

(This is a translation by WALHI - The original document was written in Indonesian.)

November 8, 2016

To:

Professor Hiroshi Kobayashi
Professor Koji Shimada
The Examiner for Environmental Guidelines
Japan Bank for International Cooperation (JBIC)

Objection Regarding the Cirebon Coal-fired Power Plant Project in West Java, Indonesia

(a) Names of the Requesters

1. Moh. Aan Anwaruddin
2. Sarjum
3. Warpah

We, the three Requesters, note that we are proceeding in our own individual capacities, and also as representatives of the community coalition, Rapel (Rakyat Penyelamat Lingkungan: People Environment Safer) Cirebon, which consists of community members from Desa Kanci Kulon, Kanci, Buntet, Waruduwur, Citemu, Bandengan, Mundu, and Luwung, Kecamatan Astanajapura and Mundu, Kabupaten Cirebon, Propinsi West Java. Our group, Rapel Cirebon, was established in 2007 and has continued to raise our concerns about the adverse impacts of the Cirebon Coal-fired Power Plant Project - Unit 1, for which Japan Bank for International Cooperation (JBIC) made a loan agreement with PT. Cirebon Electric Power (CEP) in March 2010, and also Unit 2, for which JBIC is currently considering its finance. Our concerns are the loss and damage of livelihood, environmental destruction, health damage, terror and intimidation, and social conflict.

(b) Place of contact of the Requesters

1. Moh. Aan Anwaruddin

Address: Dusun 03, RT 002 / RW 004, Desa Kanci Kulon, Kecamatan Astanajapura, Kabupaten Cirebon, Propinsi West Java, Indonesia
TEL: +62 (0) 877 8561 7564

2. Sarjum

Address: Dusun 03, RT 003 / RW 005, Desa Kanci Kulon, Kecamatan Astanajapura, Kabupaten Cirebon, Propinsi West Java, Indonesia

3. Warpah

Address: Dusun 03, RT 003 / RW 003, Desa Kanci Kulon, Kecamatan Astanajapura, Kabupaten Cirebon, Propinsi West Java, Indonesia

The Examiners may also contact us, the above requesters, through the NGOs below, with whom we have been addressing the problems related to the Cirebon Coal-fired Power Plant Project.

Name of the agent: Wahyu Widiyanto, Wahana Lingkungan Hidup Indonesia (WALHI) West Java
Place of contact of the NGO: WALHI West Java

Address: Jl. Piit No. 5, Kota Bandung, Propinsi West Java, Indonesia
TEL: +62 (0)813 2042 3076
E-mail: walhijabar@gmail.com

Name of the agent: Hozue HATAE, Friends of the Earth Japan
Place of contact of the NGO: Friends of the Earth Japan
Address: 2nd Fl. 1-21-9 Komone, Itabashi-ku, Tokyo 173-0037 Japan
TEL: +81 3-6909-5983
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E-mail: hatae@foejapan.org

We wish to keep our names undisclosed to the Project Proponent.

~~Yes~~ No (Circle either one)

However, we would like to call your attention on the possible human rights violations on us and our Rapel Cirebon's members, such as intimidation and harassment by police, army, and thugs, because of the fact that we have submitted this objection to the JBIC's Examiners. Thus, it is highly encouraged that the JBIC's Examiners as well as JBIC staff in charge of the project keep reminding the Project Proponent and the Indonesian government of avoiding any human rights violations at the local level.

(c) Project with respect to which the objections are submitted

- Name of country: Indonesia
- Project site: Cirebon, West Java
- Outline of the project

The Cirebon Coal-fired Power Plant Project - Unit 1 with a capacity of 660 megawatt commenced the construction work in 2007 and started its commercial operation in July 2012. The project has cost USD 850 million. The Cirebon project - Unit 1 has been developed by a consortium PT. Cirebon Electric Power (CEP) consisting of: Marubeni (32.5%), Korea Midland Power (27.5%), Samtan (20%), and Indika Energy (20%). PT. CEP signed a 30-year power purchase agreement (PPA) with the Indonesian state power utility Perusahaan Listrik Negara (PLN) in August 2007. JBIC, The Export-Import Bank of Korea, and private banks made a loan agreement with CEP in March 2010 with co-financing USD 595 million.

