

**Study Team of Supplementary ESHIA on Medco Block A**

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# 1. Preliminary Assessment (Scoping Result)

## 1.1 Security and Social Conflict

Impacts to community concern, perception, and social jealousy were identified as potentially significant factors to occur during the entire Project phases from pre-construction to post operation. There were a number of issues from stakeholders and community that were discussed in the 2017 AMDAL Addendum regarding land acquisition, local employment, concerns related to dust, gas leak, disturbance to road transportation, also expectation for community development program.

The current scoping identified additional potential impacts to community security and social conflict, as follow:

- Potential social conflict with the community resulting from : 1) lack of coordination with potential stakeholders, 2) different mindsets and perspectives influenced by office politics and local politics, 3) the absence of political will ?;
- Potential violation to human rights associated with the project security arrangement.

There were a number of information which has been provided in the 2017 AMDAL Addendum summary regarding community concern in different affected villages as well as potential conflict in the community. Impacts to community concern, perception, and social jealousy were also assessed as significant factors in the document – these indicates potencies of conflict. Absence

Medco Block-A project in Aceh Timur region is located in the formerly GAM movement stronghold in the Aceh Province. The region is socially and politically characterised by post-conflict dynamics that entrenched to the woven of social fabric. The post-conflict environment and the culture of violence-to some degree- have influenced the power relations within the scope of project management.

The need to understand the triangular relations of society, corporate, and state is inevitable. Conflict sensitivity in the project area should also pay attention to the changing nature of political landscape, in which Indonesia has enter into a democratic society where the peaceful Aceh is given special status as a Province within the Indonesian Republic Unitary State following the signature of MoU Helsinki.

There are several aspect requires more attention:

- In general, security concern is unseen and do not manifest in the surface. However the real conflict/security concern is generally embodied in a form of latent, and in the state of psychological sub-surface. This concern is basically related to narrow (micro) sense of local identity, post-GAM and post-conflict situation, and spoilers-problem.
- Following the scoping study, the conflict analysis to the project milieu is labeled as “dispute” level rather than “violent conflict”. Escalation of unresolved disputes could lead to violent conflict.
- Medco Malaka is considered as a national vital object (*Obyek Vital Nasional*) henceforth Obvitnas. Obvitnas is under police responsibility. It is also understood that addressing security should not only in the responsibility of corporation, but in cooperation with government security sector. Therefore, further attempts must also take into account a stronger collaborative coordination and multi stakeholder meeting with various key actors. Empowering, synchronizing and strengthening the already settled FORKOPIMDA, Forum PKS or Forum Keuchik. Contacts with local government elements from Bappeda and relevant Dinas/SKPD to strengthen the affirmative action and advocacy attempts.
- Violence culture has developed into a routine use of force element (rhetoric and threat) as a mean of conflict entrepreneur and as a means of communication. However, the level of risk to security remain manageable (low level risk).
- Obvitnas is common symbol for the existing use of national security forces subjected to secure the national government interest. It may lead to contradiction with the common perception of Acehnese that natural resources in Aceh belongs to the Acehnese. There is *PKS (Kerjasama Kerjasama Keamanan)* between BPMA (*Badan Pengelola Migas Aceh*) and the security forces (Police). However, it was suspected that the cost of security being paid to security forces do not properly reach the officers on the ground.
- Job recruitment is one main issue especially the local people demanded the company to take them as a worker –but it is not possible to take them all. The term of local people is openly interpreted by different interest groups. One of the group stressed that local means the directly affected community of the project, whereas the other believed that local mean

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wider than the directly affected community, such as the people who lives in East Aceh District and even beyond, the Acehese in general.

