

FEDERATED STATES OF MICRONESIA MARITIME INVESTMENT PROJECT (FSMIP)

Environmental and Social
Management Framework (ESMF) and
Environmental and Social
Management Plan (ESMP)

Grievance Redress Mechanism
(Projects Complaint Process)

August 2022

Table of Contents

1	<i>BACKGROUND</i>	3
1.1.	FSM Judiciary Level Grievance.....	3
2	<i>GRIEVANCE REDRESS MECHANISM (GRM) – COMPLAINTS PROCESS</i>	3
1.2.	Introduction - Functions and Benefits.....	3
1.3.	GRM Eligibility Criteria.....	4
1.4.	Grievance Mechanism Pathways and Processes	4
1.5.	General GRM.....	5
1.6.	GBV and HT Specific GRM	6
3	<i>HOW TO GET IN TOUCH WITH THE PROJECT</i>	12
4	<i>ROLES AND RESPONSIBILITIES</i>	15
5	<i>THE COMPLAINTS PROCESS</i>	16
6	<i>REPORTING and EVALUATION</i>	17
7	<i>APPENDICES</i>	19
	Annex 1: GBV and HT survivor support services at each Project Site	19
	ANNEX 2: Form A: Register the GBV or HT Complaint.....	20

List of Tables

Table 1:	FSM National Contacts
Table 2:	FSM State Contacts

1 BACKGROUND

During the construction and implementation phases of the FSMIP, a person or group of people can be adversely affected, directly or indirectly due to the FSMIP activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of services, temporary or permanent loss of livelihoods, child labor, Human Trafficking (HT), Gender Based Violence (GBV) and other social and cultural issues.

Grievances may also be related to environmental issues such as excessive dust or noise generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, changes to land and port access and associated issues.

Should such situation/s and/or issues arise, there must be a mechanism through which affected parties can resolve such issues in a cordial manner with the FSMIP personnel in an efficient, unbiased, transparent, confidential, timely and cost-effective manner.

To achieve this objective, a Grievance Redress Mechanism (GRM) has been developed for the preconstruction, construction and operational phases of the FSMIP.

Managing complaints of GBV and HT requires different approaches than other types of complaints due to: sensitivity of the violence; the potential for survivors to experience stigma, rejection, or harm; and because of the reluctance of many survivors to come forward. Additional mechanisms are needed that create safe, enabling spaces for survivors to report GBV and HT that offer a safe, ethical, survivor-centered response. Thus, survivor safety, choice, confidentiality and consent must be systematically applied to all complaints of GBV and HT. For this reason, the FSMIP GRM includes a specific pathway to receive and resolve complaints of GBV and HT related issues.

1.1. FSM Judiciary Level Grievance

The project level process will not impede affected persons access to the FSM legal system. At any time, a complainant may take the matter to the appropriate legal (Police) or judicial authority as per the laws of the FSM. These matters may include where an alleged crime had occurred such as illegal drug trafficking, prostitution, child labor, GBV, HT and so forth. FSMIP will not interfere with any formal legal process relating to a complaint.

2 GRIEVANCE REDRESS MECHANISM (GRM) – COMPLAINTS PROCESS

1.2. Introduction - Functions and Benefits.

The FSMIP allows those that have a complaint or those feel aggrieved by the FSMIP to be able to communicate their concerns and/or grievances through an appropriate process. The GRM set out below is to be used as part of the FSMIP and will provide an accessible, rapid, fair and effective response to concerned stakeholders, especially any vulnerable individual and/or group who often lack access to formal legal regimes.

While recognizing that many complaints may be resolved immediately, the Complaints Register (CR) and GRM set out below encourages mutually acceptable resolution of issues as they arise. The CR and GRM has been designed to:

- a) Be a legitimate process that allows for trust to be built between stakeholder groups and assures stakeholders that their concerns will be assessed in a confidential, fair and transparent manner;
- b) Allow simple and streamlined access to the CR and GRM for all stakeholders and provide adequate assistance for those that may have faced barriers in the past to be able to raise their concerns;
- c) Provide clear and known procedures for each stage of the GRM process, and provide clarity on the types of outcomes available to individuals and groups;
- d) Ensure equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is confidential, fair, informed and respectful to a complaint and/or concern;
- e) Provide a transparent and confidential approach, by keeping any aggrieved individual/group informed of the progress of their complaint, the information that was used when assessing their complaint and information about the mechanisms that will be used to address it; and
- f) Facilitate continuous learning and subsequent improvements to the GRM. Through a process of continuous assessment, the lessons learned may ultimately reduce potential complaints and grievances.