The Cirebon Coal-fired Power Plant Project - Unit 2 with a capacity of 1,000 megawatt is estimated to require an investment of USD 2.1 billion and is expected to be operational in 2020. Marubeni (35%), Indika Energy (25%), Samtan (20%), Korea Midland Power (10%) and Chubu Electric (10%) have invested in this Cirebon expansion project, and have established PT Cirebon Energi Prasarana (CEPR). CEPR entered into a 25-year PPA with PLN in October 2015. JBIC has been reviewing the Cirebon project-Unit 2 according to "*JBIC Guidelines for Confirmation of Environmental and Social Considerations*" (the Guidelines) and the other relevant standards.

(d) Substantial damage actually incurred by the Requester or substantial damage likely to be incurred by the Requester in the future as a result of JBIC's non-compliance with the Guidelines with regard to the Project which JBIC provides funding

We, the Requesters, note that we present descriptions of damage in aggregate for the communities we represent. As damages encountered or to be encountered by the large number of

individual community members are complex and diverse in nature and magnitude, this Objection paper provides overall descriptions of the serious and common impacts felt or to be felt by the community members as well as by the individual Requesters. We also concretely present as testimonies from our community how each family has been suffering from actual damage, comparing our previous life before the Unit 1 project with our current life after the Unit 1 project, in Annex 1 (8 cases). Thus, we request that the JBIC's Examiners carefully look through Annex 1 as well as this Objection paper.

(1) Loss of livelihood and income opportunities:

The main livelihood of our local community used to be small-scale fishing, shellfish picking, *terasi*-making, salt-making, and farming. These livelihoods have been heavily affected by the Cirebon Coal-fired Power Plant Project - Unit 1. Our life used to be much easier with various kinds of livelihood before the coal-fired power plant project. Since the company started the construction of the Unit 1 plant in 2007, shellfish picking in Desa Kanci Kulon has been totally gone and the other livelihoods have been also damaged.

(i) Destruction of the biodiversity in the coastal area and substantial damage on small-scale fishermen and shellfish harvesters: (Please also see Annex 1 – Case 1, 2, 3, 4, 5, 6, and 8.)

The coastal area, where the Unit 1 plant and the jetty are currently located in Desa Kanci Kulon, is very important for more or less 3,000 small fisherfolk and shellfish pickings in Desa Kanci Kulon, because everything was there. It used to be the very productive fishing ground of various types of small shrimps and fishes as well as various types of shellfish. Tiny *rebon* shrimp, after which this place was named Cirebon, was caught and used to make *terasi*, the special product here. Because of this richness at our coastal area, the people from the different villages also used to come here for their livelihood.

Small-scale fishermen, most of whom didn't use a boat, used to walk in the seawater along the coastal area and catch various fish and *rebon* with fishnet. They also used the other fishing tools, such as "*sudu*" to catch small shrimps. Both men and women could pick many kinds of shellfish and other small types of biota from the mud at the coastal area during ebb tide. While the families could sell what they caught and picked as their income source, we could also keep some for their own daily meals. *Rebon* was usually sold as *terasi*, after processed by wife at home.

It depended on each family how often we went to the coastal area: Some went every day, and the others, who had another main livelihood, just went sometimes or in a certain season, such as rainy season. No matter to what extent we relied on the coastal area for our life, all of us enjoyed easily catching and picking many fish, shrimp and shellfish.

However, we have experienced the sharp drop of fish, shrimp and *rebon* at the coastal area in Desa Kanci Kulon since the construction of the Unit 1 project, including a jetty, water intake and outlet facilities. Though spending long time to find fish, shrimp and *rebon*, we couldn't find much and were just exhausted after the construction of the Unit 1 plant. Thus, some of the small-scale fishermen have already quit fishing due to less catches. Likewise, no many shellfish could be found any more at the coastal area in Desa Kanci Kulon after the project. We were forced to give up or stop our shellfish picking.

This is how the Unit 1 project has destroyed our enriched coastal environment and has deprived us of our livelihood and income opportunities. The families who lost the livelihood have had no choice rather than relying for their livelihood on not-stable daily-wage works, such as construction labor. Most of the families have never received compensation or remedy from the project proponent. Even though some families were provided fishnets and two fishermen were

provided two boats, it is not an effective solution because the amount of fish and shrimp remains less than before the project.

