

FEDERATED STATES OF MICRONESIA  
Digital FSM Project

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Environmental and Social Management Plan  
(ESMP)

Grievance Mechanism (GM)  
(Projects Complaint Process)

August 2022

## **Grievance Redress Mechanism – Project Complaints Process**

### **Introduction**

During the construction and implementation phases of the Digital FSM project a person or group of people can be adversely affected, directly or indirectly due to the project's activities. The grievances that may arise can be related to social issues such as eligibility criteria and entitlements, disruption of existing telecommunication services, temporary or permanent loss of livelihoods, child labor, gender-based violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and other social and cultural issues.

Grievances may also be related to environmental issues such as excessive dust, sediment discharge or noise generation, damages to infrastructure due to construction related vibrations or transportation of raw material, noise, traffic congestions, changes to land and property 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 Digital FSM personnel in an efficient, unbiased, transparent, confidential, timely and cost-effective manner.

To achieve this objective, an up dated grievance mechanism (GM) has been developed for the preconstruction, construction and operational phases of the project to specifically include issues relating to GBV, SEA and SH.

Managing complaints of GBV, SEA and SH 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, SEA and SH that offer a safe, ethical, survivor-centered response. Therefore, survivor safety, choice, confidentiality and consent must be systematically applied to all complaints of GBV, SEA and SH. For this reason, the Digital FSM GM includes a pathway to receive and resolve complaints of GBV, SEA and SH related issues.

### **FSM Judiciary Level Grievances**

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 use of drugs, child labor, GBV, SEA, SH and so forth. Digital FSM will not interfere with any formal legal process relating to a complaint.

## **Grievance Mechanism (GM) – Complaints Process**

### **Introduction**

The Digital FSM project allows those that have a complaint or those feel aggrieved by the Digital FSM project to be able to communicate their concerns and/or grievances through an appropriate process. The GM set out below is to be used as part of the Digital FSM project 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 Grievance Mechanism (GM) set out below encourages mutually acceptable resolution of issues as they arise. The CR and GM 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 GM 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 GM 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) Enable continuous learning and improvements to the GM. Through continued assessment, the learning's may reduce potential complaints and grievances.

### **Eligibility Criteria for the GM 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 kind of impact that has 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.

Local communities and other interested stakeholders may raise a grievance/complaint at all times to the traditional and government elected officials. Affected local communities should be informed about the 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 Digital FSM project on the process to lodge a grievance complaint related to GBV, SEA or SH to the GM and on how to access other services providers (such as justice, health, counseling, safe accommodation) to ensure the Digital FSM project provides a safe and confidential enabling environment for women to access information and report an GBV/SEA/SH compliant.

## **Grievance Mechanism (GM)**

The GM has been designed to be problem-solving mechanism with voluntary good-faith efforts. The GM is not a substitute for the legal process. The GM will as far as practicable, try to resolve complaints and/or grievances on terms that are mutually acceptable to all parties, while noting that for some issues, such as GBV, SEA and SH, a mutual 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 GM also recognizes that for some complaints, such as those of GBV, SEA or SH, the survivor will likely face multiple barriers to making a complaint and access to the support required. Where such barriers exist, this is not considered deliberate attempts to delay or hinder the resolution process.

The Digital FSM GM process includes two distinct grievance pathways which include a project general GM and a GBV, SEA and SH specific GM. The two pathways are detailed below.