1.3. GRM Eligibility Criteria

Local communities and other interested stakeholders may raise a grievance/complaint at any time to the traditional and government elected officials. Affected local communities should be informed about the ESMF/ESMP provisions, including its grievance mechanism and how to make a complaint. Specific awareness will be conducted with women in local communities associated with the FSMIP on the process of lodging a grievance complaint related to GBV or HT to the GRM, and on how to access other services providers; such as justice, health, counseling and safe accommodation. This will ensure that the FSMIP provides a safe, confidential and enabling environment for women to access information and report an GBV/HT complaint. Eligibility criteria for the GRM include:

- a) Perceived negative economic, social or environmental impacts on an individual and/or group, or concern about the potential to cause an impact;
- b) Clearly specified types of impact that have occurred or has the potential to occur and explanation of how the project caused or may cause such impact; and
- c) Individual and/or group filing of a complaint and/or grievance is impacted, or at risk of being impacted; or the individual and/or group filing a complaint and/or grievance demonstrates that it has authority from an individual and or group that have been or may potentially be impacted on to represent their interest.

1.4. Grievance Mechanism Pathways and Processes

The GRM has been designed to be a problem-solving mechanism with voluntary good-faith efforts. The GRM is not a substitute for the legal process. The GRM will as far as practicable, try to resolve complaints and/or grievances on terms that are mutually acceptable to all parties, while recognizing that for some issues, such as GBV and HT, a mutually resolution is less likely. When making a complaint and/or grievance, all parties must act, at all times, in good faith and should not attempt to delay and/or hinder any mutually acceptable resolution. However, the GRM also recognizes that for

some complaints, such as those of GBV or HT, the survivor will likely face multiple barriers to making a complaint and accessing required support. Where such barriers exist, this should not be construed as deliberate attempts to delay or hinder the resolution process.

The FSMIP GRM process includes two distinct grievance pathways which include a project general GRM and a GBV and HT specific GRM. The processes for the two pathways are detailed below.

1.5. General GRM

The process for the GRM is as follows:

- a) The Aggrieved Party takes their grievance to the DoTC&I, relevant State Port Authority or Contractor. In the pre-construction period, there will be no contractor and the DoTC&I therefore is the appropriate entity. Once construction commences, the contractor becomes the initial focal point for information and/or grievance/complaint;
- b) During both pre- and post-construction period, the FSMIP Program Manager on behalf of the secretary of DoTC&I and/or relevant State Port Authority (CEO) will endeavor to resolve any complaint - issue immediately. Where the Aggrieved Person is not satisfied, the DoTC&I and/or relevant Port Authority will refer the Aggrieved Person to the FSMIP Project Manager and the Central Implementation Unit - CIU (Program Manager and Safeguard team). For complaints that were satisfactorily resolved the incident and resultant resolution will be logged and reported to the FSMIP Project Manager, and copied to the CIU (Program Manager and Safeguard Team).
- c) If unsuccessful, the DoTC&I and/or relevant State Port Authority, and/or contractor notifies the FSMIP Project Manager;
- d) The FSMIP Project Manager endeavors to address and resolve the complaint and inform the Aggrieved Party. For complaints that were satisfactorily resolved by the FSMIP Project Manager, the incident and resultant resolution will be logged by the FSMIP Project Manager and copied to the CIU Program Manager and safeguard team. Where the complaint has not been resolved, the FSMIP Project Manager will refer to the relevant Port Authority General Manager and Secretary of DoTC&I for his/her action/resolution;
- e) If the matter remains unresolved, or the Aggrieved Person is not satisfied with the outcome, the Secretary of DoTC&I refers the matter to the Project Steering Committee for a resolution. The FSMIP Project Manager will log details of issue and resultant resolution status (copy CIU Project Manager and safeguard team); and
- f) If it remains unresolved or the complainant is dissatisfied with the outcome proposed by the Project Steering Committee, the Aggrieved Person may refer the matter to the appropriate legal or judicial authority. A decision of the Court will be final.

Steps “a” through “e” should be undertaken immediately. Where the matter is referred to the FSMIP Project Manager, a resolution should be sought within two weeks. If unsuccessful and the matter is referred to the Project Steering Committee, this should occur within a month.

Each record is to be allocated a unique number, reflecting year and sequence of received complaint (for example 2020-01, 2020-02 etc.). Complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy.

Any grievance related to corruption or another criminal offence, with the exception of complaints relating to GBV and HT (which should follow the GBV and HT specific GRM outlined below), needs to be managed confidentially through the following process.

- a) The aggrieved party/ies take their grievance to the relevant State Port Authority (through their on-site security operations) whom will immediately notify and refer the grievance to the Municipal, State and/or National Police.
- b) The Port Authority notifies the FSMIP Project Manager whom notifies the DoTC&I and CIU (Program Manager and Safeguard team).
- c) If the grievance includes an alleged crime, with exception of GBV and HT, the Project Manager will notify the state and national legal offices (e.g., police or Department of Justice) and report the incidence.
- d) Resolution of these grievances will be the responsibility of the legal systems within each state and/or national agencies as dictated by state and national law. In these cases, the projects grievance mechanism will ensure the above due diligence is enacted and due process is documented with the grievance given a complaint number and recorded. Confidentiality associated with all criminal cases must be compliant and follow State and national laws.