We are strongly concerned about the same kind of damage on the environment of coastal area where the Unit 2 project will be developed. The local community who depends on the coastal area there for their livelihood would be suffering from the loss of livelihoods.

(ii) Substantial damage on salt-makers: (Please also see Annex 1 – Case 5, 6, and 7.)

The local community has been engaging with salt-making in dry season, mostly from July to November. Many salt-makers are not landowners, but are renting some areas from landowners, sharing the benefit or harvest with landowners, or just using the public land. The salt from this area used to be known as a quality one.

However, some salt-makers lost their salt pans or livelihood without any compensation or effective remedy from the project proponent, because the landowners had sold the land for the Unit 1 project.¹

The productivity of salt pans near the project site has also got affected after the Unit 1 project. The salt pans just beside the coal stock pile were troubled with black dusts or particles mixing in salt products. Such salt products affected by black dusts were actually difficult to sell. Likewise, when we go to see the salt pans near the Unit 1 project, we can find that the color of some salt pans has turned into darker or black. The salt-makers need to use more salt pan fields to clean or screen the water, and also need to wash the salt products to remove the black particles. In this way, it takes longer time to make salt than before the Unit 1 project, which has resulted in less benefit for salt-makers. This great economic loss for salt-makers due to lower quality of salt products has also led them to discharge their labors, or the loss of others' livelihood.

It is still uncertain whether such black particles have come from anything related to the Unit 1 project or not. But we could tell that our salt makers have never experienced this kind of contamination before the project. In addition, while the project proponent has been saying no connection between the Unit 1 project and less productivity of salt, they have also never shown any clear evidence or proof that the Unit 1 project hasn't caused such impact on salt pans.

The same kind of damage would occur with many salt-makers who have been engaging with salt-making in and near the proposed project site of Unit 2 plant. The monetary compensation the project proponent has been providing is certainly not sufficient to restore the livelihood of salt-makers. No effective remedy for salt-makers who will lose their livelihood and no effective measure to mitigate potential negative impact on salt pans near the proposed project site have never been presented by the project proponent to the local community.

(iii) Substantial damage on farmers: (Please also see Annex 1 – Case 7 and 8.)

Based on our hearings with the farmers, more than 40 landowners, who own around 7 hectares of farmland adjacent to the Unit 1 project site, have felt the various impacts on their crops. In the farmlands, where the project proponent was supposed to acquire for the Unit 1 project but failed to secure the agreement from the landowners, the farmers are still continuing to till the rain-fed rice field in rainy season (in December-March) and the other crops, such as mung beans, groundnut, cassava, corn etc. (in April-June). But the harvest has dropped sharply both with rice and the other crops almost for 5 years. Some heads of rice are just empty, and no harvest.

We are sure that some farmlands have drainage and thus flooding problem as the access road to

¹ Some salt-makers received a certain monetary compensation from their landowners.

the Unit 1 project site has blocked the water flow. Even though some individuals of our local community have verbally complained to PT. CEP about this problem, the project proponent made only the small alternative drainage way, which is not big enough to solve the flooding problem in the farmlands. We are also concerned about fly ash and coal dust from the Unit 1 project site, which have fallen down our crops, depending on wind direction.

(2) Air pollution and health damage to be getting worse:

Our local community has been also aware of environmental problem, or fly ash from the project site, depending on the wind direction; mostly north or north-east wind from March to November and west wind from December to February. Fly ash fall is found from our individual houses to the public buildings, such as an elementary school in Desa Kanci Kulon.

We are feeling that more cough are coming out in the surrounding area of the Unit 1 project site. ISPA (Infeksi Saluran Pernapasan Akut: Acute Upper Respiratory Tract Infection) data show more patients in this area nearby the host community of the Unit 1 project than the other district.

While the project proponent might say that the Japan has the clean coal technology or the best pollution control technology, the reports of Japanese NGOs reveal that the best available technology used for coal-fired power plants in Japan has not been equipped in the Cirebon Coal-fired Power Plants, both Unit 1 and Unit 2 plants (Please see the table below). It should be also noted that the emission concentration of NOx in Cirebon Unit 1 (829 mg/Nm³) is beyond the current standards (750 mg/Nm³) in Indonesia (BME Berdasarkan PERMEN LH NO. 21 Tahun 2008), though it complied with the previous standards (850 mg/Nm³) in Indonesia. We are seriously concerned about these facts and are worried about our community's health damage in the long-term, such as an increased risk of chronic diseases in adults and acute respiratory infection in children caused by exposure to toxic fine particle pollution.