### **General GM**

The process for the GM is as follows:

- a) The Aggrieved Party takes their grievance to the Department of Transportation, Communications & Infrastructure (DoTC&I), FSM Telecommunication Cable Corporation (FSMTCC) or Contractor. In the pre-construction period, there will be no contractor and the DoTC&I and/or FSMTCC therefore are the appropriate entities. 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 FSMTCC Manager of Operations on behalf of the FSMTCC and the secretary of DoTC&I will endeavor to resolve any complaint - issue immediately. Where the Aggrieved Person is not satisfied, the FSMTCC Manager of Operations will refer the Aggrieved Person to the FSMTCC Chief Executive Officer and Digital FSM Project Coordinator whom in turn will inform the Secretary of DoTC&I 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 FSMTCC Manager of Operations, and copied to the CIU (Program Manager and Safeguard Team).
- c) If unsuccessful, the FSMTCC and/or DoTC&I and/or contractor notifies the FSMTCC Manager of Operations;
- d) The FSMTCC Manager of Operations endeavors to address and resolve the complaint and inform the Aggrieved Party. For complaints that were satisfactorily resolved by the FSMTCC Manager of Operations, the incident and resultant resolution will be logged by this individual and copied to the CIU (Program Manager and Safeguard Team). Where the complaint has not been resolved, the FSMTCC Manager of Operations will

refer to the FSMTCC Chief Executive Officer, Digital FSM Project Coordinator and/or 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 FSMTCC Manager of Operations will log details of issue and resultant resolution status (copy the Digital FSM Project Coordinator 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 FSMTCC Manager of Operations, 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 2022-01, 2022-02 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, SEA and SH (which should follow the GBV/SEA/SH specific GM outlined below), needs to be managed confidentially through the following process.

- a) The aggrieved party/ies take their grievance to the relevant Municipal, State and/or National Police and notifies the FSMTCC Manager of Operations.
- b) The FSMTCC Manager of Operations notifies the Chief Executive Officer of FSMTCC, Digital FSM Project Coordinator, the Secretary of DoTC&I and CIU (Program Manager and Safeguard Team).
- c) If the grievance includes an alleged crime, with exception of GBV/SEA/SH, the Manager of Operations 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.

### **GBV, SEA or SH specific GRM**

Survivor-centered guiding principles will be systematically applied through all steps and actions:

- The safety of the survivor shall be ensured at all times. Potential risks to the survivor will be identified and action taken 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 specific 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), or domestic violence needs to be managed confidentially through the following process:

### **Step 1: Receive the complaints of GBV, SEA or SH**

- a) Complaints of GBV/SEA/SH can be received by:
  - The existing channels of the GM.
  - The GBV service providers / trainers / women's rights advocates who are women and experienced in responding to GBV.
- 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 or SH, 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).
  - Document and register the allegation using Form A in Annex 2.
  - Explain the GM 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 GM, that he/she communicate the allegation to FSMTCC Manager of Operations 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 GM, 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 Digital FSM, 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.

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 **GBV (SEA, SH)**:
  - 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.

## **Step 2: Communicate with the Survivor – Ongoing**

- a) FSMTCC Manager of Operations 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 – SEA/SH) will be delegated this role by the FSMTCC Manager of Operations.
- 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 FSMTCC Manager of Operations.
  - 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 taken.

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

- e) The FSMTCC Manager of Operations will determine the likelihood of the allegation being linked to the project.
- f) If the allegation is determined to be likely linked to a project, the FSMTCC Manager of Operations will:
  - Inform FSMTCC Chief Executive Officer, Digital FSM Project Coordinator and Secretary of 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 FSMTCC Manager of Operations will convene the ad hoc GBV 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.<sup>1</sup> 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 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 ad hoc GBV 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 ad hoc GBV Grievance Committee is to determine the likelihood that the incident occurred given the information available.
- 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 FSMTCC Manager of Operations or GBV 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 GM verification.
  - The GBV 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 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.

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<sup>1</sup> 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 they 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.

- 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 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 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**

- a) Each individual complaint of GBV 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 2022-01, 2022-02 etc.).
- d) The FSMTCC Manager of Operations will compile quarterly reports to DoTC&I including:
  - The number of complaints related to GBV disaggregated by the number of complaints where:
    - That the survivor was referred to GBV 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 services).
      - Did not determine that there was a breach of the Code of Conduct.
      - Took disciplinary action against the alleged perpetrator.
- e) All complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy in a confidential and secure location.

