

Annex 8c

SEAH Screening Checklist

to the GCF Funding Proposal

**Land-based mitigation and adaptation through a Jurisdictional Approach in
West-Kalimantan**

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Version 1

Submitted by:
Deutsche Gesellschaft für internationale Zusammenarbeit (GIZ) GmbH

Ensuring basic risk mitigation measures are in place ahead of stakeholder engagement	Responsibility	Comments
Does the AE have a SEAH Policy (or SEAH provisions in another policy)?	AE	<ul style="list-style-type: none"> • Yes. GIZ does not tolerate any form of Sexual Exploitation, Sexual Abuse and Sexual Harassment in the company. All employees must follow: <ul style="list-style-type: none"> ○ the GIZ policy banning sexual harassment at the workplace; ○ the GIZ Code of Ethics; ○ the GIZ Code of Conduct (CoC); ○ the GIZ Human Rights Policy.
If the AE has contracted out stakeholder consultations, does that entity have a SEAH Policy (or are they contractually bound to apply the AE's)?	AE/ contractors	<ul style="list-style-type: none"> • Yes. GIZ ensures that all its offices and cooperation partners are bound to the same level of ethical behaviour and standards through the Code of Conduct for Contractors and Code of Conduct for Contractual Relations with GIZ and by including the CoC, covering all prohibited practices such as SEAH, in contractual agreements with business partners / in all business relationships. General terms and conditions of contract is available on the internet (web-LINK).
Does the AE have an employee Code of Conduct?	AE	<ul style="list-style-type: none"> • Yes. The CoC applies to all staff, trainees, interns, visiting interns, legal trainees and the members of the Management Board.
If the AE has contracted out stakeholder consultations, does that entity have an employee Code of Conduct (or are they contractually bound to apply the AE's)?	AE/ contractors	<ul style="list-style-type: none"> • Yes, see above.
Have AE employees and consultants conducting stakeholder consultations been trained on preventing SEAH and the Code of Conduct?	AE	<ul style="list-style-type: none"> • Yes. In addition, several policies (i.e., on banning sexual harassment, zero tolerance to corruption, prevention of money laundering and financing of terrorism) substantiate the high level of ethical behaviour that GIZ is expecting from its employees and partners. Overall, all GIZ employees are bound by a set of GIZ rules (P+R) detailing the requirements of the CoC, relevant policies and procedures, incl. obligation to report suspicions of serious compliance infringements. • All GIZ staff is made aware of such obligations, as mandatory part of the onboarding, mandatory trainings, and general awareness raising.
Does the AE have a grievance mechanism in place in case of	AE	<ul style="list-style-type: none"> • Yes. Through its risk-based Compliance Management System (CMS, web-LINK) that is geared towards the observation of laws, commissioning party/client requirements, and internal rules and voluntary commitments,

early SEAH complaints from stakeholder engagement?		<p>GIZ ensures that all members of the workforce conduct themselves in accordance with rules and statutory regulations.</p> <ul style="list-style-type: none"> In addition to compliance, GIZ's CMS also encompasses elements of anti-corruption, grievance and redress, and integrity management. Its scope of application essentially covers all core, support, and management processes and it applies to GIZ's business activities worldwide.
Does the AE have a specialist on staff who can undertake the more advanced assessment in Stage 4 as well as deal with early SEAH complaints if they arise; and if not, does the AE require budget and /or assistance with this?	AE	<ul style="list-style-type: none"> Yes. Responsibility for organising compliance management is delegated to the Compliance and Integrity Unit (CIU), which is tasked with coordinating, organising and steering GIZ's CMS and reports directly to the Management Board (web-LINK). The unit comprises, inter alia, of 8 compliance officers, and its staff act with professional independence and are obliged to be objective and not bound to accept instructions. Hence, it's independent from staff responsible for E&S matters and project/programme management throughout the project cycle.

Contextual Level (and Base-line Conditions)	Comments and References
Does the country have laws prohibiting sexual harassment / stalking generally?	<ul style="list-style-type: none"> Yes. President of the Republic of Indonesia has ratified the TPKS (Criminal Crimes of Sexual Violence) Bill No. 12 of 2022, which became official law on April 12, 2022. Yes. Law of the Republic of Indonesia Number 23 of 2004 concerning the Elimination of Domestic Violence which was stipulated on 22 September 2004
Do labor laws prohibit sexual harassment in the workplace?	<ul style="list-style-type: none"> Yes. Following the implementation of the 2022 TPKS, the Ministry of Manpower in Indonesia revised the 2011 non-binding workplace sexual harassment guidelines. Decree No. 88 of 2023 introduces Guidelines for the Prevention of and Response to Sexual Harassment in the Workplace. The 2023 guidelines are treated as a standard, requiring employers, <i>inter alia</i>, to establish a sexual harassment task force.
Does the country have laws prohibiting intimate partner violence (IPV)?	<ul style="list-style-type: none"> Yes. Domestic violence in Indonesia is seen as a form of human rights violations and acts of discrimination. The Indonesian government issued a policy of Law number 23 of 2004 concerning the Elimination of Domestic Violence.
What is the prevalence of GBV in the country?	<ul style="list-style-type: none"> According to Puspitasari and Mayangsari (2022), gathering comprehensive data on GBV in Indonesia is quite challenging because there is no regular, systematic data collection.¹ In their work, reference is made to a 2016 study of Indonesian