Table: Comparison of the pollution control technology between Cirebon Coal-fired Power Plants in Indonesia and coal-fired power plants in Japan

Name of Power Plant		JBIC Under Consideration	JBIC Supported	Existing coal-fired power plant in Japan			
		Cirebon II ²	Cirebon ³	Isogo New 2	Isogo New 1	Hekinan 5	Hekinan 1
Proponent		CEPR	CEP	J-Power	J-Power	Chubu	Chubu
Location		Indonesia	Indonesia	Kanagawa	Kanagawa	Aichi	Aichi
Capacity (MW)		1000*1	660	600	600	1000	700
Operation year		2020 (proposed)	July 2012	July 2009	April 2002	November 2002	October 1991
Type of Power Generation		ULTRSC	SUPERC	ULTRSC	ULTRSC	ULTRSC	SUPERC
Height of stack (m)		200	215	200	200	200	200

² Environmental Impact Assessment (ANDAL), March 2016

³ Environmental Impact Assessment (ANDAL), April 2008. The unit of the concentration is assumed as mg/Nm³.

Mitigation measure against SO _x	Standards in Indonesia ⁴	WLST	CF	DFGD	DFGD	FGD (Type of FGD is unknown)	FGD etc. (Type of FGD is unknown)
Emission concentration (ppm)	750 mg/Nm ³	SO ₂ = 221 (SO ₂ = 625 mg/Nm ³)	SO ₂ = 227 (SO ₂ = 649 mg/Nm ³)	10	20	25	50 (28) () = after improvement in 2002
Mitigation measure against NO _x		LNB	LNB	SCR / LNB / TSC	SCR / LNB / TSC	SCR / LNB / TSC	SCR etc.
Emission concentration (ppm)	750 mg/Nm ³ (850 in 1995 ⁵)	NO ₂ = 251 (NO _x = 510 mg/Nm ³)	NO ₂ = 404 (NO _x = 829 mg/Nm ³)	13	20	15	45 (30)
Mitigation measure against PM		ESP	ESP	ESP	ESP	ESP	ESP
Emission concentration (mg/Nm ³)	100 mg/Nm ³ (150 in 1995)	50	29	5	10	5	10 (5)

DFGD: Dry FGD scrubber

FGD: FGD (Type is unknown)

CF: Compliance fuel (no scrubbers)

WLST: Wet limestone FGD scrubber

SCR: Selective catalytic reduction

LNB: Low NO_x Burner

TSC: Two stage combustion

ESP: Unspecified type of electrostatic precipitator (elektrofilter)

(e) & (f) Relevant provisions of the Guidelines considered by the Requesters to have been violated by JBIC and the facts constituting JBIC's non-compliance alleged by the Requesters, and Causal nexus between JBIC's non-compliance with the Guidelines and the substantial damage

As JBIC received the Screening Form on the Cirebon Coal-fired Power Plant Project (Unit 1) before September 20, 2009, we refer to the provisions of JBIC Guidelines established in April 2002. In addition, as it is assumed that JBIC has already completed its disbursement for the Unit 1 project, we point out the facts of JBIC's non-compliance with the monitoring provisions of the Guidelines as below in this Objection paper, according to "the Procedures to Submit Objections concerning JBIC Guidelines."

Nevertheless, we would just like to remind the JBIC's Examiners here that there have been actually more facts of the violations against JBIC Guidelines since before the construction of Unit 1 plant, or in the process of Environment Impact Assessment (EIA or AMDAL in Indonesia) and land acquisition for the Unit 1 project. Likewise, the same kind of violations against JBIC Guidelines would be pointed out if JBIC decides to provide its loan for the Unit 2 project in the current status; that is no appropriate process of EIA and land acquisition, some illegalities against the Indonesian laws and regulations, and no appropriate and effective compensation and livelihood restoration program for the affected community.