## **2. 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 include:

**FSM National Contacts**

**General GM:**

**FSM Telecom Cable Corporation (FSMTCC)**

**All correspondence to:** Mr. Gordon Segal - Manager of Operations and Mr. Mike Lott, Digital FSM Project Coordinator

**By Phone:** (691) 320- 2602

**By email:** [gsegal@fsmcable.com](mailto:gsegal@fsmcable.com), [mike@lott.co.nz](mailto:mike@lott.co.nz), [info@fsmcable.com](mailto:info@fsmcable.com) copy to [kwame.shiroya@dofa.gov.fm](mailto:kwame.shiroya@dofa.gov.fm) and [wilmer.kilmete@dofa.gov.fm](mailto:wilmer.kilmete@dofa.gov.fm)

**By mail:** Post Office Box 2202, Kolonia, Pohnpei, FSM 96941

**In person:** Ocean View Plaza (East Wing) Suite 15, Kolonia, Pohnpei, Federated States of Micronesia. Give to the Office Secretary.

**Website:** [www.fsmcable.com](http://www.fsmcable.com)

**Department of Transportation, Communication & Infrastructure (DoTC&I)**

**All correspondence to:** Secretary, Mr. Carlson Apis, Department of Transportation, Communications and Infrastructure.

**By Phone:** 691) 320- 2865

**By Email:** [carl@tci.gov.fm](mailto:carl@tci.gov.fm) and copy to [kwame.shiroya@dofa.gov.fm](mailto:kwame.shiroya@dofa.gov.fm) and [wilmer.kilmete@dofa.gov.fm](mailto: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](http://www.tci.gov.fm)

**GBV specific GM:**

**All correspondence to:**

Mr. Stuart Penias  
Chief of Social Affairs  
FSM Department of Health & Social Affairs (DHSA)

**By Phone:** (691) 320-4682

**By Email:** [spenas@fsmhealth.fm](mailto:spenas@fsmhealth.fm)

**In Person:** C/o Department of Health & Social Affairs, Room 5, Capital Suite, FSM National Government, Palikir, Pohnpei.

OR

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](mailto:lino.amor@doj.gov.fm)

**In Person:** C/o Anti-Human Trafficking Office, Kolonia, Pohnpei

OR

Mr. Kwame Shiroya  
Program Manager, Central Implementation Unit (CIU)  
FSM Department of Finance and Administration (DOFA)