- It is also suggested to talk with the Acehese leaders, religious leaders and cultural leaders, as well as civil society elements, local NGO activists the media and intellectuals living not only in Idi, but also in Banda Aceh, the capital city of the province, and when needed, to some extent in Jakarta, the capital city of the republic. This is central to disclose the relations between society, corporate and state (and its apparatus) and their perceptions and expectation on the project and its dynamics.
- There is an existing cleavage (sentiments) inside management of Medco-Malaka (between local and corporate element) and there is an urgent need that every one to develop a (unified) corporate vision and culture that able to unite all workers in a single spirit and consensus, regardless all the differences.
- There is a need to develop code of conduct in managing project security and in the case of accident happened. Further study is also needed to identify practices of operational mechanism in recruiting and integrating the three main security actors, namely ex-combatant, police and the army. Detailed description of ex-combatant profiles, and its relation and alliances with other key actors should also be included.
- Considering to the fact that security is sensitive issues both inside and outside the corporation, there is a need to treat all security related information in different level of secrecy and discretion.
- Inadequate implementation of SEP and Grievance Mechanism lead to social dispute. Cultural approach through *Adat* or informal Leaders. The following findings may relevant to the current social disputes due to the local employment issue.
- Significant rivalry between *Partai Aceh vs Partai Nasional Aceh* regarding local election (PILKADA) serves as the momentum for dispute to take place. It may require a reconciliation among ex-combatant parties at provincial and district level. The former shadow structure of ex-combatants are still having strong influence in some parts of the project affected villages. Both of them used Medco Project as the campaign issue.
- Competition between political leaders regarding man power supply and procurement of goods and services. Politicians in parliament at regency and province level have role to initiate local regulation on this subject.
- Existing arms (weapons and guns) belongs to ex combatants leads to violent & criminals, i.e. narcotics.
- According to community leaders who were interviewed during the Scoping site visit, employee recruitment was not transparent and currently more workers are migrants (come from outside the direct affected villages).
- Referring to the informants, there need to be a long term, sustainable, non-economic, skill-based, and religiously, socially and culturally sensitive CSR and Comdev programs equally distributed to the affected people such as scholarship scheme, First might be establishing clinics and (vocational) school closely located to the affected villages, bridges, religious and cultural places. This can be done with strong collaborative and regular meeting with local leaders, religious leaders, etc.
- Lack of customary rules and regulation. There need to be specific focus and local expert on regulation that will provide advisory comments and knowledge, especially regulation on local bylaw (*qanun* or *perda*) in relation to the local, national, multinational investment project, the affected community, the stakeholders and functional groups, interest groups, vulnerable groups, and the local and national government

Other site visit findings:

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Table 1-1 Pre-Assessment Supplementary ESHIA Result

Environmental Element	Source of Impact/ Project Phase	Potential Impacts	Pre-Assessment Result (Result from Scoping Site Visit/ Current Condition)	Proposed Studies for Supplementary ESHIA
1. Security and Social Conflict	All project activities from Pre-construction to Operation phase	<ul style="list-style-type: none"> <li>Potential social conflict with community resulting from: 1 lack of coordination with potential stakeholders, 2) different mindsets and perspectives influenced by office politics and local politics, 3) the absence of political will</li> <li>Potential violation to human rights associated with the Project security arrangement</li> </ul>	<ul style="list-style-type: none"> <li>Deep division between the formerly united Ex-GAM in pre, during and post-election events. Significant rivalry between <i>Partai Aceh vs Partai Nasional Aceh</i> regarding local election (PILKADA) serves as the momentum for dispute to take place. It may require a reconciliation among ex-combatant parties at provincial and district level. The former shadow structure of ex-combatants are still having strong influence in some parts of the project affected villages. Both of them used Medco Project as the campaign issue.</li> <li>Security concern is unseen and do not manifest in the surface. However the real conflict/security concern is generally embodied in a form of latent, and in the state of psychological sub-surface. This concern is basically related to narrow (micro) sense of local identity, post-GAM and post-conflict situation, and spoilers-problem.</li> <li>Conflict analysis has identified the situation surrounding the project as “dispute” level rather than “violent conflict”. But Escalation of unresolved disputes could lead to violent conflict.</li> <li>The former combatant of the Free Aceh Movement have been integrated to society following the implementation of Helsinki accord framework. However, the psychological factor of being ex-combatant has materialised into the construction of culture of violence. Violence has been exploited as a tools of extortion</li> <li>Violence culture has developed into a routine use of force element (rhetoric and threat) as a mean of conflict entrepreneur and as a means of communication</li> </ul>	<p><b>Primary</b>                      Elite and key stakeholder reconciliation and multi stakeholder facilitation meeting at all level of govt.</p> <p>Reconsolidating/resuming/ strengthening the existing element of dispute resolutions from the local government</p> <p>Synchronizing roles between functional groups</p> <p>Updating and re-identifying key actors and players</p> <p>Empowering public affairs dept and stabilizing office politics in relation to stronger coordinated effort to influence local govt support for aspects that are beyond corporate outreaches</p> <p>a long term, sustainable, non-economic, skill-based, and religiously, socially and culturally sensitive CSR and Comdev programs equally distributed to the affected people such as scholarship scheme, First might be establishing clinics and (vocational) school closely located to the affected villages, bridges, religious and cultural places. This can be done with strong collaborative and regular meeting with local leaders, religious leaders, etc.</p>