1.6. GBV and HT Specific GRM

Survivor-centered guiding principles will be systematically applied through all steps and actions. These guiding principles are as follows:

- The safety of the survivor shall be ensured at all times. Potential risks to the survivor will be identified and action take to ensure the survivor's safety and to prevent further harm including ensuring that the alleged perpetrator does not have contact with the survivor. If the survivor is an employee, reasonable adjustments may be made to the survivor's work schedule and work environment to ensure their safety.
- All actions should reflect the choices of the survivor.
- All information related to the case must be kept confidential and identities must be protected. Only those who have a role in the response to an allegation should receive case-level information, and then only for a clearly stated purpose and with the survivor's consent.
- The survivor must provide informed consent to progress with each stage of the complaints process. Survivors may withdraw their consent during the process at any time.

Any grievance related to a complaint of GBV, including but not limited to sexual exploitation and abuse (SEA), sexual harassment (SH), domestic violence, or HT needs to be managed confidentially through the following process:

Step 1: Receive the Complaints of GBV or HT

- a) Complaints of GBV and HT can be received by:
 - The existing channels of the GRM.
 - The GBV service providers / trainers / women's rights advocates who are women and experienced in responding to GBV.
 - Division of Anti-Human Trafficking Services (DAHT), Department of Justice (DoJ).

- b) If the person making the complaint is the survivor (the person who the alleged violence was directed towards) and the complaint relates to SEA, SH or HT, the person who received the complaint will:
- Tell the survivor about the closest GBV service providers including justice, health, safe accommodation and / or counseling (see Annex 1). In cases with suspected HT, the survivor will also be given information about the Division of Anti-Human Trafficking Services within the DoJ.
 - Document and register the allegation using Form A in Annex 2.
 - Explain the GRM complaints and reporting process to the survivor including:
 - The process.
 - That they (the survivor) can choose whether they want to make a formal complaint to the project.
 - That if they choose to make a formal complaint to the project:
 - They control whether and how information about the case is shared with other agencies or individuals.
 - All information will be kept confidential. Only those who will respond to the case will be told about their complaint / situation.
 - If they agree, another person will contact them to talk with them more about their complaint and explain that they can choose whether this is a man or a woman. It should also be identified who these people are in case there are concerns about speaking to a specific person (for example, if they are related to / close to the alleged perpetrator).
 - They can change their mind and withdraw their consent at any time and the process will stop.
 - Information about the complaint will be kept confidential. Information captured on Form A in Annex 2, should not identify the survivor, perpetrator or include any other information that will identify the survivor of specific situation.
 - If the survivor chooses to make a formal complaint to the GRM, communicate the allegation to FSMIP Project Manager using Form B and providing a copy of Form A in Annex 2.
 - If the survivor chooses not to make a formal complaint to the GRM, they should be reminded about the closest GBV service providers and told that if they change their mind, or if something else happens, they can always make a complaint in the future.
- c) If the survivor of the alleged violence is a child, under the age of 18 years of age, while mandatory reporting does not apply to FSMIP, it is considered good practice for any suspected or known harm to children to be reported to the police or a welfare officer for further investigation. Where the alleged abuse is criminal, such as physical or sexual violence or neglect by parents or caregivers it should be reported to the police with the consent of the child and / or their guardian.
- d) If the person making the complaint is the survivor (the person who the alleged violence was directed towards) and the complaint relates to other forms of GBV, the person who received the complaint will:
- Tell the survivor about the closest GBV service providers (see Annex 1).
 - Document and register the allegation using Form A in Annex 2.

- e) If the person making the complaint is a third party (not the person who the alleged violence was directed towards such as a family member, community member, colleague, friend), the person who received the complaint will:
- In cases of **Gender Based Violence (GBV)**:
 - Document and register the allegation using Form A in Annex 2.
 - Explain that the project cannot receive third-party complaints because we need to make sure the survivor is safe and that we are acting in their best interests.
 - Ask them to tell the survivor about the available options for reporting or accessing support services.
 - In cases of **Human Trafficking (HT)**:
 - Tell the person that they can also talk with the Division of Anti-Human Trafficking Services within the DoJ and provide the contact details.

Step 2: Communicate with the Survivor – Ongoing

- a) FSMIP Project Manager should be the only person to communicate with the survivor. Where the survivor has chosen to speak to a woman, a woman (who has been trained in handling complaints of GBV and HT) will be delegate this role by the FSMIP Project Manager.
- b) This communication should include:
- Responding to any questions or concerns from the survivor.
 - Ensuring that the survivor has received appropriate support.
 - Asking for the survivor's consent (using Form C in Annex 2) at each stage in the process.
 - Gathering any further information that may be required from the survivor.
 - Explaining that where the allegation involved a criminal offence the survivor should consider going to the police.
- c) The survivor will be provided ongoing feedback on the development and outcome of their case but especially when:
- The complaint is received.
 - The case is referred to the FSMIP Project Manager.
 - The verification process commences or when a determination is made that there is an insufficient basis to proceed.
 - The outcome of the verification process and any disciplinary action.
 - When disciplinary action has been.