⁴ BME Berdasarkan PERMEN LH NO. 21 Tahun 2008

⁵ Kep-13/MENLH/3/1995; Lampiran IIIB

Relevant provisions of the Guidelines	The facts constituting JBIC's non-compliance	Causal nexus between JBIC's non-compliance with the Guidelines and the substantial damage
<p><i>[Part 1]</i> 4. <i>Procedures for Confirmation of Environmental and Social Considerations</i> (4) <i>Monitoring</i> Para 2. The information necessary for monitoring by JBIC needs to be supplied by the borrowers and related parties by appropriate means. When necessary, JBIC may also conduct its own investigations.</p> <p><i>Para 5.</i> If JBIC judges that there is a need for improvement in the situation with respect to environmental and social considerations, it may ask the project proponent, through the borrower, to take appropriate action in accordance with the loan agreement. If the response of the project proponent is inappropriate, JBIC may consider taking its own actions in accordance with the loan agreement, including the suspension of the disbursement.</p>	<p>Even after NGOs pointed out and we, the community, also sent a letter to point out the problems related to the Unit 1 project, such as the negative impacts on our livelihoods, the air pollution, and the significant flaws in the process of Environmental Impact Assessment (EIA) and land acquisition, JBIC has just denied the facts we claimed, only relying on the information supplied by the project proponents. JBIC has ever failed to make sufficient effort to conduct its own investigations to appropriately confirm the facts we claimed, despite of our serious concerns and experiences. In fact, JBIC has never contacted us.</p> <p>As a result, JBIC has also ever failed to judge that there is a need for improvement in the local situation, and thus has ever failed to ask the project proponent to take appropriate action, or to consider taking its own actions in accordance with the loan agreement.</p>	<p>As JBIC has ever failed to appropriately confirm the facts we claimed, without contacting us, JBIC has ever failed to judge that there is a need for improvement in the local situation, and thus has ever failed to ask the project proponent to take appropriate action, or to consider taking its own actions in accordance with the loan agreement.</p> <p>Due to this JBIC's non-compliance of the Guidelines, there has been no effective remedy or mitigation measure to be implemented, and we are still suffering from no restoration of our livelihoods and will be more troubled with the short-term and long-term impacts on human health.</p>
<p><i>Para 3.</i> When third parties point out in concrete terms that environmental and social considerations are not being fully undertaken, In the project proponents' response to the claim, JBIC confirms that they carry out the investigation of the specific claim, the examination of countermeasures, and their incorporation into the project plans through transparent and accountable processes.</p>	<p>We have never known or realized that the project proponents carried out the investigation of the specific claims, including ours, the examination of countermeasures, and their incorporation into the project plans through transparent and accountable processes. The project proponents have never show the community the clear evidence or proof that the Unit 1 project has not been causing any damages we are claiming. And JBIC has failed to confirm the fact that the project proponents had never taken</p>	<p>JBIC has failed to ensure that the project proponents carried out the investigation of the claims, the examination of countermeasures, and their incorporation into the project plans through transparent and accountable processes. Thus, JBIC as well as the project proponents couldn't realize the substantial damages on our livelihoods and our health, and failed to consider no effective remedy or mitigation measure to be implemented.</p> <p>As a result, we are still suffering from no restoration of our livelihoods and will be</p>