¹ Puspitasari, W. & Mayangsari, F. (2022). COVID-19 and gender-based violence in Indonesia: The urgency of prevention and mitigation framework. In M. A. Hidayatulloh, I. Jati, & D. Sumardani (Eds.), Indonesia post-pandemic outlook series: Social perspectives.

	<p>National Women's Life Experience, according to which one in three Indonesian women have experienced GBV throughout their lives.²</p> <ul style="list-style-type: none"> According UNFPA (2023) 1 in 3 Indonesian women aged 15 to 64 have experienced physical and or sexual violence perpetrated by a partner or no³
What is the legal age a person can marry?	<ul style="list-style-type: none"> Pursuant to the Indonesian Marriage Law No. 16 of 2019, the minimum legal age for both men and women to marry is 19.
Despite any laws, what is the prevalence of child marriage in the country?	<ul style="list-style-type: none"> According to <u>Girls Not Brides</u>, 16% of girls in Indonesia are married before the age of 18 and 2% are married before their 15th birthday. 5% of boys are married before their 18th birthday. The prevalence of child marriage in Indonesia varies widely across regions. However, it continues to be high in rural areas and the provinces of Bangka Belitung Islands (19%), West Kalimantan (17%). West Sulawesi (17%), West Nusa Tenggara (17%), and Central Kalimantan (16%).
What is the income level of the country?	<ul style="list-style-type: none"> According to the <u>World Bank</u>, the 2020 gross national income per capita as of July 1, 2021 was USD 3,870. According to the BPS (Badan Pusat Statistik) Indonesia's GDP per capita in 2023 reached IDR 75 million per capita or US\$ 4,919.7 per capita.⁴
Where does the country rank on global gender indices?	<ul style="list-style-type: none"> The <u>Global Gender Gap Index 2023</u> ranks Indonesia 87th place (vs. 92nd place in 2022) out of 146, with a score of 0.697.
Is there a national action plan on GBV and/or sexual harassment?	<ul style="list-style-type: none"> No. See also section 2.2 of Annex 8a (Gender Assessment).
Does the country have specialized services for survivors of GBV (at both the national and local level) including women's shelters, adequate medical facilities and facilities which provide psycho-social support?	<ul style="list-style-type: none"> Yes. The <u>Forum of Service Provider (FPL)</u> is a network 112 members spread across 32 provinces in Indonesia that provide services for women victims of violence. Services include case handling, referrals, legal assistance and shelters for women who experience violence.
Is the country currently experiencing war, internal conflict or humanitarian disaster?	<ul style="list-style-type: none"> No. According to the <u>German Federal Foreign Office</u>, however, there have been isolated attacks in the past, particularly in the capital Jakarta, and in Surabaya and Sidoarjo in eastern Java in 2018. The Indonesian security forces are taking decisive action against terrorism.

² BPS, & KPPPA. (2017). Mengakhiri Kekerasan Terhadap Perempuan dan Anak di Indonesia. Jakarta: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak

³ <https://lens.civicus.org/indonesia-breakthrough-on-gender-based-violence/>

⁴ Masitoh, S. (2024). Indonesia's Per Capita Income Reached IDR 75 Million Last Year. Retrieved from <https://english.kontan.co.id/news/indonesias-per-capita-income-reached-idr-75-million-last-year#:~:text=The%20Central%20Statistics%20Agency%20%28BPS%29%20recorded%20that%20Indonesia%27s,IDR%2075%20million%20or%20US%24%204%2C919.7%20in%202023>

Project Level Risks	Responsibility	Comments
Are women concentrated in lower paid roles and mostly line-managed and supervised by men?	AE	<ul style="list-style-type: none"> • Yes.
Are piece-rate systems or other performance- related pay structures used where individuals are in control of how much other workers get paid?	AE	<ul style="list-style-type: none"> • Yes.
Will project workers have control over life- changing resources such as the allocation of compensation for displacement or access to basic or highly sought-after resources?	AE	<ul style="list-style-type: none"> • No.
Will security personnel be used? Will they be armed?	AE	<ul style="list-style-type: none"> • Yes, non-armed security guards.
Will there be an influx of male workers into the project area (as opposed to only using local labor)?	AE	<ul style="list-style-type: none"> • Indonesia prioritizes local workers; government policies encourage to utilize local labour. Obtaining foreign workers can be requires demonstrating the unavailability of suitable local candidates and for specific exemptions, i.e. highly specialized skills.
Are local communities poor and lacking basic resources?	AE	<ul style="list-style-type: none"> • Based on data from the statistics Indonesia (Badan Pusat Statistik, BPS) in March 2020, as many as 26.42 million people in Indonesia still live below the poverty line in September 2022 the poverty rate in Indonesia was recorded at 9.57% or as many as 26.36 million people were below the poverty line. The high level of poverty in Indonesia has resulted in an increase in the unemployment rate, many cases of dropping out of school, and the emergence of various health problems in society (Erlyn et al., 2022; Sparrow et al., 2020).^{5,6}

