Non-Acquisition Land Provision

Lesson from Utilization of Ex-HGB State Land

- *The utilization of Ex HGB state land for relocation in post-disaster locations potentially recovers livelihoods, legal certainty of land, and safety of settlements.* About 55% of the CSRRP relocation land area or 112.14 Ha was obtained through the Utilization of Ex-HGB State Land (77% of the total non-procurement land area) in 2 Huntap Kawasan locations, in Palu City, accommodating 1,654 housing units, with a land value of around Rp168,210,000,000.00. The level of implementation risk is quite high, and problems from the legal, technical, and social aspects faced by the national and local governments in the form of claims on assets and claims of land ownership, which have an impact on adjusting the contract administration and project work schedule. National and regional level regulations for the institutional arrangement of the utilization of ex-HGB state land have been provided; while the procedures and schemes for handling social impacts are provided by the CSRRP project (in the Involuntary Land Acquisition and Resettlement Scheme). The challenge is the time required to acquire land for more than 1 year. Land status has the potential to become a local government asset for PSU and a beneficiary asset for housing with a SHM right. The livelihoods, certainty, and security of DAPs' settlements



have the potential to recover, and they have the potential to access basic settlement, social and economic infrastructure services.

- Keys to success and failure of the process: 1) Presidential Instruction No. 10 /2018, and No. 8/2021, 2) conformity of implementation with regulations, 3) Identification and verification of DAPs Prospective Beneficiaries, 4) Availability of DPZ and KRK maps, 5) Effectiveness of MPWH assistance in planning, implementation, mitigation, and mediation, through formal and informal communication, 6) Cooperation and policy coordination of MPWH, MAASP/NLA, Provincial Government, and Palu City Government.
- The utilization of Ex HGB state land is an innovative practice in land provision in post-disaster locations that has the potential to be studied further to design a more efficient process in terms of time and risk mitigation.

Lesson from Community/LCP Donation (Land Consolidation)

- *The Community Land Donations through the land consolidation scheme potentially recover livelihoods, legal certainty of land, and safety of settlements.* About 7% of the 14.8 Ha CSRRP relocation land area was obtained from LC Participant Contributions (10% of the total non-procurement land area) in 1 Huntap Kawasan location, in Palu City, accommodating 655 housing units, with a land value of around Rp22,245,000,000.00. The level of implementation risk is relatively high, problems from the legal, technical, and social aspects faced by the central and regional governments in the form of restructuring land ownership and control rights, and the amount of donations to be given requires the involvement of community leaders, local governments, and MAASP/NLA. Central and regional regulations for institutional arrangements are available; procedures and schemes for handling social impacts are provided by the project (in the Land Donation scheme). The livelihoods, certainty, and security of the PTB settlements are restored. Land becomes SHM for housing and PSU is owned by the local government. PTB has access to basic settlement, social, and economic infrastructure services.
- Keys to success and failure of the process: 1) Presidential Instruction No. 10 /2018, and No. 8/2021, 2) conformity of implementation with regulations, 3) Identification and verification of DAPs Prospective Beneficiaries, 4) Commitment and involvement of local governments and community leaders, 5) Willingness to Release Land owned by LC Participants, 6) Availability of DPZ Maps and Spatial Studies, 7) MPWH assistance in implementation, mitigation and mediation, through formal and informal communication, 8) MPWH, MAASP/NLA, Provincial Government, Palu City Government, LC Participants, and DAPs policy cooperation and coordination.
- The land donation of LC participants as a whole is an innovation in the provision of relocation land in post-disaster locations. Other innovations include: 1) Determination of *Huntap* Location, 2) Identification, Verification, Validation, and determination of DAPs 3) Involvement of DAPs in making and agreeing on the LC site plan and location of *Huntap*. The challenges are in identifying LC objects and subjects, agreeing on land donations, and the number of measurement personnel.



Lesson from Self-Land Provision Collectively

- *Utilizing land owned by disaster-affected people collectively for relocation in post-disaster locations potentially recovers livelihoods, legal certainty of land, and safety of settlements.* As much as 7% of the CSRRP relocation land area of 13.4 Ha was obtained from LC Participant Contributions (9% of the total non-procurement land area) in 1 Huntap Mandiri location, in Donggala Regency, accommodating 300 housing units, with a land value of around IDR 5,360,000,000. The level of implementation risk is relatively low, and problems from the legal, technical, and social aspects faced by the central and regional governments are almost non-existent. Central and regional regulations for the institutional arrangement of independent group land provision are not yet available, the implementation adopts provisions for small-scale land procurement, PTSL, POM CERC, and CSRRP, procedures & schemes for handling social impacts similar to land donation, have not been specifically regulated. The livelihoods, certainty & security of DAP settlements are restored. SHM for housing is issued, and DAPs have access to settlement, social & economic infrastructure services.
- Keys to success and failure of the process: 1) Regent's Penlok Decree, 2) Compliance with available regulations, 3) *Huntap* Development Plan Deliberation, 4) Facilitation of Village and Regency Governments in the MAASP/NLA PTSL Program, 5) Identification of Beneficiary DAPs verification, 6) Identification of Potential Disaster DPZ Maps and Recomtek, 7) MPWH assistance in preparation, planning, and implementation, 8) Cooperation and coordination of MPWH policies, MAASP/NLA, Provincial Government, Donggala Regency Government, and DAPs.
- The Process of Self-Land Provision (collective) is an innovation/breakthrough in the provision of relocation land in post-disaster locations. Another innovation is the organization of the *Huntap* Development Plan Deliberation.

