

添付資料－6 水資源総局とゴロンタロ州の合意書(案)
[Memorandum of Understanding (DRAFT)]

Draft

MEMORANDUM of UNDERSTANDING

Between

**The Directorate General of Water Resources
The Ministry of Settlement and Regional Infrastructure**

And

The Provincial Government of Gorontalo

On

**Project for Flood Mitigation in Limboto-Bolango-Bone (LBB) Basin,
Gorontalo, Funded by JICA Grant Aid**

1. GENERAL

- 1.1 This Memorandum of Understanding (MOU) is made between The Directorate General of Water Resources (DGWR) on behalf of The Ministry of Settlement and Regional Infrastructure (MSRI) and The Government of the Province of Gorontalo in conjunction with the JICA Grant Aid from The Government of Japan to Government of Indonesia through DGWR of MSRI on Project for Flood Mitigation within LBB Basin in Gorontalo;
- 1.2 Master Plan for Flood Mitigation within LBB Basin had been completed by Japanese Study Team (Consultant) funded by JICA Grant. The Master Plan, including a preliminary design was already accepted by stakeholders through series of Public Consultation Meetings since the outset of the planning before finalizing it;
- 1.3 As a Follow up of the Master Plan, The Government of Japan has agreed to fund for further activities as well as the implementation through The JICA Grant Aid Program. The JICA Grant Aid Program is to prepare the Detailed Design and implementation/ Construction of Flood Mitigation Infrastructure and facilities within LBB Basin which cover two local governments i.e.: Kabupaten (Regency of) Gorontalo and City/Municipality of Gorontalo.

Draft

105

2. OBJECTIVE

The objectives of The Memorandum of Understanding are:

- 2.1 To have mutual understanding between The Directorate General of Water Resources of MSRI and The Government of the Province of Gorontalo in role/task and authority sharing accordingly based on existing valid provisions and/or regulations;
- 2.2 To prepare and execute all related aspects agreed upon by all related Agencies for smooth implementation of this JICA Grant Aid Program.
- 2.3

3. REFERENCES

- 3.1 The Memorandum of Understanding is made by referring to all provisions and regulations which are still valid in The Republic of Indonesia, among others:
 - a. Water Resources Law No.: 11 Year 1974;
 - b. Government Regulation on Water Resources Management No.: Year
 - c. Government Law on River (incl. Lake) No.: Year
 - d. Law No.: 22 Year 1999 on Local Government (Decentralization);
 - e. Government Regulation No.:25 Year 2000 on Financial Balance between Central and Local Government;
 - f. Government Regulation No.: 39 Year 2002 on Deconcentration;
 - g. Government Regulation No.: 52 Year 2001 on Principle of Assistance (Central Government Assistance to Local Government);
 - h. Presidential Decree No.: 165 Year 2000 on Development Implementation (Execution);
 - i. Government New Policy on Water Resources (Reformed Policy).

4. SHARING OF ROLES AND RESPONSIBILITIES

In order to ensure smooth implementation of JICA Grant Aid Program i.e.: the Construction of Flood Mitigation Infrastructure and Facilities within LBB especially the preparation before the implementation such as Detailed Design, as well as the Local Government responsibilities (Land Acquisition and Resettlement activities) within LBB Basin in Gorontalo Province, with respect to the Minutes of Discussion (M/D) between JICA Basic Design Team and DGWR which was agreed and signed on 2003 in Jakarta, both parties need to agree on any related and/or supporting activities for the success of the project, which are not the responsibilities of the Donor Country, to be the responsibilities of Central and Local Government. The respective responsibilities are hereby listed as follows:

- 4.1 The Government of the Gorontalo Province, Regency and City/ Municipality will establish Land Acquisition (LA) and Resettlement (R) Management Committee to secure and settle the land to be affected by flood mitigation

Draft

activities as well as for storage yard, fabrication yard and access road. The process of land acquisition and resettlement will be executed transparently and in a fair manner. This is important because an independent Team (consists of NGO and academicians) will be established to monitor and evaluate the LA&R processes;