Step 3: Assess if the Allegation is likely linked to the project

- a) The FSMIP Project Manager will determine the likelihood of the allegation being linked to a project.
- b) If the allegation is determined to be likely linked to a project, the FSMIP Project Manager will:
- Inform DOTC&I within 48 hours of the determination being made sharing only the following information:
 - The nature of the allegation;
 - If the alleged perpetrator is, to the survivor's best knowledge, associated with the project (yes/no);
 - The survivor's age and/or sex (if available); and
 - If the survivor was referred to services.

- DOTC&I must notify the World Bank Task Team immediately sharing only the same information. No further information, including name and contact details of the survivor or alleged perpetrator should be shared with the World Bank Task Team (or anyone else, except in the context of referral for services or verification, with the consent of the survivor). While any kind of GBV case could be brought to the attention of a project implementation unit, allegations only need to be reported to the World Bank if they involve SEA or SH.

Step 4: Verify and Act

a) If an allegation is determined to be likely to be linked to a project, the FSMIP Project Manager will convene the ad hoc GBV and HT Grievance Committee who will:

- Convene a meeting to review the complaint and decide on the verification process within 48 hours of the determining that the allegation is likely linked to the project. The goal of the verification is to:
 - Determine the likelihood that the incident occurred.
 - Recommend disciplinary measures towards the alleged perpetrator of SEA and SH.
- Interview all the people involved to gather as much information as possible about what happened. This will usually include interviewing:
 - The survivor.
 - Any witness(es).
 - If there are people that the survivor has told about the incident.
 - Review any other evidence, if available, like text messages or social media posts.
 - The alleged perpetrator.

Sometimes there will only be limited information.¹ Building trust with the survivor is very important because the more that they trust the project, the more that they might share about what happened which will help with the verification.

- After gathering the available information, the GBV and HT Grievance Committee should determine whether it is likely that the incident did or did not occur within and completed within 14 days of starting the verification process. It is not the role of the adhoc GBV and HT Grievance Committee or the project to investigate an allegation and determine if it did or did not happen. This is the role of the police and courts. The role of the adhoc GBV and HT Grievance Committee is to determine the likelihood that the incident occurred given the information available.

¹ In most SEA and SH cases:

- Often there are no witnesses to the alleged incident. Often the alleged perpetrator makes sure that no one sees or knows about the incident but this did not mean that the incident did not happen. Someone making a complaint of SEA or SH does not need to provide a witness or 'evidence' to prove their claim. Survivors face multiple barriers to reporting SEA and SH. When people overcome so many barriers to report SEA and SH, it is unlikely that they are lying. When people come forward we need to make sure that these people are supported even if there is not clear evidence one way or another.
- The person alleged of the violence will often deny that they did what was/is alleged or might they will say it was consensual. Just because the person denied the allegation does not mean it did not happen.
- The survivor may not tell the whole story straight away. They might leave out parts of the story of what happened because they are afraid that they might not be believed or that they will be blamed for what happened. This does not mean the incident did not occur.

- If it is determined that it was likely to occur, disciplinary action should then be agreed.
- All verification steps and meetings must be documented with information kept confidentially.

The survivor can report the allegation to the police at any time and does not need to inform the FSMIP Project Manager or GBV and HT Grievance Committee that they are doing or have done this. If the survivor chooses to make a complaint to the police this process is separate to the GRM verification.

The GBV and HT Grievance Committee may decide to suspend the alleged perpetrator from their employment while the police are investigating / court is hearing the case. However, in FSM the average time to resolve a sexual offences case is 2 years so this will likely not be practical in most situations.

- b) If the ad hoc GBV and HT Grievance Committee decides that it is likely that the allegation occurred, the employer of the perpetrator implements the recommended disciplinary action, that is proportional to the nature and severity of the incident; in accordance with local legislation, the employment contract and the code of conduct.
- Sanctions applied by the perpetrator's employer may include:
 - Informal warning.
 - Formal warning.
 - Additional training.
 - Loss of salary for a period of time.
 - Suspension of employment (without payment of salary), for a period of time.
 - Termination of employment.
 - Referral to the police or other authorities as warranted, with the consent of the survivor.
- c) Once it is confirmed that disciplinary action has been taken by the employer of the perpetrator the case is resolved.
- d) In cases of GBV and human trafficking related to the project, compensation will not be paid to the survivor or anyone else (i.e., their relatives or community) as such processes are most often not administered using a survivor-centered approach.
- e) In cases of GBV and human trafficking related to the project, community leaders and customary methods of conflict resolution will not be used as such processes are most often not administered using a survivor-centered approach.

