

FEDERATED STATES OF MICRONESIA
SUSTAINABLE ENERGY DEVELOPMENT
AND ACCESS PROJECT (SEDAP)

Environmental and Social Management
Framework and Environmental and Social
Management Plan

Grievance Redress Mechanism
(Projects Complaint Process)

June 2020

Grievance Redress Mechanism (GRM) – Projects Complaints Process

Introduction

During the construction and implementation phases of any SEDAP, a person or group of people can be adversely affected, directly or indirectly due to the SEDAP 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 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 access etc. Should such a situation arise, there must be a mechanism through which affected parties can resolve such issues in a cordial manner with the SEDAP personnel in an efficient, unbiased, transparent, timely and cost-effective manner. To achieve this objective, a grievance redress mechanism has been included in the ESMF for the SEDAP and up date herein.

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 illegal drug trafficking, human trafficking, prostitution and so forth.

Grievance Redress Mechanism (GRM) – Complaints Process

Introduction

The Complaints process is for people seeking satisfactory resolution of their concerns and/or complaints on the environmental and social performance of the Sustainable Energy Development and Access Project (SEDAP) based at the Division of Energy within the Department of Resources and Development (DRD) at the FSM national government in the Federated States of Micronesia (FSM) in conjunction with the Pohnpei Utilities Corporation.

The SEDAP allows those that have a complaint or that feel aggrieved by the project 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 SEDAP and will provide an accessible, rapid, fair and effective response to concerned stakeholders, especially any vulnerable group who often lack access to formal legal regimes.

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

- 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 fair and transparent manner;
- Allow simple and streamlined access to the Complaints Register 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;

- Provide clear and known procedures for each stage of the GRM process, and provides clarity on the types of outcomes available to individuals and groups;
- Ensure equitable treatment to all concerned and aggrieved individuals and groups through a consistent, formal approach that, is fair, informed and respectful to a complaint and/or concern;
- Provide a transparent 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
- Enable continuous learning and improvements to the GRM. Through continued assessment, the learning's may reduce potential complaints and grievances.

Eligibility criteria for the GRM include:

- Perceived negative economic, social or environmental impact on an individual and/or group, or concern about the potential to cause an impact;
- 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;
- 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; and
- 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 ESMF/ESMP provisions, including its grievance mechanism and how to make a complaint.

Grievance Mechanism for all SEDAP Components

The GRM has been designed to be 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. 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.

The process for the GRM is as follows:

- i. The Aggrieved Party takes their grievance to the DRD, relevant State Power Utility Authority or Contractor. In the pre-construction period, there will be no contractor and the DRD (Energy Division) is the appropriate entity. Once construction commences, the contractor becomes the initial focal point for information;
- ii. During both pre and post-construction period, DRD (Energy Division) and/or relevant State Power Authority (CPUC, KUA, PUC, YSPC) will endeavor to resolve it immediately. Where the Aggrieved Person (AP) is not satisfied, the DRD (Energy Division) and/or relevant State Power Authority will refer the Aggrieved Person to the SEDAP Project Manager and the CIU Safeguard team. For complaints that were satisfactorily resolved by the Aggrieved Person, the incident and resultant resolution will be logged and reported to the SEDAP Project Manager.
- iii. If unsuccessful, the DRD (Energy Division) and/or relevant State Power Authority and, and/or contractor notifies the SEDAP Project Manager;

- iv. The SEDAP Project Manager endeavors to address and resolve the complaint and inform the Aggrieved Party. For complaints that were satisfactorily resolved by the SEDAP Project Manager, the incident and resultant resolution will be logged by the SEDAP Project Manager. Where the complaint has not been resolved, the SEDAP Project Manager will refer to the relevant State Power Authority General Manager and/or CEO and Secretary of DRD for his/her action/resolution;
- v. If the matter remains unresolved, or the Aggrieved Person is not satisfied with the outcome, the Secretary of DRD refers the matter to the Project Steering Committee for a resolution. The SEDAP Project Manager will log details of issue and resultant resolution status; and
- vi. 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.
- vii. Steps i through v should be undertaken immediately. Where the matter is referred to the SEDAP 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
- viii. Each record is allocated a unique number, reflecting year and sequence of received complaint (for example 2019-01, 2019-02 etc.). Complaint records (letter, email, record of conversation) should be stored together, electronically or in hard copy.
- ix. Any grievance related to corruption or any unethical practice should be referred immediately to the State and/or National Police and judicial officers of State and FSM Supreme Court.