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Environmental Element	Source of Impact/ Project Phase	Potential Impacts	Pre-Assessment Result (Result from Scoping Site Visit/ Current Condition)	Proposed Studies for Supplementary ESHIA
			<ul style="list-style-type: none"> <li>Obvitnas is common symbol for the existing use of national security forces subjected to secure the national government interest. It may lead to contradiction with the common perception of Acehnese that natural resources in Aceh belongs to the Acehnese. As a result, there is <i>PKS (Kerjasama Kerjasama Keamanan)</i> between BPMA (<i>Badan Pengelola Migas Aceh</i>) and the security forces (Police). However, it was suspected that the cost of security being paid to security forces do not properly reach the officers on the ground.</li> <li>Job recruitment is one main issue especially the local people demanded the company to take them as a worker –but it is not possible to take them all. The term of local people is openly interpreted by different interest groups. One of the group stressed that local means the directly affected community of the project, whereas the other believed that local mean wider than the directly affected community, such as the people who lives in East Aceh District and even beyond, the Acehnese in general.</li> <li>It is also suggested to talk with the Acehnese leaders, religious leaders and cultural leaders, as well as civil society elements, local NGO activists the media and intellectuals living not only in Idi, but also in Banda Aceh, the capital city of the province, and when needed, to some extent in Jakarta, the capital city of the republic. This is central to disclose the relations between society, corporate and state (and its apparatus) and their perceptions and expectation on the project and its dynamics.</li> </ul>	<p><b>Additional</b>                  Providing consensus/SOP on security protocols of the project involving police, army and ex combatants</p> <p>Providing a guide book or map or info graphic on local politics, regulation and local govt.</p>

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Environmental Element	Source of Impact/ Project Phase	Potential Impacts	Pre-Assessment Result (Result from Scoping Site Visit/ Current Condition)	Proposed Studies for Supplementary ESHIA
			<ul style="list-style-type: none"> <li>• There is an existing cleavage (sentiments) inside management of Medco-Malaka (between local and corporate element) and there is an urgent need that every one to develop a (unified) corporate vision and culture that able to unite all workers in a single spirit and consensus, regardless all the differences.</li> <li>• There is a need to develop code of conduct in managing project security and in the case of accident happened. Further study is also needed to identify practices of operational mechanism in recruiting and integrating the three main security actors, namely ex-combatant, police and the army. Detailed description of ex-combatant profiles, and its relation and alliances with other key actors should also be included.</li> <li>• Competition between political leaders regarding man power supply and procurement of goods and services. Politicians in parliament at regency and province level have role to initiate local regulation on this subject.</li> <li>• Lack of customary rules and regulation. There need to be specific focus and local expert on regulation that will provide advisory comments and knowledge, especially regulation on local bylaw (<i>qanun or perda</i>) in relation to the local, national, multinational investment project, the affected community, the stakeholders and functional groups, interest groups, vulnerable groups, and the local and national government</li> <li>• Existing arms (weapons and guns) belongs to ex combatants leads to violent &amp; criminals, i.e. narcotics.</li> </ul>	

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Environmental Element	Source of Impact/ Project Phase	Potential Impacts	Pre-Assessment Result (Result from Scoping Site Visit/ Current Condition)	Proposed Studies for Supplementary ESHIA
			<ul style="list-style-type: none"> <li>Referring to the informants, there need to be a long term, sustainable, non-economic, skill-based, and religiously, socially and culturally sensitive CSR and Comdev programs equally distributed to the affected people such as scholarship scheme, First might be establishing clinics and (vocational) school closely located to the affected villages, bridges, religious and cultural places. This can be done with strong collaborative and regular meeting with local leaders, religious leaders, etc.</li> </ul>	
2.			<ul style="list-style-type: none"> <li></li> </ul>	
3.				
4. Cumulative Impacts		Cumulative impacts from other industrial activity within the region to: <ul style="list-style-type: none"> <li>Security and social conflict</li> <li></li> </ul>		Cummulative impact assessment

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## 2. ESHIA Scope of Work

### 2.1 Approach and Methodology for Environmental and Social Baseline Data Collection and Analysis Method

#### 2.1.1 Baseline Study

##### 2.1.1.1 Social and Health Studies

The following approach and methodology will be used in conducting the proposed additional studies for Supplementary ESHIA:

1. Household (HH) sampling survey specific on the project land acquisition affected people who has been compensated, and census for those whose land is still being acquired by the time the Supplementary ESHIA additional studies is undertaken
2. HH sampling survey to gather contextual socio-economic, community health, safety and socio-cultural information
3. Stakeholder interview and group discussion
4. Guided observation

Additional secondary data gathering and documents review

Household (HH) survey on the Project affected land owners and users (sharecroppers) will be conducted, focus on those residing in the direct affected villages. The following approaches will be used:

- Random sampling of HH that has been compensated by the Project by the time the proposed additional ESHIA studies is conducted
- Census of HH for those whose land is still being acquired by the time the proposed additional ESHIA studies is conducted
- Purposive sampling of the affected sharecroppers HH

Statistical method considering appropriate confidence level and interval will be used to determine the proportional sampling number.