Step 5: Document and Monitor Complaints of GBV and HT

- a) Each individual complaint of GBV or HT will be documented and registered using Form A.
- b) Informed consent will be captured using Form C.
- c) Each record is to be allocated a unique number, reflecting year and sequence of received complaint (for example 2020-01, 2020-02 etc.).
- d) The FSMIP Project Manager will compile quarterly reports to DoTC&I and DoJ with:
- The number of complaints related to GBV and HT disaggregated by the number of complaints where:

- That the survivor was referred to GBV / human trafficking services.
- The case was referred to authorities (with the participation and consent of the survivor).
- The survivor chooses not to make / withdraw a formal complaint.
- The project investigated and:
 - It was not linked to the project (but the survivor was referred to GBV / human trafficking services).
 - Did not determine that there was a breach of the Code of Conduct.
 - Took disciplinary action against the alleged perpetrator.

These reports should be numerical only and not contain any information with the potential of being identifying, including names and contact details of survivors, their families, or of alleged perpetrators.

- e) All complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy in a confidential and secure location.

3 HOW TO GET IN TOUCH WITH THE PROJECT

Anyone can ask for information on the project, express a concern, make a complaint (grievance) or get in touch with the project for any reason. Complaints/concerns can be anonymous, treated confidentially and the various ways to get in touch with the project are provided in the tables below.

Table 1: FSM National Contacts	
General GRM:	<p>Department of Transportation, Communication & Infrastructure (DoTC&I)</p> <p>All correspondence to: Secretary, Mr. Carlson Apis, Department of Transportation, Communications and Infrastructure and Mr. Gerard Osborne FSMIP Project Manager.</p> <p>By Phone: (691) 320- 2865 By Email: carl@tci.gov.fm and gerard.osborne@tci.gov.fm and copy to shiroya.k.s@gmail.com and wilmer.kilmete@dofa.gov.fm. By Mail: Post Office Box PS-2, Palikir, Pohnpei, FSM 96941 In Person: Department of Transportation, Communication and Infrastructure, National Government, Palikir, Pohnpei, Federated States of Micronesia. Given to the Department's Office Secretary. Website: www.tci.gov.fm</p>
GBV and HT specific GRM:	<p>All correspondence to:</p> <p>Mr. Stuart Penias Chief of Social Affairs FSM Department of Health & Social Affairs (DHSA) By Phone: (691) 320-4682 By Email: SPenias@fsmhealth.fm In Person: C/o Department of Health & Social Affairs, Room 5, Capital Suite, FSM National Government, Palikir, Pohnpei.</p> <p>OR</p> <p>Mr. Lino Amor Assistant Secretary, Division of Anti-Human Trafficking FSM Department of Justice (DoJ) By Phone: (691) 320-4577 By Email: lino.amor@doj.gov.fm In Person: C/o Anti-Human Trafficking Office, Kolonia, , Pohnpei.</p> <p>OR</p> <p>Mr. Kwame Shiroya Program Officer, Central Implementation Unit (CIU) FSM Department of Finance and Administration (DOFA) By Phone: (691) 320-2639 By Email: shiroya.k.s@gmail.com In Person: C/o Department of Department of Finance and Administration, FSM National Government, Palikir, Pohnpei.</p>
Table 2: FSM State Contacts	

Pohnpei State	
General GRM:	<p>All correspondence to: Acting General Manager Pohnpei Port Authority: Mr. Grilly Jack</p> <p>By Phone: (691) 320- 2682 By email: grilly.jack@ppa.fm copy to gerard.osborne@tci.gov.fm, shiroya.k.s@gmail.com and wilmer.kilmete@dofa.gov.fm By mail: Post Office Box 1150, Kolonia, Pohnpei, FSM 96941 In person: Port Authority Building, State Airport, Pohnpei State, Federated States of Micronesia. Give to the Office Secretary. Website: www.ppa.fm</p>
GBV& HT specific GRM:	<p>All GBV or HT grievance correspondence to:</p> <p>Ms. Canita R Nakamura GBV Counsellor By Phone: (691) 320-2112 By Email: rilometoc@prel.org In Person: C/o PREL Office, Dolonier, Nett.</p> <p>OR</p> <p>Mr. Alik Talley Anti-Human Trafficking Focal Point - Pohnpei FSM Department of Justice By Phone: (691) 320-4577 By Email: alick.talley@doj.gov.fm In Person: C/o Department of Justice, FSM National Government, Palikir, Pohnpei.</p>
Chuuk State	
General GRM:	<p>All correspondence to: Director of the Department of Transportation and Public Works and the Port Director: Mr. Tos Nakayama.</p> <p>By Phone: (691) 330- 2592 By email: renomw1965@gmail.com copy to gerard.osborne@tci.gov.fm, shiroya.k.s@gmail.com and wilmer.kilmete@dofa.gov.fm By mail: Post Office Box 189, Weno, Chuuk, FSM 96942 In person: Office of the Department of Transportation and Public Works, Weno, Chuuk State, Federated States of Micronesia. Give to the Office Secretary.</p>
GBV & HT specific GRM:	<p>All GBV or HT grievance correspondence to:</p> <p>Ms. Courtney Corky S. Benito Acting President – Chuuk Women Council By Phone: (691) 330-8397 By Email: corkbenito@gmail.com In Person: CWC, Tongen Inepwinepw Counseling Center</p> <p>OR</p> <p>Ms. Achipen Martinez</p>

