

CONFLICT RESOLUTION GUIDE APP/SMF

A. INTRODUCTION

Conflict is a tangible and complex phenomenon that is often difficult to avoid. Conflicts can involve two or more individuals, or evolve from within a group where goals and interests are not aligned.

Communities tend to have mixed views when faced with conflict. Some parties tend to shy away from conflict, while others push more for resolution. Conflicts cannot be avoided, thus they must be addressed and resolved, both by parties that are directly involved and those that have been trusted to resolve it.

In order to resolve a conflict, various steps must be carefully prepared and completed. The steps start with conflict mapping, developing action plan, implementation of plan, monitoring and evaluation, and reporting.

B. OBJECTIVES

This document is designed for the following purposes:

1. To guide staff and managers in an effort to resolve conflicts in timber supplier's concessions.
2. To guide staff and managers in documenting conflict resolution processes conducted by timber supplier's Forest Management Unit (FMU).

C. SCOPE

This document has the following scope:

1. Conflict mapping as a method of conflict analysis.
2. Developing strategies and action plans for conflict resolution.
3. Monitoring, reporting and evaluation systems.

D. DEFINITION

1. A conflict is a disagreement between two or more parties that has surfaced or reached a certain level of escalation. It can take the form of a land tenure conflict or social conflict.
2. Conflict mapping is a study conducted to gain a deeper understanding of a conflict. Conflict mapping includes mapping and analysis of the disputing parties, the causes of a conflict, the context of a conflict in terms of events as well as conflict dynamics, including efforts to resolve them.
3. Secondary data is data and information obtained from reports, literature or documentation that is available within the company or external parties.
4. Primary data is data and information obtained directly from the source, observations or field

checks.

5. A conflict resolution work plan is a work plan that has been prepared to resolve conflicts that have been identified or mapped.
6. Monitoring refers to activities that monitor the workings of work plans/activities in accordance with a time frame, allocated resources and desired output.
7. An evaluation assesses the overall results of an activity/work program within a certain time frame.
8. Claims are unilateral statements that are led by rights or property that others recognise. There are three category of claims including:
 - 8.1. Claim based on formal laws, or known as overlap e.g. land certificate, license, etc.
 - 8.2. Claim based on customary laws, e.g.adat/ulayat, marga, etc.
 - 8.3. Claim based on none (land speculation)

E. REFERENCES

For conflict resolution occurring in Sinarmas Forestry work areas, references should be used, including the following:

1. SMF Social Policy 2012, as signed in semester 2 (February 2012).
2. Declaration of Sustainability, APP.
3. Responsible Fibre Procurement and Processing Policy, APP.
4. Forest Conservation Policy, APP

F. ORGANISATION AND RESPONSIBILITY

Organising the implementation of conflict resolution at the business level needs support and delegation from competent parties. As such, mapping roles and responsibilities, based obligations – rights and authority –, are expected to be the basis of work, while the division of labour is effective and efficient.

Detailed descriptions of the obligations, rights and powers of each actor involved in corporate environmental at several levels of decision-making will need to be clearly specified and be aligned with the FMU's own management structure.

G. CONFLICT RESOLUTION STEPS

Problem solving processes should be carried out carefully and systematically. The steps towards conflict resolution include:

G.1. Conflict Mapping

Conflict mapping is a method intended to represent a real conflict on the ground as a picture or visual that is easily understood by all parties involved in a conflict, particularly the company. With this representation, all parties should receive equal amounts of information. In addition, it should make situations easier to examine while providing an objective viewpoint for the disputing parties.

Conflict mapping is established and conducted at the beginning of the conflict resolution process. As such, parties seeking the resolution of a conflict must first conduct conflict analysis. Conflict mapping

could provide conflict maps. The availability of conflict maps can then be used as the basis for preparing conflict resolution strategies and action plans.

G.1.1. Materials and Equipment

Materials and equipment needed in conflict mapping include:

- a. Concession maps
- b. GPS
- c. Flipcharts, Permanent markers, seal tape

G.1.2. Conflict Mapping Methods

Methods are ways/approaches used to map conflicts. Two (2) types of methods are used, namely secondary data analysis (document review) and field studies (field verifications).

- a. **Secondary data analysis.** This aims to find data and information from various documents available and multiple sources. As such, it is necessary to have a process for searching, creating inventories, keeping records and studying all documents acquired. This preliminary data and information will be used in the next activity.
- b. **Field studies.** This activity is intended to clarify the provide clarity to the data obtained in the secondary data analysis (see above). Techniques used during this process include focus group discussions (FGD), interviews (informal discussions), observations and the taking of coordinates. If FGD is used, it's important to ensure that participants are represent all groups in the villages.