In addition, interview with relevant stakeholders involved during the process will be conducted.

##### 2.1.1.1.1 Household Sampling Survey in the Affected Villages

Survey on the affected community groups at village level, including:

- Household samplings in each of the potentially affected village to get further insight into livelihoods and dependence on the affected natural resources e.g. rubber plantation, oil palm plantation and paddy field
- Identification of existing health issues, specifically for community residing along the village road which is used for Project mobilisation
- Identification of local community safety behaviour and awareness

Statistical method considering appropriate confidence level and interval will be used to determine the proportional sampling number.

##### 2.1.1.1.2 Stakeholders Interview and Group Discussion

Stakeholders interview and Focus Group Discussions (FGD) with selected community groups at village level, relevant with the purpose of the impact assessment will be conducted, including but not limited to the following stakeholders:

- Village youth (job seeker), local business owner, farmers owning land surrounding the Project construction area such as surrounding CPP and along the road that will be used for Project mobilisation



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- Traditional or religious leaders to understand better religious influence in the local community socio-culture structure, in which the Project may encounter

For security and social conflict, assessment will address the following issues towards key stakeholder through indepth interview. Pattern on dispute/conflict resolution mechanism will also be reviewed as a way to provide mitigation measure.

So basically conflict potential came from three main issues:

- Pilkada dispute, recruitment of labour (manpower supply) and existing land disputes at Jambo Bale.
- Other problems related to land dispute may also affected the project (conflict between community over land acquisition - have to recheck the detail and location later).
- Other problems may arise from the possible rivalry between Forum Geuchik 37 Gampong and Forum Geuchik 12 Gampong.

Key stakeholders consist of: all functional groups, leader from both forum keuchik, community and religious leader. Document review will cover grievance mechanism provided by the company (Block A and the contractors). Indepth interview will be conducted to measure the depth of the problem and possible mitigation provided by the project.

### 2.1.1.1.3 Guided Observation

Field observations were carried out during the additional ERM survey, at the village and district level covering the following aspects:

- District and Village government facilities;
- Public transportation services and infrastructures;
- Economic facilities and infrastructures;
- Health facilities;
- Community security system;
- Community daily activities; and
- Community use of natural resources and livelihood.

Information gathered during observation will be considered when assessing the impact.

### 2.1.1.1.4 Additional Secondary Data Gathering and Documents Review

Additional data gathering and desktop review of the following documents will be conducted to help better understanding of community, to support the assessment of impact:

- Published documentation on demography, health, regional and local economic and livelihood, employment, the use of natural resources, and socio-cultural such as regional and local government statistic data and sub district health profile
- Reliable online news and articles
- ??

## 2.1.2 Impact Assessment

### 2.1.2.1 Security and Social Conflict

Assessment of all issues and related stakeholders relevant to the current (construction) and their impacts or implication to the next Project stage (operation and post operation).

The following approach will be used to assess potential impact to security and social conflict:

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- Identify the potential issues grievances that may and/or could manifest to physical conflict/violence.
- identify and update potential actors (this section must be treated in a secrecy/sensitive so it is not fallen to the third parties and could create problem)
- identify the risk for the project disruption in a case grievances/conflict happen
- Impact assessment of security forces use including:
  - Identification of a physical security protection for the primacies/ field operation.
  - Elaboration of recent political history to help framing the issues: such as the contortion risk of political violence
  - Identification of cultural sensitivity issues (such as religious practice). This cultural (soft) approach will help to guarantee operation and project sustainability.
  - Identification of media strategy to built trust and confidence between Medco and local communities (this to reduce the grievances and promote social ownership to the project)
  - Identification of issues that require mitigation and reduction of risk potential.
  - Identification of sources of conflict needs also to look at the existing mechanism (i.e., governance system) of the project.
  - Assessment and policy option (in dealing with community/external actors), there should be clear from the company point of view on issues Inclusion and what is Not.