	<p>Anti-Human Trafficking Focal Point - Chuuk FSM Department of Justice (DoJ) By Phone: (691) 330-5977 By Email: martinezachipen.fsm@gmail.com In Person: FSM National Police Office, Weno</p>
Kosrae State	
General GRM:	<p>All correspondence to: General Manager: Mr. William Tosie.</p> <p>By Phone: (691) 370- 2657 By email: williamtosie123@gmail.com copy to gerard.osborne@tci.gov.fm, shiroya.k.s@gmail.com and wilmere.kilmete@dofa.gov.fm By mail: Post Office Box 960, Tofol, Kosrae State, FSM 96944 In person: Port Authority Building, State Shipping port, Kosrae State, Federated States of Micronesia. Give to the Office Secretary.</p>
GBV & HT Specific GRM:	<p>All GBV or HT grievance correspondence to:</p> <p>Ms. Beverly Wabol Council Member Kosrae Women's Association By Phone: (691) 370-3008/3208 By Email: beverlywabol@gmail.com In Person: Department of Education, Kosrae State Government, Tofol.</p> <p>OR</p> <p>Ms. Lenson Taulung Jr. Acting Assistant Coordinator/AHT Focal Point - Kosrae FSM Department of Justice By Phone: (691) 370-3008/3208 By Email: lensontaulung01@gmail.com In Person: Kosrae Anti-Human Trafficking Office, Tofol.</p>
Yap State	
General GRM:	<p>All correspondence to: The Director, Department of Public Works and Transportation, Mr. Theophilus Thinnifel.</p> <p>By Phone: (691) 350- 2175 By email: publicworks-yap@mail.fm copy to gerard.osborne@tci.gov.fm, shiroya.k.s@gmail.com and wilmer.kilmete@dofa.gov.fm By mail: Post Office Box 327 Colonia, Yap State, FSM 96943 In person: Department of Public Works and Transportation Officer, Colonia Yap State, Federated States of Micronesia. Give to the Office Secretary. Website: www.yapstategov.org</p>
GBV & HT Specific GRM:	<p>All GBV or HT grievance correspondence to:</p> <p>Ms. Paula Mitmow Women Interest officer Women Interest Office By Phone: (691) 350-5973 By Email: pmitmow@gmail.com</p>

	<p>In Person: Women Interest Office, Yap State Government.</p> <p>OR</p> <p>Ms. Linda M. Teteth Anti-Human Trafficking Focal Point – Yap FSM Department of Justice (DoJ) By Phone: (691) 350-2126 By Email: lmteteth@gmail.com In Person: FSM National Police Office, Colonia, Yap</p>
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4 ROLES AND RESPONSIBILITIES

The following are persons involved in the complaints process and their supporting roles and responsibilities. All parties are expected to disclose conflicts of interest or potential conflicts of interest as new complaints arise, and recuse themselves accordingly. Should there be a conflict on interest with anyone in the following list, that individual will be replaced with a designated alternative.

- a) Focal Point for managing the FSMIP projects Complaints Process: Mr. Gerard Osborne, FSMIP Project Manager.
- b) Person who will manage the database and record keeping: Mr. Wilmer Kilmete (National Safeguard Coordinator) in coordination with Mr. Kwame Shiroya (Program Coordinator) at the Central Implementation Unit (CIU) of the FSM Government Department of Finance & Administration (DoFA).
- c) Person who will answer simple queries and manage simple complaints: Mr. Gerard Osborne, FSMIP Project Manager.
- d) Person who will manage difficult complaints or grievances: Mr. Gerard Osborne, FSMIP Project Manager, Mr. Carlson Apis, Secretary DoTC&I and Department of Justice with support from CIU.
- e) Agency/Person who will prepare report for World Bank reporting: CIU team.
- f) Grievance Committee will be formed on an ad hoc basis for complex or significant grievance management. This will be made up of appropriate senior officials (Assistant Secretary level or above) from the following:
 - Department of Finance & Administration (DoFA) with support from CIU Safeguard Team;
 - Department or Office managing the project at which the complaint is aimed (DoTC&I); and
 - Department of Justice FSM national Government and/or State department of Justice.

For all GBV and HT grievance related issues the following are persons involve in the complaints process and their supporting roles and responsibilities.

Focal point for managing the FSMIP projects complaints process: Mr. Gerard Osborne, FSMIP Project Manager or a designee (who has been trained in handling complaints of GBV and HT) where there is a conflict of interest.