It's also important to seek information and perspective from neighbouring villages, so that we can get a more comprehensive data about the conflict.

There are several steps must be taken before and during visits to villages in conflict:

1. Measure the levels of risk. If a village has a fairly high level of risk, then other parties (facilitator or mediator) should also assist.
2. Ensure that parties that are being gathered are clear and ready to accept your presence (it is recommended that an appointment is made first).
3. Prepare yourself and your emotions, and be a good listener.
4. Use one on one informal meeting as medium for learning from community/customary wisdom and get to know each other better.

Below is a list of things that should be avoided during visits to villages:

1. Do not counter, clarify or patronise the communities.
2. Do not use talk or actions that could potentially provoke and/or divide a community, such as vilifications, comparisons, etc.
3. Do not promise something that cannot necessarily be realised.
4. Do not take sides or favour one party.
5. Do not use symbols, such as security uniforms for mapping, because this can create a sense of fear in a community. This will drive communities away and make them unwilling to meet you or

provide information.

G.1.3. Data and Information

Data and information is important evidence for a mediator or team helping to resolve a conflict. As much data and information as possible should be carefully recorded. This includes the following:

a. Location and Size of Land that is the Object of a Conflict

Data and information related to the location and size of land that is the object of a conflict must be clear. The name and address of the location must also be included, as well as its coordinates and administrative regions: village, sub district, district and province.

In addition, data and information should also mention the land area that is the source of a conflict and, if possible, details (in hectares) as well as the individuals/groups/organization making claims to the land.

All data can be grouped into 3 category mentioned and describe in 'DEFINITION' section above.

b. Actors and Importance

The identification of actors involve in conflict is really important as actors will become parties that have to be considered and involved during conflict resolution. This should be done carefully and accurately.

There are at least two (2) key questions must be answered in this case, namely:

- *Who is the actor (define clearly)?*
- *Which interests are owned by the actor?*

Information on the actors should include his/her name/organization and address. Conflicts could involve not only those living in a particular village but also those in the district, provincial capital or even national capital. By having access to clear information, this will assist the mediators when creating strategies during the conflict resolution process.

It's important to assess what is/are interests of actors involved in conflict.

c. Conflict Category

Conflicts can be divided into two (2) categories, namely, (1) conflicts of land ownership/use claims, and (2) conflicts of use of natural resources/forests (SDA/H).

There are 3 category for conflict related to land claim. (Please refer to category under section 'Definition' above.

For conflicts of use of natural resources/forests (SDA/H), these occur as a result of one of more parties perceiving that they had free access to natural resources, without prohibition by parties but that now they feel constrained. Parties may feel that the existence of plantation companies has restricted their movements, or that the presence of plantation activities has reduced or damaged resources.

d. The Impact of Conflicts

Conflicts between the company and other parties, no matter how small will definitely have an impact. Impacts can be positive or negative.

As such, conflict mapping assesses impacts in at least four (4) areas:

1. The impact of conflicts on infrastructure owned or accessed by communities.
Affected infrastructure is not limited to the facilities and infrastructure access to roads, land and water, but also can be extended to all infrastructure used by communities to maintain their livelihoods.
2. The impact of conflicts on the viability or livelihood of surrounding communities.
Significant impacts that should be noted include security threats, such as physical violence resulting in injuries or death. Additionally, it's important to identify the impacts on sources of community livelihood.
3. The impact of conflicts on plantation operations.
The impact of the conflict will likely to affect plantation operations, leading to disruptions in operation and production activities. At worst, it could cease operations or production altogether. If this is the case, then the continuity and sustainability of a business will be at stake.
4. The impact of conflicts on natural resource/forest conservation.
Conflicts will likely encourage parties to take actions that could lead to the destruction of natural resources/forests. This should be recorded.

e. Conflict Status: Latent and/or actual?

Data and information on a conflict's status is very important as it helps mediators learn and understand a conflict. Data and information will show the status of a conflict, whether it is latent or actual.

f. Resolution & Progress Efforts

No matter how small the effort and results, it remains very important to note. All data and information is very important and useful to reflect on the effectiveness of various efforts already made, as well as to provide an important database for designing solutions that have not yet been attempted.

g. Willingness by Parties to Resolve Conflict

Identify willingness of parties involved to settle conflict. Explore the preferable ways or approaches that they willing to take for finding solutions.

h. Aspired Forms of Resolution

Identify aspirations of communities' possible solution.