	such actions through transparent and accountable processes.	more troubled with the short-term and long-term impacts on human health.
<p>[Part 2] 1. <i>Environmental and Social Considerations Required for Funded Projects (Compliance with Laws, Standards and Plans)</i> Para 1. Projects must comply with laws, ordinances and standards relating to environmental and social considerations established by the governments that have jurisdiction over the project site (including both national and local governments).</p>	<p>In the Unit 1 Project, the emission concentration of NOx (829 mg/Nm³) is beyond the current standards of 2008 in Indonesia (750 mg/Nm³). Though the emission concentration used to comply with the old standards of 1995(850 mg/Nm³), the project proponent and JBIC must consider the appropriate action on this important factor, as the community is greatly concerned about our health, especially our children's.</p>	<p>The project proponent and JBIC have never taken action on this violation against the current standards in Indonesia, so far. As a result, our community has been and will be continuously exposed to toxic fine particle pollution, which could cause more severe health damage, especially respiratory diseases, in long-term as well as in short-term.</p>
<p>(<i>Involuntary Resettlement</i>) Para 2. People to be resettled involuntarily and people whose means of livelihood will be hindered or lost must be sufficiently compensated and supported by the project proponents, etc. in timely manner. The project proponents, etc. must make efforts to enable the people affected by the project, to improve their standard of living, income opportunities and production levels, or at least to restore them to pre-project levels.</p>	<p>There was no sufficient compensation or support for small-scale fishermen, shellfish harvesters, <i>terasi</i> makers, salt-makers, and farmers affected by the Unit 1 project. Only 2 boats provided among many small-scale fishermen were not sufficient. Some fishnets provided for fishermen were not the fundamental or effective solution because the amount of fish and <i>rebon</i> remains less than before the Unit 1 project. No remedy was considered at all for the loss of shellfish picking. No compensation and no effective support were provided by the project proponent for the affected tenant salt-makers. Due to the lack of sufficient compensation or support, our standard of living and income opportunities have not been restored yet.</p>	<p>The project proponent and JBIC have failed to ensure the sufficient and effective compensation or support for our affected small-scale fishermen, shellfish harvesters, <i>terasi</i> makers, salt-makers, and farmers, and thus have failed to ensure the restoration of our livelihood and income opportunities. As a result, our life has become much difficult with less livelihood or income opportunities after the Unit 1 project, even though we are still trying to find alternative means of livelihood by ourselves.</p>
<p>(<i>Monitoring</i>) Para 1. It is desirable that, after a project begins, the project proponents monitor: (i) whether any situations that were unforeseeable before the project began have arisen, (ii)</p>	<p>Even though our livelihood or income opportunities haven't been restored yet as described in the above section, the project proponent has failed to take appropriate measures, so far. One of the reasons for this failure is because the project</p>	<p>The project proponent and JBIC have failed to closely monitor the real situations of our livelihood or income opportunities and the real situations of air pollution impact in our community, and thus have failed to take more</p>

<p>the implementation situation and the effectiveness of the mitigation measures prepared in advance, and that they then take appropriate measures based on the results of such monitoring;</p>	<p>proponent has failed to closely monitor the implementation situation and the effectiveness of the mitigation measures: For example, they have failed to monitor whether or not our livelihood or income opportunities have been really improved, or at least restored, with 2 boats and fishnets for small-scale fishermen, or with the small alternative drainage way to supposedly solve the flooding problem in the farmlands adjacent to the Unit 1 project site. Likewise, the project proponent has failed to appropriately monitor whether the air pollution control has been effective or not. In fact, the fly ash and coal dust has been found surrounding the Unit 1 project site, depending on wind direction.</p>	<p>appropriate measures, so far. As a result, we have been continuously suffering from life hardship since the Unit 1 project started till today. Also, our community has been and will be continuously exposed to toxic fine particle pollution, which could cause more severe health damage, especially respiratory diseases, in long-term as well as in short-term.</p>
<p><i>Para 4.</i> When third parties point out, in concrete terms, that environmental and social considerations are not being fully undertaken, it is desirable that a forum for discussion and examination of countermeasures be established based on sufficient information disclosure and include the participation of stakeholders in the relevant project. It is also desirable that an agreement be reached on procedures to be adopted with a view to resolving the problem.</p>	<p>In the monitoring stage of the Unit 1 project or even after JBIC supposedly forwarded our claims, we have never known or realized such forum for discussion and examination of countermeasures be established based on sufficient information disclosure and the participation of stakeholders.</p>	<p>The project proponent and JBIC have failed to ensure any discussion and examination of countermeasures based on sufficient information disclosure and the participation of stakeholders, especially the community, so far. Thus, with no concrete remedy or solution measure, our livelihood or income opportunities have been not yet restored, and we will be more troubled with the short-term and long-term impacts on human health.</p>

(g) Resolution desired by the Requesters

Given that it would be difficult for the project proponents to push through the Cirebon Coal-fired Power Plant Project - Unit 1 without the JBIC's loan, we believe that JBIC as well as the project proponents have responsibility for the negative impacts caused by the Unit 1 project on our community. Thus, to ensure that more damages and problems related to the project are prevented among our community in the long-term as well as in the short-term, we request that the project proponents stop the operation of the Unit 1 project, until JBIC and the project proponents take the following necessary actions, according to the Guidelines.