**By Phone:** (691) 320-2639

	<p><b>By Email:</b> <a href="mailto:kwame.shiroya@dofa.gov.fm">kwame.shiroya@dofa.gov.fm</a>  <b>In Person:</b> C/o Department of Department of Finance and Administration, FSM National Government, Palikir, Pohnpei.</p>
<b>FSM State Contacts</b>	
<b>Pohnpei State</b>	
<b>General GM:</b>	<p><b>All correspondence to:</b> Mr. Gordon Segal - Manager Operations and Mr. Mike Lott, Digital FSM Project Coordinator</p> <p><b>By Phone:</b> (691) 320- 2602  <b>By email:</b> <a href="mailto:gsegal@fsmcable.com">gsegal@fsmcable.com</a>, <a href="mailto:mike@lott.co.nz">mike@lott.co.nz</a> or <a href="mailto:info@fsmcable.com">info@fsmcable.com</a> and copy to <a href="mailto:kwame.shiroya@dofa.gov.fm">kwame.shiroya@dofa.gov.fm</a> and <a href="mailto:wilmer.kilmete@dofa.gov.fm">wilmer.kilmete@dofa.gov.fm</a>  <b>By mail:</b> Post Office Box 2202, Kolonia, Pohnpei, FSM 96941  <b>In person:</b> Ocean View Plaza (East Wing) Suite 15, Kolonia, Pohnpei, Federated States of Micronesia. Give to the Office Secretary.  <b>Website:</b> <a href="http://www.fsmcable.com">www.fsmcable.com</a></p>
<b>GBV specific GM:</b>	<p><b>All GBV grievance correspondence to:</b></p> <p>Ms. Canita R. Nakamura  GBV Counsellor  <b>By Phone:</b> (691) 320-2112  <b>By Email:</b> <a href="mailto:rilometoc@prel.org">rilometoc@prel.org</a>  <b>In Person:</b> C/o PREL Office, Dolonier, Nett.</p>
<b>Chuuk State</b>	
<b>General GM:</b>	<p><b>All correspondence to:</b> Mr. Don Sean Mori</p> <p><b>By phone:</b> (691) 931-6674  <b>By email:</b> <a href="mailto:donsean@gmail.com">donsean@gmail.com</a> and copy <a href="mailto:gsegal@fsmcable.com">gsegal@fsmcable.com</a> <a href="mailto:info@fsmcable.com">info@fsmcable.com</a>, <a href="mailto:mike@lott.co.nz">mike@lott.co.nz</a> and to <a href="mailto:kwame.shiroya@dofa.gov.fm">kwame.shiroya@dofa.gov.fm</a> and <a href="mailto:wilmer.kilmete@dofa.gov.fm">wilmer.kilmete@dofa.gov.fm</a>.  <b>By mail:</b> Post Office Box 2202, Kolonia, Pohnpei, FSM 96941  <b>In person:</b> C/O FSM Telecom Chuuk Station – Mr. Don Sean Mori.  <b>Website:</b> <a href="http://www.fsmcable.com">www.fsmcable.com</a></p>
<b>GBV specific GM:</b>	<p><b>All GBV grievance correspondence to:</b></p> <p>Ms. Courtney Corky S. Benito  Acting President – Chuuk Women Council  <b>By Phone:</b> (691) 330-8397  <b>By Email:</b> <a href="mailto:corkbenito@gmail.com">corkbenito@gmail.com</a>  <b>In Person:</b> CWC, Tongen Inepwinepw Counseling Center</p> <p>OR</p> <p>Ms. Achipen Martinez  Anti-Human Trafficking Focal Point - Chuuk  FSM Department of Justice (DoJ)  <b>By Phone:</b> (691) 330-5977  <b>By Email:</b> <a href="mailto:martinezachipen.fsm@gmail.com">martinezachipen.fsm@gmail.com</a>  <b>In Person:</b> FSM National Police Office, Weno</p>
<b>Yap State</b>	
<b>General GM:</b>	<p><b>All correspondence to:</b> Mr. Peter Garamfel and/or Mr. Sebastian Tamagken</p>