Lesson from Self-Land Provision Individually

- *Utilizing land owned by disaster-affected people individually for relocation in post-disaster locations potentially recovers livelihoods, legal certainty of land, and safety of settlements.* As much as 3% of the CSRRP relocation land area of 6.15 Ha was obtained from LC Participant Contributions (4% of the total non-procurement land area) in 263 Huntap Mandiri locations, in Palu City, accommodating 302 housing units, with a land value of around IDR 9,225,000,000. The level of implementation risk is relatively low, and problems from the legal, technical, and social aspects faced by the central and regional governments are almost non-existent. National and local regulations for the institutional arrangement of Self-Land Provision Individually are not yet available, the implementation uses the CSRRP POM, and procedures & schemes for handling social impacts similar to land donation, have not been specifically regulated. The livelihoods, certainty & security of DAP settlements have the potential to recover. DAPs have access to settlement, social, & economic infrastructure services that are not far from the location of their residence at the time of the disaster.



- Keys to success and failure of the process: 1) Presidential Instruction No. 10 of 2018 and No. 8 of 2022, 2) Compliance with available procedures, 3) Physical identification and completeness of land juridical evidence, 4) Effectiveness of identification and verification of DAPs, 5) Work of consultants from MPWH for DAPs and local government, 6) Cooperation and policy coordination between MPWH and Palu City Government.
- The process of Self-Land Provision individual is an innovation/breakthrough in the provision of relocation land in post-disaster locations. The Self-Land Provision individual is a solution to limited safe land and fulfillment of WTB location preferences



CHAPTER 5

LESSON LEARNED AND RECOMMENDATION

5.1. Lesson Learned

Based on the description in the previous chapter, this study summarizes the lessons learned from the land provision experience in CSRRP as follows:

A. Land Issues in CSRRP

1. *The CSRRP relocation policy has encouraged innovation and breakthroughs in providing land in post-disaster locations.* CSRRP implements small-scale land acquisition through Direct Purchase and Land Swap, Non-Acquisition through utilizing Ex-HGB state land, community donations through the LC program, and Self-Land Provision, both carried out by groups and individuals. Through these two types of land provision, CSRRP succeeded in providing land for permanent housing covering an area of 202.35 Ha, accommodating 4,162 dwellings (3,880 plus 282 housing units built by NSUP-CERC) in Palu City, Sigi Regency, and Donggala Regency with a total land value of Rp 232,506,000,000.00.
2. *Each type of land provision in CSRRP produces land area with varying capacity and budget availability requirements.* Small-scale land acquisition: Direct Purchase and Land Swap, succeeded in providing 55.92 Ha of land (28%), accommodating 1,251 dwelling units (30%), which required a budget from the local government budget equivalent to the land value of around Rp 27,466,000,000.00. Utilization of ex-HGB land, community land donations from LC participants, and Self-land provision - collective and individuals, all succeeded in providing 146.49 Ha (72%) of land, accommodating 2,911 dwelling units (70%) with a land value of around Rp 205,040,000,000.00 without acquisition costs from the government budget.
3. *From the institutional aspect, each land provision type implemented by CSRRP works as arranged as regulations and policies and as arranged as specific guidelines of social risk management produced by projects.* Institutional arrangements for all types of land provision – in terms of regulation and policies - are available, except for the self-land provision. For the latter, land provision work is arranged by guidelines produced by the project. The guideline for social risk management is provided by the project in two forms: as a framework and manual/tools.
4. *Each type of land provision implemented in CSRRP has different types and degrees of problems (risks).* The government and LGs do not face land issues in self-land provision and small-scale land acquisition. Issues are prominent in implementing non-acquisition, especially ex-HGB state land utilization. There is a claim in both land ownership and assets. The claim resolution impacts adjustments in both contract administration and project work schedules.
 - a. There are no issues faced by the government or LG in the self-land provision locations. Both methods are solutions to the limitations of secure land and fulfillment of DAP location preferences.