- 4.2 The land acquisition and resettlement process including payment/compensation and provision of storage, fabrication yard and access road will be completed before the construction schedule starts. The amount of budget required for LA and R will be calculated and proposed before the end of previous fiscal year to be approved/passed by local parliaments and allocated on the Regency/Municipality/City DIPP of the concerned fiscal year and to be paid at least one or two months before construction;
- 4.3 Central Government will provide knowledgeable and experienced engineer/s in river engineering and flood control, who could communicate effectively in English, to be daily responsible for the implementation of the project;
- 4.4 Central Government will assist local government by providing guidance and directions related to technical matters (planning, design, construction and O&M) concerning the water resources, hydrology, river geomorphology, hydraulic/river engineering, basin management planning including institutional aspect through the Technical/Supervisory/Coordination Team;
- 4.5 Central Government will establish project steering committee and Technical/Supervisory/ Coordinating Team to assist the smooth implementation of the project. The Steering committee will consist of high ranking officials from central and local governments while the Team will consist of knowledgeable and experienced engineers from central government (refer to point 4.4 above) and important water resources officials from local governments;
- 4.6 Central Government will allocate budget through APBN funded project deconcentrated to provincial government for building check dams on the hills of LBB basin;
- 4.7 Central Government and Local Governments will assume or be responsible for any tax arisen from the project activities including custom clearance and exempt Japanese nationals from customs duties, internal taxes and other fiscal levies according to existing regulations;
- 4.8 Central Government and Local Government will assume or be responsible for the material transport cost within Indonesia sent from Japan if not covered by donor country;
- 4.9 Central Government and Local Government will facilitate in issuing of working permit and other necessary arrangements required for entry and stay as well as work in Indonesia;
- 4.10 Besides setting up Provincial Water Resources Council/Committee, Provincial Government will also establish a LBB Basin Water Resources Council/

Draft

Committee (PPTPA) for future coordination of basin management besides preparing matters to be regulated;

- 4.11 Provincial Government will establish a LBB Basin Water Resources Management Organization (Balai PSDA) to manage the basin including allocation of O&M budget of all Water Resources infrastructures and facilities as well as river and lake maintenance within the basin covering both Kabupaten (Regency) and Kota (Municipality) of Gorontalo.

This Memorandum of Understanding, as reference for both sides in respect of each responsibility, is hereby made to support and for the success of The Government of Japan Grant Aid Program through JICA to The Government of Indonesia for LBB Basin Flood Mitigation in the Province of Gorontalo.

Signed in : Jakarta
Dated : 2003

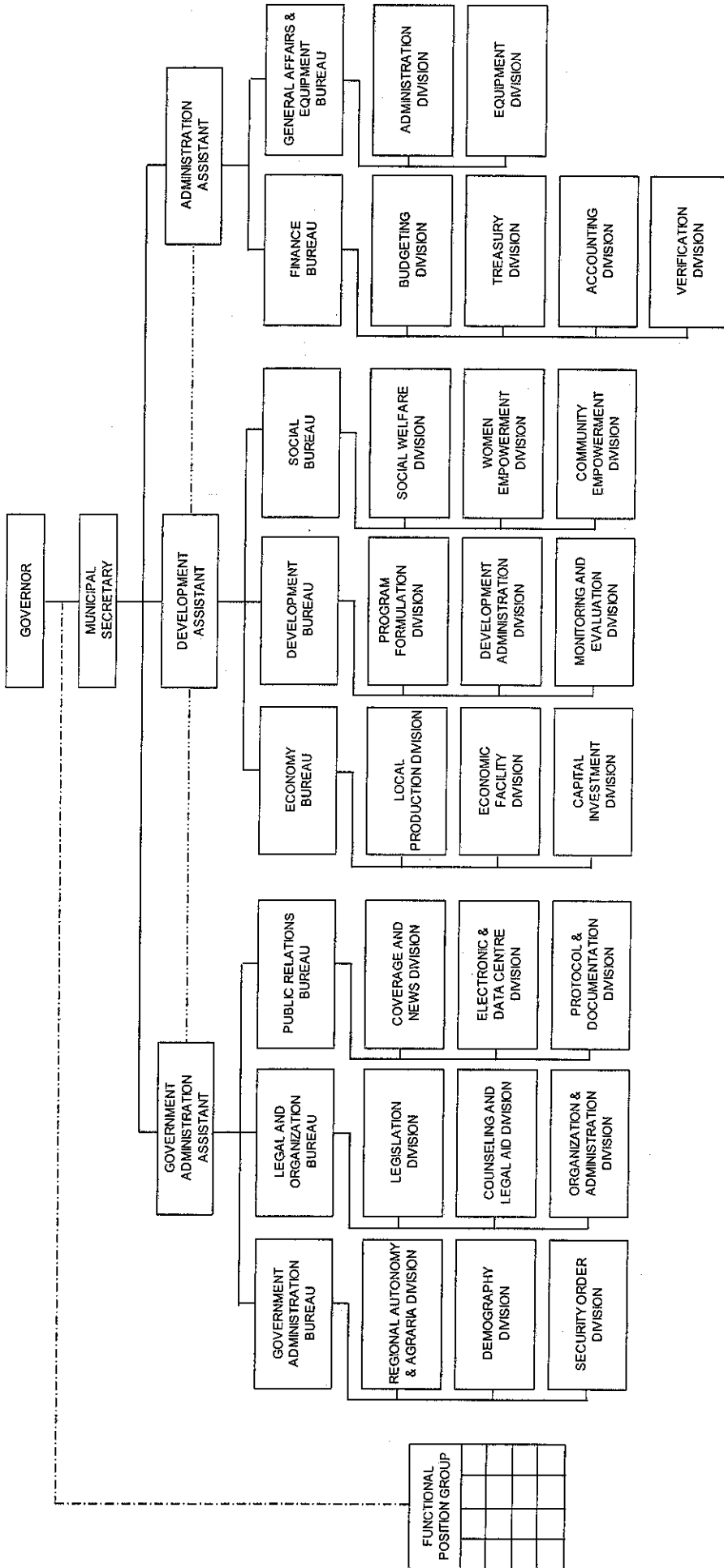
Roestam Sjarief
Director General of
Water Resources