	<p><b>By phone:</b> (691) 350-5883 or 950-4050  <b>By email:</b> <a href="mailto:pgaramfel@fsmcable.com">pgaramfel@fsmcable.com</a> and/or <a href="mailto:s.tamagken@gmail.com">s.tamagken@gmail.com</a>  copy <a href="mailto:gsegal@fsmcable.com">gsegal@fsmcable.com</a>, <a href="mailto:mike@lott.co.nz">mike@lott.co.nz</a>, <a href="mailto:info@fsmcable.com">info@fsmcable.com</a> and  to <a href="mailto:kwame.shiroya@dofa.gov.fm">kwame.shiroya@dofa.gov.fm</a> and <a href="mailto:wilmer.kilmete@dofa.gov.fm">wilmer.kilmete@dofa.gov.fm</a>.  <b>In person:</b> C/O Post Office Box 117, Colonia, Yap, FSM 96943 to Mr. Sebastian Tamagken.  <b>In person:</b> FSMTC office known as The Yap Market to Mr. Peter Garamfel  Website: <a href="http://www.fsmcable.com">www.fsmcable.com</a></p>
<b>GBV specific GM:</b>	<p><b>All GBV grievance correspondence to:</b></p> <p>Ms. Paula Mitmow  Women Interest Officer  Women Interest Office  <b>By Phone:</b> (691) 350-5973  <b>By Email:</b> <a href="mailto:pmitmow@gmail.com">pmitmow@gmail.com</a>  <b>In Person:</b> 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)  <b>By Phone:</b> (691) 350-2126  <b>By Email:</b> <a href="mailto:lmteeth@gmail.com">lmteeth@gmail.com</a>  <b>In Person:</b> FSM National Police Office, Colonia Yap</p>
<b>Kosrae State</b>	
<b>General GM:</b>	<p><b>All correspondence to:</b> Mr. Harry Skilling</p> <p><b>By Phone:</b> (691) 970-1226  <b>By email:</b> <a href="mailto:skillingharry@gmail.com">skillingharry@gmail.com</a> and copy to  <a href="mailto:gsegal@fsmcable.com">gsegal@fsmcable.com</a>, <a href="mailto:mike@lott.co.nz">mike@lott.co.nz</a>, <a href="mailto:info@fsmcable.com">info@fsmcable.com</a>,  <a href="mailto:kwame.shiroya@dofa.gov.fm">kwame.shiroya@dofa.gov.fm</a> and <a href="mailto:wilmer.kilmete@dofa.gov.fm">wilmer.kilmete@dofa.gov.fm</a>  <b>In person:</b> Room 105, Kosrae Development Corporation (KDC), Innem, Kosrae, Federated States of Micronesia.  <b>Website:</b> <a href="http://www.fsmcable.com">www.fsmcable.com</a></p>
<b>GBV specific GM:</b>	<p><b>All GBV grievance correspondence to:</b></p> <p>Ms. Beverly Wabol  Council Member  Kosrae Women's Association  <b>By Phone:</b> (691) 370-3008/3208  <b>By Email:</b> <a href="mailto:beverlywabol@gmail.com">beverlywabol@gmail.com</a>  <b>In Person:</b> Department of Education, Kosrae State Government, Tofol.</p> <p>OR</p> <p>Mr. Lenson Taulung Jr.  Acting Assistant Coordinator/AHT Focal Point - Kosrae  FSM Department of Justice  <b>By Phone:</b> (691) 370-2348  <b>By Email:</b> <a href="mailto:lensontaulung01@gmail.com">lensontaulung01@gmail.com</a>  <b>In Person:</b> Kosrae Anti-Human Trafficking Office, Tofol.</p>

## Roles and Responsibilities:

The following are persons involved in the complaints process and their supporting roles and responsibilities.

### General GM:

- **Focal Point for managing the Digital FSM projects Complaints Process:** Mr. Gordon Segal, Manager of Operations for the Digital FSM Project ([gsegal@fsmcable.com](mailto:gsegal@fsmcable.com)).
- **Person who will manage the database and record keeping:** Mr. Wilmer Kilmete (National Safeguard Coordinator) and Mr. Kwame Shiroya (Program Manager) at the Central Implementation Unit (CIU) of the FSM Government Department of Finance & Administration (DoFA).
- **Person who will answer simple queries and manage simple complaints:** Mr. Gordon Segal, Manager of Operations for the Digital FSM Project ([gsegal@fsmcable.com](mailto:gsegal@fsmcable.com)).
- **Person who will manage difficult complaints or grievances:** Mr. Gordon Segal, for the Digital FSM project and Mr. Carlson Apis, Secretary DTC&I with support from CIU.
- **Person/organization who will prepare report/s for World Bank reporting:** CIU (DoFA) team.
- **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 Safeguards Specialist;
  - Department of Transportation, Communication & Infrastructure or Office managing the project at which the complaint is aimed (FSM Telecom Cable Corporation); and
  - Department of Justice FSM National Government and/or State departments of Justice.

### GBV Specific GM:

For all GBV (SEA/SH) grievance related issues the following are persons involve in the complaints process and their supporting roles and responsibilities.

**Focal point for managing the FSMTCC projects complaints process:** Mr. Gordon Segal, FSMTCC Manager of Operations 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 Manager) 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. Gordon Segal, FSMTCC Manager of Operations;
- The GBV service providers / trainers / women's rights advocates who are women and experienced in responding to GBV.