- b. The problems faced by the government and LGs in this type of small-scale land acquisition are also minimal; Land Swap is a solution to budget constraints and the fulfillment of DAP location preferences.
 - c. Problems faced by the government and LGs in the type of Non-Acquisition, especially the utilization of state land Ex HGB stand out, in the form of formal ownership claims and informal control of assets on land, the resolution of which has an impact on adjusting contract administration and project work schedules. In the donation of LC participants, similar problems can be anticipated and overcome by the LG and MAASP/NLA, and disputes regarding the amount of land donated can be resolved and agreed upon.
5. *All type of land provision implemented in the CSRRP potentially recovers livelihoods, legal certainty of land, and safety of settlements.* By the end of the study (August 2024), the relocation sites that have indicated livelihood recovery, safeness from natural disaster risk, and legal certainty of land (secure tenure) are sites where land is provided through Self-Land Provision, Land Swap, and Land Donation through LC scheme. Meanwhile, locations where land is provided through direct purchase and utilization of ex-HGB state land, have indicated the potentiality to recover, especially in terms of legal certainty of land for the relocation beneficiaries.

B. Key Success and Failure of Land Provision

1. *Each type/method of land provision in the CSRRP is carried out according to the available regulations and requires varying time duration.*
 - a. Implement each type/method by laws and regulations and central and regional policies.
 - b. The time required for land title release, starting from the shortest, is: a). LC participants' land donation (3 months); b) Independent group (8 months); Direct Purchase (17 months); Land Swap (Village Cash Land) (23 months); Utilization of state land ex HGB (30 months); The time needed for the individual independent method cannot be identified because it varies from person to person.
2. *In general, there are 6 key points to the success and failure of the land provision process in the implementation of CSRRP, are;* 1) Presidential instruction on accelerating and completing rehabilitation and reconstruction; 2) Compliance with available regulations and/or procedures; 3) Effectiveness of Identification, Verification, and Validation of DAP Data, DPZ Location, and suitability of location with city/regency spatial utilization; 4) Effectiveness of MPWH assistance in planning and/or implementing land provision, and/or dispute mitigation and mediation; 5) Cooperation and coordination of MPWH policies, MAASP/NLA, Provincial Governments, city/district governments, and Communities and DAP; 6) The existence of innovation or breakthrough approaches and/or activities in providing relocation land in dealing with land issues, at the approach and activity level.



C. Land Provision Innovation

1. There are innovations in the implementation of Small Scale Land Acquisition in CSRRP, namely:
 - a. Establishment of Small Scale Land Acquisition Team / LARAP Implementation Technical Team
 - b. Location Determination
 - c. Identification, Verification, Validation, and Determination of eligible DAPs Bantauan Recipients/Candidate Beneficiaries,
 - d. Determination of disaster-safe locations through DPZ maps
 - e. Split of Land Rights
 - f. Simplify the process from the existing provisions, especially in Land Swapping village treasury land.
2. Innovations in the implementation of Non-Acquisition land provision are:
 - a. The utilization of ex-HGB state land is an innovation in providing post-disaster relocation land because it has never existed in Indonesia. There are innovations in the form and mechanism of compensation. The challenge is that it requires 30 months, various regulations apply, and is highly risky.
 - b. The land donation of LC participants is an innovation in providing relocation land in post-disaster locations. Other innovations: 1) Determination of *Huntap* Location, 2) Identification, Verification, Validation, and determination of DAPs 3) Involvement of DAPs in making and agreeing on the LC site plan and location of *Huntap*. The challenges are Identification of LC objects and subjects, agreement on land donations, the number of measurement personnel, and the risk of failing to organize tenure and ownership rights.
 - c. Independent Land Provision, both groups and individuals, is an innovation/breakthrough in providing relocation land in post-disaster locations.

5.2. Recommendation

Based on the lessons that were acquired from the study, there are the following recommendations:

1. **Recommendation for Local Government.** From the experience of CSRRP, all types of land provisions for permanent housing relocation have the potential to be replicated in post-disaster locations in the future. Local Governments are advised to consider the character, potential, and challenges (advantages and disadvantages) of each type/method of land provision for the relocation of post-disaster permanent housing units, including aspects regulations regarding institutional arrangements, handling social impacts, capacity, budget availability requirements, potential risks caused, the time required, safety from risks of potential natural hazard, legal certainty and the livelihood recovery of the DAPs, the type of disaster and the impacts caused in the housing and settlement



sector, the city/regency spatial pattern plan, and the attachment of both; the character of the household economic, and social/cultural identity of the DAPs to the original location (see. Appendix of Recommendations 1 to 3), and consider potential process recommendations for each of the following types of methods:

- a. *Processes that have the potential to be replicated in similar disaster situations in the future to the direct purchase method, include:*
 - Establishment of Small Scale Land Acquisition Team for Relocation land acquisition.
 - Initial data collection and identification of land tenure, ownership, utilization, and use.
 - Determination of Land Location for Relocation in Post-Disaster Areas is part of the small-scale land acquisition process, although no community resistance is expected.
 - Identification, Verification, Validation, and Determination of DAPs Eligible Beneficiary Candidates.
 - Provision of contingency (reserve) budget for land acquisition in post-disaster locations.
 - Formal and informal approaches in mentoring communication with stakeholders involved in land acquisition, including LAP preparation.
- b. *Processes that could potentially be replicated in similar post-disaster sites in the future in land swaps include:*
 - Formation of LARAP Implementation Team
 - Identification, Verification, and Validation of DAPs Receiving Assistance
 - HAT solving is preceded by the lot selection process
 - Potential village deliberation activities to minimize social risks
 - Simplifying the process of releasing village assets in the form of land in post-disaster conditions
 - Budgeting for land replacement in the following year as outlined in the official report
 - Implementation of formal and informal approaches in communicating with stakeholders involved in land swaps, including the preparation of the LAP.
 - Village assets in the form of village treasury land can be an alternative land resource in post-disaster rehabilitation and reconstruction with simpler methods of transferring rights and or utilization by available laws and regulations (in urgent post-disaster situations).
- c. *Processes that have the potential to be replicated in similar post-disaster locations in the future in the utilization of the Ex-HGB state land include:*
 - Establishment of a presidential instruction on the acceleration and completion of post-disaster rehabilitation and reconstruction.
 - Identification and verification of DAPs Prospective Beneficiaries, determination of DPZ, and suitability of land utilization
 - Forms and mechanisms of compensation in the form of land redistribution activities



- Formal and informal communication approaches assist the planning, implementation, mitigation, and mediation of social impact/risk management, including preparing LAPs.
 - State land, or rights land that could potentially become state land, could potentially be the object of relocation in post-disaster locations, the challenge is to design a shorter process and be able to anticipate social risks/impacts.
- d. *The potential process to be replicated for the provision of relocation land in similar post-disaster locations in the future in the LC participant land donation method is as follows:*
- All stages regulated in the land consolidation guidelines
 - Determination of *Huntap* Location by the Governor and/or Regional Head
 - Identification, verification, and validation of DAPs of potential beneficiaries.
 - Involvement of DAPs in the creation and agreement of the LC site plan and *Huntap* site plan.
 - Assistance with implementation, including LAP preparation.
 - Community-owned land has the potential to be the object of relocation, the challenge is to obtain the object and subject of small-scale non-agricultural non-settlement land LC, agree on land donation, identify and reorganize land tenure and ownership, and ensure local government commitment.
 - Several activities in the planning and implementation stages have the potential to be adopted to anticipate social risks: Social Mapping and Analysis of Area Potential, Socialization of Plans to the Community and Agreement, Approval and Support from LG and Kelurahan, and Collection of Physical and Juridical Data.
- e. *Potential processes to be replicated for the provision of relocation land in similar post-disaster locations for the collective Self-Land Provision method in the future include:*
- Determination of Decree on location by the Regent and *Huntap* Development Plan Deliberation
 - Facilitation of village and district governments in the MAASP/NLA PTSL Program
 - Identification and verification of DAPs, assessment of disaster potential in DPZ locations, and technical recommendations.
 - Assistance at the preparation, planning, and implementation stages, including LAP preparation.
 - Land owned by DAP (beneficiary) could potentially be the object of land for relocation in post-disaster locations. The challenge is to ensure the willingness of the land owner (beneficiary) and the connectedness with PTSL.
- f. *Potential processes applied in the method of individual Self-Land Provision in similar situations are physical and juridical identification of land and preparation of LAP.* Land owned by DAPs has the potential to become land objects for relocation housing development in post-disaster locations. The challenge lies in the administration of proof of land rights, and land registration for unregistered land.



2. ***Recommendation for Executing Agency.*** Variations in the types of land provision for relocation at post-disaster locations have different risks. In the future, the executing agency is suggested to consider the keys to the success and failure of land provision, as found in this study, for the advance policy. The project management and implementers of rehabilitation and reconstruction projects are suggested to complement the social safeguard screening by considering the degree of risk of each type as found by this study. This study also suggests complementing the social safeguard screening procedure by collecting and analyzing rigorously various kinds of preliminary data assisted by consultants (*see. Appendix of Recommendations 4 & 5*).
3. ***Recommendation for Land Sector Authority.*** The central government in the land sector is suggested to conduct an advanced study on the process and mechanism of providing land for permanent housing relocation in post-disaster locations to use it as a basis for strengthening regulations and policies, especially the use of ex-HGB/HGU state land, community donations through land consolidation/redistribution scheme, and the self-land provision, which can be shorter in terms of time and able to anticipate social risks that arise (*see Appendix of Recommendations 6 to 8*).