Fadel Muhamad
Governor of Gorontalo

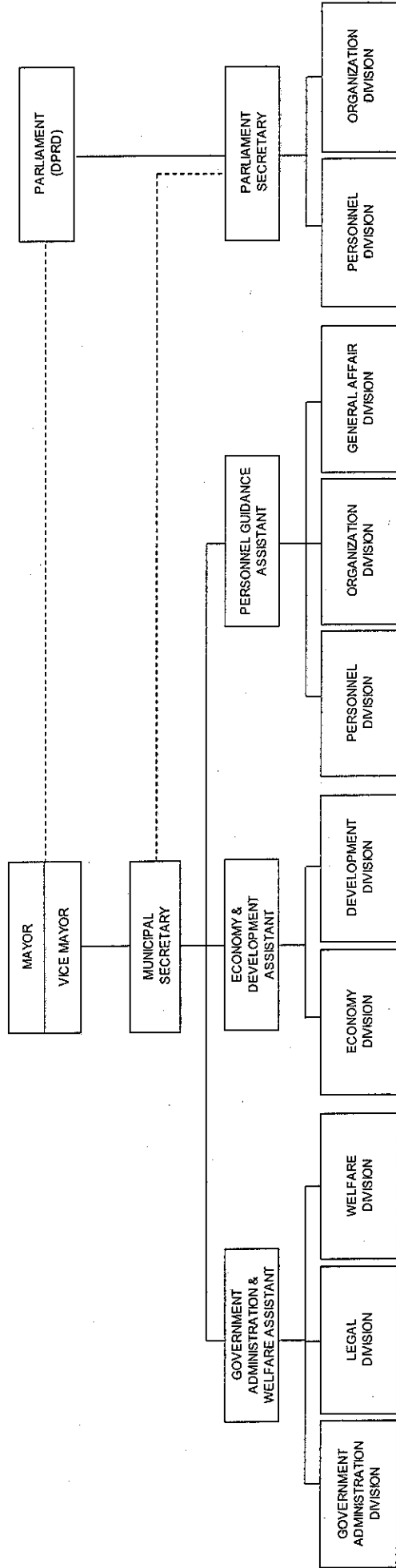
Draft

Draft

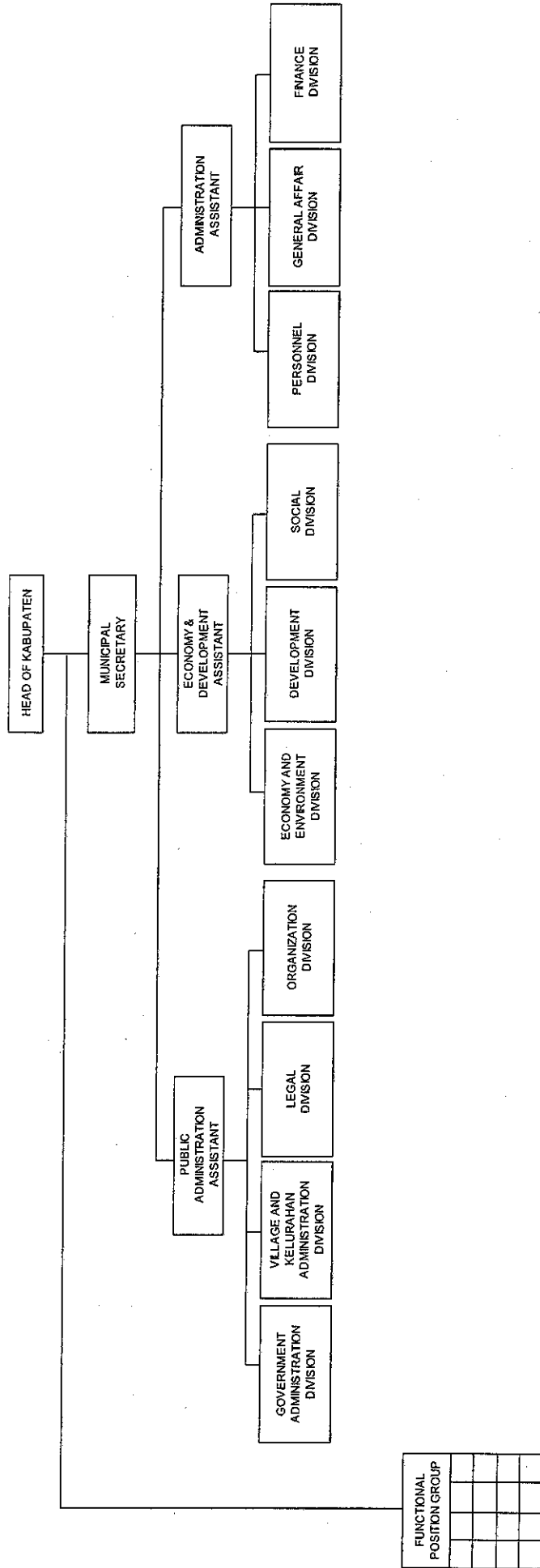
添付資料－7 ゴロンタロ州・市・県政府の組織図



組織図：ゴロンタロ州政府



組織図：ゴロンタロロ市政府



組織図：ゴロンタロ県政府

添付資料－８ 収集資料リスト

資料収集リスト

平成15年6月作成

主幹部長	文書管理課長	主幹課長

情報管理課長	技術情報課長

地域	アジア	調査団名又は専門家名	リンボト・ボランゴ・ボネ川流域緊急治水計画予備調査	調査団の種類又は指導科目	治水計画	作成部課	無償資金協力部業務第四課
国名	インドネシア共和国	配属機関名		現地調査期間又は派遣期間	2003年5月	担当者氏名	

番号	資料の名称	形態	版型	ページ数	枚数	別紙の別	部数	収集先名称又は発行機関	寄贈・購入(価格)の別	取扱区分	利用表示	利用者所属氏名	納入予定日	納入確認欄
1	Limbotto-Bolango-Bone Basin Water Management Master Plan, Volume I, Main Report, March 1999	報告書	A4	200	200	別紙	1	CTDA						
2	Limbotto-Bolango-Bone Basin Water Management Master Plan, Volume II, Annexes, March 1999	報告書	A4	200	200	別紙	1	CTDA						
3	Basin Water Resources Management Unit Component of Java Irrigation Improvement and Water Resources Management Project, GUIDELINE MANUAL FOR RIVER INFRASTRUCTURE MAINTENANCE (RIM), OCTOBER 1997	報告書	A4	300	300	別紙	1	KIMPRASWIL						