**Person who will communicate with the survivor:** Mr. Gordon Segal, FSMTCC Manager of Operations or where the survivor has chosen to speak to a woman, a woman (who has been trained in handling complaints of GBV) will be delegate this role by the FSMTCC Manager of Operations.

**Person who will assess if the allegation is likely linked to the project:** Mr. Gordon Segal, FSMTCC Manager of Operations.

**Person who will inform DTC&I and DoJ of the allegation:** Mr. Gordon Segal, FSMTCC Manager of Operations.

**Person who will inform the World Bank Task Team of the allegation:** Mr. Gordon Segal, FSMTCC Manager of Operations.

**Person(s) who will verify the allegation:** GBV Grievance Committee, led by Mr. Gordon Segal, FSMTCC Manager of Operations.

**Person(s) who will determine disciplinary action:** GBV Grievance Committee, led by Mr. Gordon Segal, FSMTCC Manager of Operations.

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

**GBV 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. Gordon Segal, FSMTCC Manager of Operations.
- 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.

### **The Complaints Process:**

All complaints 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. 2022-01, 2022-02 etc.).

Each complaint/grievance is assigned a specific person responsible for its management and close 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 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 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 FSMTCC Manager of Operations for resolution (with support from the CIU Program Manager and Safeguards Team). If the FSMTCC Manager of Operations 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 FSMTCC Manager of Operations will make adjustments to consultations, the GM, community engagement, project implementation and other aspects as necessary to avoid future complaints and grievances if and when required.

## **5. 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, 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:



- 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);
- If the survivor was referred to services.

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

In the case of third-party complaints of GBV, 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 FSMTCC Manager of Operations 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.

**Annex 1 GBV support services at each Project Site (state)**

			SPECIALIZATION: <b>GBV</b>		<b>GENERAL</b>	
<b>SERVICE</b>			<b>LOCATION</b>			
			<b>Chuuk State</b>	<b>Kosrae State</b>	<b>Pohnpei State</b>	<b>Yap State</b>
<b>ACCESS TO JUSTICE</b>	<b>Law enforcement and protection</b>	<b>Police</b>	Emergency: 911		National Police: 320 2628	
			Chuuk Police: 330 3612	DV Taskforce: 320 2221 Kosrae Police: 370 3333 Maritime Police: 320 2700	Pohnpei Police: 350 3333 / 2132	Yap Police: 350 3333 / 2132
			<a href="mailto:legalhelp@mlscnet.org">legalhelp@mlscnet.org</a>			
	<b>Legal aid</b>	<b>MLSC</b>	330 2597 / 5597	370 3032	320 2404 / 3762	350 2193
<b>Cutting Edge Advocacy</b>				320 7400 / 922 3311		
<b>MEDICAL</b>	<b>Basic and specialized medical care</b>	<b>State Hospital</b>	330 7936	370 3012	320 2214 / 2215 320 2213 (emergency)	350 2110
<b>COUNSELING</b>	<b>Counseling and referrals</b>		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
<b>SAFE HOUSE</b>	<b>Short / medium and long-term accommodation</b>		FSM National Police and Human Trafficking Crisis Centre	Not Identified	None Yet Established	None Yet Established
	<b>Emergency accommodation</b>		Police: 330 3612 Chuuk State Hospital: 330 7936			

## Form A: Register the GBV or Human Trafficking 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 OAE Operations Manager?  Yes  No
  - a. If yes, complete Form B and give to the OAE Operations Manager along with a copy of this completed form.

**Form B: Communicate the GBV or Human Trafficking Allegation to the OAE Operations Manager**

*This form should only be completed with the consent of the survivor to communicate the allegation to the OAE Operations 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 OAE Operations 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 OAE Operations 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 OAE Operations 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 OAE Operations Manager about the complaint?  Yes  No

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