⁵ Erlyn, P., Hidayat, B., Cahyo, A., & Saksono, H. (2022). Investment in Human resources to increase achievement levels of sustainable development. *Jurnal Bina Praja: Journal of Home Affairs Governance*, 14(1), 135–146.

⁶ Sparrow, R., Dartanto, T., & Hartwig, R. (2020). Indonesia under the new normal: Challenges and the way ahead. *Bulletin of Indonesian Economic Studies*, 56(3), 269–299.

		<ul style="list-style-type: none"> • The proportion of poor people in Indonesia ranks fourth in ASEAN with a percentage of 1.8% after Timor Leste, Laos, the Philippines, then Indonesia. This shows that Indonesia still has a high proportion of poor people in Southeast Asia (Jayani, 2021).⁷ • Of the five pilot districts, three of them have poverty levels above the average poverty level for West Kalimantan province (6.71)%. These districts are Ketapang Regency (9,25%), Sintang Regency (8,18%), and Kapuas Hulu Regency (8,16%). • At the provincial level, of the 353,350 poor people, around 75% live in rural areas⁸. The high poverty rate in rural areas is partly due to unequal development between urban and rural areas. Many rural areas have limited infrastructure and supporting facilities, accessibility and competent public service human resources. The poverty rate of Indonesia is 9,36%
Will migrant workers be employed by the project, especially those who may not speak the local language? Will they be employed on a temporary or daily basis?	AE	<ul style="list-style-type: none"> • If the migrant workers meet standards of the Indonesian Labour Law and GIZ employees' competency they can be employed based on the needs of task required.
Will project workers all have formal contracts?	AE	<ul style="list-style-type: none"> • Yes.
Will goods frequently be transported over long distances, especially through poor and/or remote communities?	AE	<ul style="list-style-type: none"> • Yes.
Are worksites or project activities based in remote locations? Will worksites be spread out, with isolated spaces?	AE	<ul style="list-style-type: none"> • Project representatives office will set at the regencies level to cover around 200 villages within 5 regencies. Project workers will stay at regencies and go to the villages for implement the project activities.
Will project workers live in the community or in worker housing? If in worker housing, is it mixed sex?	AE	<ul style="list-style-type: none"> • Yes. If using worker housing, based on local community regulation, the housing complex will not be mixed sex.
Will workers be required to travel long and potentially	AE	<ul style="list-style-type: none"> • The safety and security of the workforce are crucial to GIZ's business interests and therefore are top priorities for the company. Accordingly, workforce safety and security take priority over the acquisition of new

⁷ Jayani, D. H. (2021). Daftar Negara dengan Penduduk Hidup di Bawah Garis Kemiskinan Terbanyak di Asia Tenggara. Retrieved May , 2023. [online] available at. <https://databoks.katadata.co.id/data-publish/2021/11/19/daftar-negara-dengan-penduduk-hidup-di-bawah-garis-kemiskinan-terbanyak-di-asia-tenggara>.

⁸ Indikator Kesejahteraan Masyarakat Volume 15, 2023. Badan Pusat Statistik Kalimantan Barat

unsafe distances, and at times of day when transport options may be limited?		commissions, individual project interests, and the interests of the partner or those of other third parties. In accordance with individual circumstances, GIZ will take the required and appropriate action to minimize safety and security risks to members of its workforce, to protect them from harm and to alleviate the consequences.
Will the project operate in highly pressurized work environments, with tight seasonal deadlines?	AE	<ul style="list-style-type: none"> • Yes. • GIZ recognizes the exceptional strain to which its workforce may be exposed in volatile security situations and provides the required medical and psychosocial support. This includes taking due account of possible extreme events and psychological trauma.
Is the project located within a male-dominated sector where female workers will be employed?	AE	<ul style="list-style-type: none"> • Yes.
Have communities, especially low income/ vulnerable communities, voluntarily raised concerns in relation to SEAH/GBV during consultations?	AE	<ul style="list-style-type: none"> • No.
Have any changes been made to project design or adaptive management undertaken due to concerns of stakeholders and communities? (If yes, work through this checklist again)	AE	<ul style="list-style-type: none"> • No.