4	Executive Summary of Final Report on Consulting Services for Study on Policy Reform in Water Resources Sector (WATSAL), Volume C, June 2001	報告書	A4	20	20	別紙	1	KIMPRASWIL						
5	Rencana Detail Tata Ruang Kawasan Danau LIMBOTO, Draft Final Pertama, Maret 1996	報告書	A4	200	200	別紙	1	ゴロンタロ県BAPPEDA						
6	Master Plan Rehabilitasi Hutan dan Lahan (MP-RHL) Propinsi Gorontalo, Tahun 2002-2007	報告書	A4	100	100	別紙	1	ゴロンタロ県林業局						
7	CONCEPT PAPER - Indonesia Environmental Governance Program	報告書	A4	7	7	別紙	1	CTDA						
8	Coordination Team for Water Resources Management	パンフレット	-	1	1	別紙		前田専門家						
9	Presidential Decree No. 55/1993 about Land Acquisition for Construction in the Republic of Indonesia	資料	A4	8	8	別紙	1	ゴロンタロ州公共事業局						
10	Regulation No.1 (1994) Concerning the Executory Stipulations of ROI Presidential Decree No. 55 (1993) regarding the Acquisition of land for the Construction of Public Facilities	資料	A4	40	40	別紙	1	ゴロンタロ州公共事業局						