Person who will manage the database and record keeping: Mr. Wilmer Kilmete (National Safeguard Coordinator) in coordination with Mr. Kwame Shiroya (Program Coordinator) at the Central Implementation Unit (CIU) of the FSM Government Department of Finance & Administration (DoFA).

Person(s) who will answer simple queries and manage simple complaints:

- Mr. Gerard Osborne, FSMIP Project Manager;

- The GBV service providers / trainers / women's rights advocates who are women and experienced in responding to GBV.
- Division of Anti-Human Trafficking Services, Department of Justice.

Person who will communicate with the survivor: Mr. Gerard Osborne, FSMIP Project Manager or where the survivor has chosen to speak to a woman, a woman (who has been trained in handling complaints of GBV and HT) will be delegated this role by the FSMIP Project Manager.

Person who will assess if the allegation is likely linked to the project: Mr. Gerard Osborne, FSMIP Project Manager.

Person who will inform DTC&I and DoJ of the allegation: Mr. Gerard Osborne, FSMIP Project Manager

Person who will inform the World Bank Task Team of the allegation: Mr. Gerard Osborne, FSMIP Project Manager.

Person(s) who will verify the allegation: GBV and HT Grievance Committee, led by Mr. Gerard Osborne, FSMIP Project Manager.

Person(s) who will determine disciplinary action: GBV and HT Grievance Committee, led by Mr. Gerard Osborne, FSMIP Project Manager.

Person(s) who will take disciplinary action: Employer of the perpetrator.

GBV and HT Grievance Committee will be formed on an ad hoc basis where verification and action is required. This will be made up of the following:

- Mr. Gerard Osborne, FSMIP Project Manager;
- Senior officials (Assistant Secretary level or above) or designee from:
 - Department of Finance & Administration (DoFA) with support from CIU Safeguard Team;
 - Department or Office managing the project at which the complaint is aimed (DoTC&I);
 - Department of Justice FSM national Government and/or State department of Justice.
- Representative of the employer of the alleged perpetrator;
- GBV service provider / trainer specialist.

5 THE COMPLAINTS PROCESS

All complaints and/or grievances will be entered into an assigned database that tracks progress of each complaint/grievance. Complaints records (letter, email, record of conversation etc.) are stored both electronically and in hard copy. Each record has a unique number reflecting year and sequence of received complaint (i.e. 2020-01, 2020-02 etc.).

Each complaint/grievance is assigned a specific person responsible for its management and close out.

Each complaint/grievance will have a plan for addressing and closing out.

If the complaint/grievance relates to a contractor activity, the project will ensure the Contractor remedies any damage, pays compensation for damage or loss, etc. In cases of GBV and human trafficking related to the project, compensation will not be

paid to the survivor or anyone else (i.e., their relatives or community) as such processes are most often not administered using a survivor-centered approach.

Use of community leaders and customary methods of conflict resolution is encouraged and utilized if and when appropriate – on a case-by-case basis. In cases of GBV and human trafficking related to the project, community leaders and customary methods of conflict resolution will not be used as such processes are most often not administered using a survivor-centered approach.

If an issue/complaint cannot be resolved on site, it is elevated to the FSMIP Project Manager for resolution (with support from the CIU Program Manager and Safeguards Team). If the Project Manager and CIU team cannot resolve the issue, it is referred to the DoTC&I Secretary and Project Steering Committee if the issue is not resolved then it is forward to the ad hoc Grievance Committee.

If a resolution cannot be found through the Grievance Committee, the next course of action is the state or national courts of the FSM or an independent mediator.

All simple complaints and grievances must aim to be closed out within 1 month.

Complex complaints should aim to be closed out within 3 months or deferred to the Grievance Committee.

All complainants have the right to use the state and national courts of the FSM at any time to seek resolution, if and when required.

The FSMIP Project Manager will make adjustments to consultations, the GRM, community engagement, project implementation and other aspects as necessary to avoid future complaints and grievances if and when required.

6 REPORTING and EVALUATION

Complaints shall be reported in the regular project reporting to the World Bank. It should contain:

- Total number of complaints/grievances received.
- Total number resolved.
- Total number under investigation/not yet resolved.
- Total number not yet resolved and also exceeds the recommended close out time of 1 month or 3 months.
- Short paragraph on any significant grievances currently not yet resolved and any risks to project implementation.

In the case of GBV and human trafficking, reporting to the World Bank is required only after it has been determined if the allegation is related to the project.

If an allegation is determined to be likely to be linked to a project, DoTC&I must notify the World Bank Task Team of the anonymized incident as soon as it becomes known to DoTC&I. Only the following key pieces of data should be shared with the World Bank Task Team:

1. The nature of the allegation;
2. If the alleged perpetrator is, to the survivor's best knowledge, associated with the project (yes/no);
3. The survivor's age and/or sex (if available);
4. If the survivor was referred to services.

If there are more than 30 complaints/grievances recorded, the Project Manager may decide to investigate any patterns or repetition of issues that need addressing. The Project Manager may decide to get an independent consultant to review and provide advice.