- JBIC conducts its own investigations using external experts to confirm;
 - How the Unit 1 project have caused negative impacts on the coastal area, including the coastal and marine ecosystem and the livelihood pattern of the local community;
 - Whether the livelihood and income opportunities among the local community, including small-scale fishery, shellfish picking, *terasi* making, salt-making, and farming, have been restored, or not. And whether the compensation and the CSR program by the project proponent have been effective enough to restore the livelihood and income opportunities, or not;
 - What has caused lower quality of salt, or any evidence that lower quality of salt has not been caused by the Unit 1 project;
 - What has caused less harvest of farming area nearby the Unit 1 project site, or any evidence that less harvest has not been caused by the Unit 1 project;
 - Whether the local community has experienced fly ash and coal dust fall, depending on wind direction, or not;
 - Whether the local community has experienced more cases of ISPA than the other district, or not;
- JBIC discloses and explains the results of its own investigations to our community, and discusses and examines the effective countermeasures to the problems with our community;
- JBIC asks the project proponent to take appropriate actions, including the rehabilitation of our coastal area and surrounding environment, so that we can enjoy small-scale fishery and shellfish picking there again, and ensures that the Unit 1 project become to follow the relevant provisions of the Guidelines;
- The project proponents implement appropriate actions, and ensure that the Unit 1 project become to follow the relevant provisions of the Guidelines;
- In case the project proponents still fail to ensure the compliance of the Guidelines, then JBIC declares all the principal outstanding at the time, with interest and any other charges there on, to be payable immediately, in accordance with the loan agreement.

In addition, we request that JBIC reject considering its finance for the Cirebon Coal-fired Power Plant Project - Unit 2, listening to the local people to be affected but not only to the project proponents, until the damages and the problems related to the Unit 1 project are fully and appropriately addressed and solved.

(h) Facts concerning the Requesters' consultation with the Project Proponent

We made several protest actions against the Cirebon Coal-fired Power Plant Project - Unit 1 and demanded that the local Cirebon government halt the plant construction during the construction phase. Even though we conveyed our opposition to PT. CEP more than 30 times through demonstrations and media statements, there was no response from them. As a result, our efforts to voice the opposition against the Unit 1 project didn't bear fruit then, and the Unit 1 plant started its commercial operation in 2012.

After a few years since the operation of the Unit 1 plant started, we have found that our life hardship is still not addressed appropriately and have also become more concerned about our health condition, especially our children's, due to continuous fly ash and coal dust fall in our community. As we already had experience no response from PT. CEP to our statement, we have tried to tell our concerns to Marubeni this time, one of the investors in PT. CEP, through an NGO, Wahana Lingkungan Hidup Indonesia (WALHI). WALHI had a meeting with Marubeni on May 18, 2016 in Tokyo and explained our concerns and problems. But Marubeni showed the different view or recognition from ours on the facts we have raised about the Unit 1 project.

(i) Facts concerning the Requesters' consultation with JBIC's Operational Department

We prepared our letter to JBIC in April 2016 to explain our concerns and problems related to the Cirebon Coal-fired Power Plant Project - Unit 1 and to demand JBIC's appropriate actions, and submitted it to JBIC through WALHI on May 23, 2016 when WALHI had a meeting with JBIC in Tokyo. WALHI explained our concerns and problems to JBIC.

We sent the other letter to JBIC in September 2016 to update some problems mainly related to the Unit 2 project, which we submitted to JBIC through Friends of the Earth (FoE) Japan on September 30, 2016 when FoE Japan had a meeting with JBIC in Tokyo. In the meeting, JBIC showed as below the different view or recognition from ours on the facts we have raised about the Unit 1 project;

- JBIC asked PT. CEP to confirm the facts in the Rapel Cirebon's letter (dated April 2016). PT. CEP did the interviews with the local community, but couldn't find any facts that Rapel Cirebon raised in its letter. Also, PT. CEP couldn't find any relation between the Unit 1 project and the problems that Rapel Cirebon mentioned in its letter. So, JBIC couldn't find any problem in environmental and social consideration for the Unit 1 project.

However, we believe that JBIC has ever failed to appropriately confirm the facts we claimed, without directly contacting us or without the appropriate on-site investigation, and thus couldn't realize the substantial damages on our livelihoods and our health, so far. JBIC must more carefully confirm the facts, not relying only on the project proponents for gathering information and data and for arranging its on-site hearing or investigation. Thorough and in-depth investigation must be conducted in truly independent manner by external experts.

The Requesters hereby covenants that all the matters described herein are true and correct.

Moh. Aan Anwaruddin
Head of Rapel Cirebon

Sarjum
Leader of Fishermen

Warpah
Leader of Fishermen