GRM Specifics Component 1: Improving Reliability of Electricity Supply in Pohnpei

This component will address PUC's challenges with insufficient available generation capacity, which is way below the installed capacity, to stably cover peak demand, and unscheduled shutdowns of power supply and unsecure waste oil storage. The component will finance (i) medium speed diesel gensets of about 7.5 MW total, which will serve base load and provide appropriate redundancy; (ii) consultancy work for feasibility studies and supervision; (iii) associated grid facilities in Pohnpei to improve the operational performance and generation capacity of PUC; (iv) waste oil storage tank and spill containment (v) removal of obsolete generation equipment and (v) electromechanical and electronic equipment, such as a power system SCADA, measuring, monitoring, and protection devices, and converters to help PUC improve its operational performance.

How to get in Touch with the Project for Component 1:

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 and the various ways to get in touch with the project include:

FSM National Contacts

Division of Energy

All correspondence to: Assistant Secretary, Ms. Vanessa Fread and Mr. Charles Butts SEDAP Project Manager.

1. By Phone: (691) 320- 5133
2. By email: freadv@yahoo.com and Charlie.sedap@gmail.com copy to beulah.fsm@gmail.com, wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box PS-12, Palikir, Pohnpei, FSM 96941
4. In person: Department of Resources and Development National Government, Palikir, Pohnpei, Federated States of Micronesia. Given to the Departments Office Secretary.
5. Website: www.fsmrd.fm

Pohnpei Utilities Corporation (PUC):

All correspondence to: General Manager, Mr Nixon Anson

1. By Phone: (691) 320- 2374 (Nanpohnmal Power Plant 320-2078)
2. By email: nanson@mypuc.fm copy to beulah.fsm@gmail.com wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box C, Kolonia, Pohnpei, FSM 96941
4. In person: Town Hall Street, Kolonia, Pohnpei, Federated States of Micronesia. Give to the Office Secretary.
5. Website: www.pohnpeistate.gov.fm and/or www.pohnpeipuc.fm

Roles and Responsibilities

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

- Focal Point for managing the FSM SEDAP projects Complaints Process: Mr. Charles Butts, SEDAP Project Manager.
- Person who will manage the database and record keeping: Mr. Wilmer Kilmete in coordination with Ms. Beulah Daunakamakama at the Central Implementation Unit (CIU) of the FSM Government Department of Finance & Administration.
- Person who will answer simple queries and manage simple complaints: Mr. Charles Butts, SEDAP Project Manager.
- Person who will manage difficult complaints or grievances: Mr. Charles Butts, SEDAP Project Manager and Ms. Vanessa Fread, Assistant Secretary with support from CIU.
- Agency/Person who will prepare report for World Bank reporting: CIU.
- 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 or Office managing the project at which the complaint is aimed (Pohnpei Utilities Corporation);

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. 2019-01, 2019-02 etc.).

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

Each complaint or 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.
- Use of community leaders and customary methods of conflict resolution is encouraged and utilized if and when appropriate – on a case-by-case basis.
- If an issue/complaint cannot be resolved on site, it is elevated to the Project Manager for resolution (with support from the Safeguards team in the CIU). If the Project Manager and Safeguards Specialist cannot resolve the issue, it is referred to the ad hoc Grievance Committee.
- If a resolution cannot be found through the Grievance Committee, the next course of action is the courts of 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 courts of FSM at any time to seek resolution, if and when required.

The SEDAP 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.

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.

- 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.

Component 2: Expanding Access to Electricity in Chuuk (Weno and outer islands solar installation projects).