In the case of third-party complaints of GBV and human trafficking, if there is a substantial number of consistent third-party complaints registered in relation to a specific incident or an alleged perpetrator or survivor the Project Manager may decide to investigate but this must be done in a way that ensure the safety and confidentiality of the survivor, ideally through a GBV service provider who will be able to safely and sensitively contact the survivor involved.

7 APPENDICES

Annex 1: GBV and HT survivor support services at each Project Site

SPECIALIZATION:			GBV	HUMAN TRAFFICKING	GENERAL	
SERVICE			LOCATION			
			Weno Port (Chuuk)	Okat Port (Kosrae)	Dekehtik Port (Pohnpei)	Colonia Port (Yap)
ACCESS TO JUSTICE	Law enforcement and protection	Police	Emergency: 911		National Police: 320 2628	
			Chuuk Police: 330 3612	DV Taskforce: 320 2221	Pohnpei Police: 350 3333 / 2132	Yap Police: 350 3333 / 2132
				Kosrae Police: 370 3333		
		Maritime Police: 320 2700				
Legal aid	MLSC	legalhelp@mlsnet.org				
		330 2597 / 5597	370 3032	320 2404 / 3762	350 2193	
	Cutting Edge Advocacy			320 7400 / 922 3311		
EMERGENCY ASSISTANCE	Basic and specialized medical care	State Hospital	330 7936	370 3012	320 2214 / 2215 320 2213 (emergency)	350 2110
EMERGENCY ASSISTANCE	Direct assistance, repatriation and reintegration support	FSM Anti-Human Trafficking Program Hotline	923 2000			
COUNSELING	Counseling and referrals	CWC, Tongen Inepwinew Counseling Centre (TICC)	Not Identified	Individual Counselors (female, Kolonia): Lululeen: 320 5142 Canita: 320 2112	Behavioral Health & Wellness, Yap State Hospital: 350 2110	
SAFE HOUSE	Short / medium and long-term accommodation	FSM National Police and Human Trafficking Crisis Centre	Not Identified	None Yet Established	None Yet Established	
	Emergency accommodation	Police: 330 3612 Chuuk State Hospital: 330 7936				

ANNEX 2: Form A: Register the GBV or HT Complaint

There should be no identifying information included anywhere on this form including survivor and alleged perpetrators names and contact details.

1. Date complaint was received: _____

2. Person complaint was received by: _____

3. Was the person who made the complaint the survivor? Yes No

4. The nature of the allegation (what a survivor says in their own words):

If it was the survivor who made the complaint answer questions 5 -9 (if a third party made the complaint, only answer questions 1-4).

5. Is, to the best of the survivor's knowledge, the perpetrator is associated with the project? Yes No

6. Age of the Survivor (if possible): _____

7. Sex of the Survivor (if possible): Female Male
 Other Choose not to answer

8. What Services was the Survivor Referred to (provide name of service):

a. Justice Yes No Name of Service _____

b. Medical Yes No Name of Service _____

c. Safe House Yes No Name of Service _____

d. Counseling Yes No Name of Service _____

e. Other Yes No Name of Service _____

9. Does the Survivor consent to communicate the allegation to the FSMIP Project Manager? Yes No

a. If yes, complete Form B and give to the FSMIP Project Manager along with a copy of this completed form.

Form B: Communicate the GBV or Human Trafficking Allegation to the FSMIP Project Manager

This form should only be completed with the consent of the survivor to communicate the allegation to the FSMIP Project Manager

1. Name of the survivor: _____
2. How does the survivor want the project to contact them to follow-up on the complaint? _____

Form C: Consent Form

DID THE SURVIVOR CONSENT TO:

**SIGNATURE/THUMBPRINT
OF SURVIVOR OR GUARDIAN
(FOR CHILDREN UNDER 18)**

DATE

Step 1. Receive the Complaint

1. Have their complaint documented and registered? Yes No
2. Communicate their complaint to the FSMIP Project Manager? Yes No

Step 2. Assess if the allegation is likely linked to the project

3. Share information about the complaint with the contractor / alleged perpetrators employer? Yes No
4. Share information about the complaint with DoTC&I and DoJ? Yes No
5. Share information about the complaint with the World Bank? Yes No

Step 3. Verify and Act

6. Be interviewed by the FSMIP Project Manager about the complaint? Yes No
7. Share information about the complaint with the alleged perpetrator? Yes No
8. Share information about the complaint with the any witnesses? Yes No
9. Share information gathered by the FSMIP Project Manager with other members of the ad hoc committee? Yes No

Step 4. Monitor, track, and provide regular reports of the allegation

10. Share which services they were referred to with the DoTC&I and DoJ? Yes No
11. Share what action was taken to resolve the complaint with the DoTC&I and DoJ? Yes No

Step 5. Communicate with the Survivor

12. Ongoing communication from the FSMIP Project Manager about the complaint? Yes No