G.1.4. Data and Information Analysis

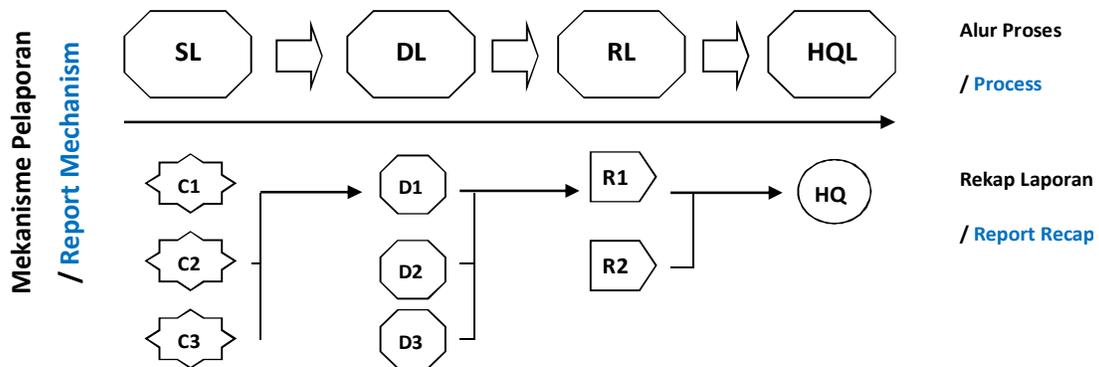
Data and information analysis is a multi-step process that is intended to analyse the consistency, validity and accuracy of data and information that has been collected from various sources.

After all data has been validated and it's consistent, the next stage is "scoring" to analyse the level of conflict. Through scoring, conflict will be categorised as low, medium and heavy. For this assessment, the tools are attached in Appendix 1. *Conflict Criteria and Classification Assessment*.

Based on the result and analysis of conflict, we can offer recommendation of ways, approaches for solving the conflicts. Since every conflict is unique or specific it is important to be include names of location, and conflict classification. The format for the development of recommendations is attached in Appendix 2. *Recommendations from Conflict Mapping Results*.

G.1.5. Reporting

Reporting is conducted at stages, starting at the location/site (SL), then the district level (DL), then the regional level (RL) until the headquarter level (HQL). The following illustration describes the process of reporting and recapitulating reports.



Key:

SL = Site Level

DL = District Level

RL = Regional Level

HQL = Headquarter Level

C1,2,3 = Case 1, 2 and 3

D1,2,3 = District 1, 2 and 3

R1,2 = Region 1 and 2

HQ = Headquarters

The illustration above describes the two (2) reporting processes. The upper section shows the process by which a report is made and reported. Meanwhile, the lower section shows a detailed report at the site level and reported to the district level and, subsequently, recapitulated, as well as summary reports prepared at the district level and then reported to the regional level, summary reports prepared at the regional level and then reported to the headquarters. The headquarter level will only receive summary reports from several regions only.

Report contents are divided into two (2) parts with each part containing the following information (see Attachment 3: *Conflict Mapping Format*).

1. In the general information section, information will be contained on the company's name, conflict locations, land area, conflict category, conflict status, and duration of the conflict.

2. The description of the conflict will contain information on the disputing parties, the main issues for parties, the impact of the conflict on several aspects (e.g. infrastructure, victims, livelihoods, plantation operations and natural/forest resources damage), the interests of disputing parties, the basic claims or use, the willingness of parties to resolve the conflict, aspired forms of conflict resolution, activities in conflict areas and expected methods of resolution.

Attached is a matrix classification and conflict assessment (see Attachment: Conflict Classification and Assessment Matrix). In the Conflict Classification and Assessment Matrix, there are three (3) criteria and ten (10) indicators.

G.1.6. Data and Information Updates

Data and information updates are intended to complement and enhance existing data and information.

All data and information added or refined must go through a selection and clarification process.

For important information that is updated, records must be kept that show the time and date of the update, who the responsible parties are and who authorised the update.

G.2. Conflict Resolution Plans

A conflict resolution work plan is a series of activities need to be taken for solving identified the conflict. Work plans will be based on recommendations from conflict mapping conducted in an earlier stage.

Conflict resolution work plans will include activities, expected results (deliverables), locations, persons in charge of planned activities and a schedule, budget and resources needed for conflict resolution activities.

An overview of the conflict resolution work plan can be found in Appendix 4. *Conflict Resolution Work Plan Format*.

G.2.1. Materials and Equipment

Material and equipment needed for preparing the conflict resolution work plan include:

- a. Flipcharts
- b. Permanent markers
- c. Flipchart paper
- d. Adhesive tape

G.2.2. Conflict Resolution Work Plan Method

Methods to be used in preparing the conflict resolution work plan are:

1. Brainstorming; sharing and exploring strategies to conflict resolution.
2. Discussion groups – across divisions/departments; attempt to look at the most reasonable and feasible options, taking into account any positive and negative aspects.

G.2.3. Financing

Financing is an important component for supporting the implementation of a conflict resolution work plan.

Here are some activity that need budget:

1. Study and conflict mapping costs
2. Meeting costs
3. Field trip costs
4. Training and field practice costs
5. Compensation costs
6. Monitoring and evaluation costs
7. Reporting and documentation costs

G.3. IMPLEMENTATION

The implementation of conflict resolution is the realisation of efforts based on a prepared work plan. Options for conflict resolution are ones considered to be the most reasonable, feasible and potentially widely accepted by all parties. To implement conflict resolution, it is possible to choose three (3) approaches: litigation, non-litigation, and a combination of both (mediation at the court). The non-litigation approach is often chosen in civil conflicts, involving negotiation, mediation and arbitration. The non-litigation approach is preferred for the implementation of conflict resolution.

G.4. REPORTING, MONITORING AND EVALUATIONS

G.4.1. Reporting

The report on the implementation of the work plan contains information on the process of implementing activities, as well as results from implementing activities and plans for conducting follow ups where needed.

Monitoring reports contain information on activities that have been implemented, the level of achievement from the implementation, an analysis of the results and recommendations of the analysis report.

The evaluation report contains information on successful achievements, based on predetermined targets and recommendations to improve program strategies in the coming period.

G.4.2. Monitoring

Monitoring is an activity that is designed to monitor the implementation of activities that have been planned in advance.

During the monitoring process, basic information from work plan documents (conflict resolution work plan results that have been approved or ratified) must be understood, as well as the documents reporting the results of a work plan's implementation. Both sets of documents are analysed by comparing the work plan with the achieved results and then giving it a value or weight, as well as explanations that strengthen the argument and explain any discrepancies. Explanations can be obtained from several sources, including the teams implementing activities, the parties involved in the activities and field observations.

The final part of monitoring involves the development of recommendations that can be used as the basis for supervision so that future activities can achieve their intended goals.

G.4.3. Evaluations

Evaluations or assessments are often referred to as ways of assessing the results of activities that were carried out based on a previously set work plan.

In an evaluation, basic information that must be understood includes work plan documents (primarily targets or previously defined success indicators) and reports on the results of any work plans. Both sets of documents are analysed by comparing the work plan and subsequent results and then giving it a value or weight, as well as explanations as to why the value was given. Explanations can be obtained from several sources, including the activity implementing team, parties involved in the activities and field observations. The final part of the evaluation program is the development of recommendations that can be used as the basis for implementing improvement strategies.

Monitoring and evaluations are often seen as the same, but they have fundamental differences, as shown in the table below:

Differential Variable	Monitoring	Evaluation
Intent and purpose	Monitor, photograph or record the progress of the work plan.	Assess or compare the results and implementation of the work plan.
Timing	Conducted regularly/periodically, during the implementation of the program, or at any time.	Conducted at the middle or end of the program, after the activity has produced results.
Program status	Conducted while a program is still running.	Conducted while a program is still running or has ended.
Recommendations	Aimed at improving the technical implementation and supervision in order for a program to run as planned.	Intended to improve program strategies in the future.

Assistance with the recording and documenting of the results of reports on monitoring, evaluating and implementing activities can be found in Appendix 5. *Format for Documenting the Results of implementing Monitoring, Evaluations and Reporting Activities.*

G.5. Third Party Partnerships (External)

In certain situations, the company may ask for assistance from or by partnering with third parties. This may be because (a) the company cannot or will not be given access to villages because the situation is becoming more tense or relationships with parties/villagers is not good; (b) the company does not have the ability to run most procedures; or (c) a neutral third party observer, facilitator or mediator is required in order to carry out a conflict resolution plan.

For communication criteria and processes, as well as third party partnerships, refer to the ToR/Partnership Protocols for Conducting FPIC and Conflict Resolution.

G.6. Recommendations for Improvements in Levels of Plantation Management Plans

Recommendations or advice are statements that appear after going through various processes and



considerations of certain studies, and are accompanied by positive explanations.

Recommendations will be formulated meaningfully, based on valid data and information, facts and not assumptions or forecasts, which are likely to be subjective.

In formulating a recommendation that meets expectations, this should be done systematically. For this purpose, it is recommended to use the tools of documentation and records for monitoring and evaluations.

--END--