This component will support Chuuk Public Utility Corporation (CPUC) to expand access to electricity in Chuuk, where the access rate is only 27% due to the remoteness of several islands. Specifically, this component will finance: (i) the construction of a mini-grid system on the islands of Udot and network expansion on the island of Satawan; (ii) the installation of several solar home systems on the islands of Weno, and (iii) consultancy work for feasibility studies and supervision. Udot, Satawan and Weno are prioritized based on population, needs, cost-effectiveness and other donors' programs.

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 and the various ways to get in touch with the project include:

FSM National Contacts:

Division of Energy

All correspondence to: Assistant Secretary, Ms. Vanessa Fread and Mr. Charles Butts SEDAP Project Manager.

1. By Phone: (691) 320- 5133
2. By email: freadv@yahoo.com and Charlie.sedap@gmail.com copy to beulah.fsm@gmail.com, wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box PS-12, Palikir, Pohnpei, FSM 96941
4. In person: Department of Resources and Development National Government, Palikir, Pohnpei, Federated States of Micronesia. Given to the Departments Office Secretary.
5. Website: www.fsmrd.fm

Chuuk Public Utility Corporation (CPUC)

All correspondence to: CEO Mr. Kasio "kembo" Mida, Jr.

1. By Phone: (691) 330-2400/2476
2. By email: kembo.mida@cpuc.fm copy to beulah.fsm@gmail.com wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box 910, Weno, Chuuk, FSM 96942
4. In person: Weno Island, Chuuk State, Federated States of Micronesia. Give to the Office Secretary.
5. Website: www.cpuc.fm

Local contact information for the Satawan and Udot Island Communities will be identified once the project in these remote locations is initiated. At this present stage all contact is to be made directly to CPUC as identified above.

Roles and Responsibilities

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

- Focal Point for managing the FSM SEDAP projects Complaints Process: Mr. Charles Butts, SEDAP Project Manager.
- Person who will manage the database and record keeping: Mr. Wilmer Kilmete in coordination with Ms. Beulah Daunakamakama at the Central Implementation Unit (CIU) of the FSM Government Department of Finance & Administration.
- Person who will answer simple queries and manage simple complaints: Mr. Charles Butts, SEDAP Project Manager.
- Person who will manage difficult complaints or grievances: Mr. Charles Butts, SEDAP Project Manager and/or Ms. Vanessa Fread, Assistance Secretary with support from CIU.
- Agency/Person who will prepare report for World Bank reporting: CIU.
- 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 or Office managing the project at which the complaint is aimed (Chuuk Public Utilities Corporation - CPUC);

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. 2019-01, 2019-02 etc.).

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

Each complaint or 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.
- Use of community leaders and customary methods of conflict resolution is encouraged and utilized if and when appropriate – on a case-by-case basis.
- If an issue/complaint cannot be resolved on site, it is elevated to the Project Manager for resolution (with support from the Safeguards team in the CIU). If the Project Manager and Safeguards Specialist cannot resolve the issue, it is referred to the ad hoc Grievance Committee.
- If a resolution cannot be found through the Grievance Committee, the next course of action is the courts of 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 courts of FSM at any time to seek resolution, if and when required.

The SEDAP 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.

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.

- 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.

Component 3: Scaling up Renewable Energy Generation in Chuuk, Kosrae and Yap.

This component will support the Chuuk Public Utility Corporation (CPUC) to install the state's first utility-scale solar power plant to reduce fuel cost of diesel-based power generation and support CPUC in access expansion on the outer islands. The component will also support the Kosrae Utilities Authority (KUA) and the Yap State Power Utility Company (YSPUC) to significantly mitigate the curtailment of the existing Renewable Energy (RE) output and enable the integration of more variable RE through storage capacity and high speed gensets.

The component will finance (i) a 2 MW Solar PV power plant in Weno; (ii) the installation of about 2 MWh1 of battery capacity for the KUA, and (iii) the installation of an 830kW2 high speed genset in the existing diesel power plant for the YSPUC. For each of these investments, the component will also finance consultancy work for feasibility studies and for supervision during the project implementation.

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 and the various ways to get in touch with the project include:

FSM National Contacts:

Division of Energy

All correspondence to: Assistant Secretary, Ms. Vanessa Fread and Mr. Charles Butts SEDAP Project Manager.

6. By Phone: (691) 320- 5133
7. By email: freadv@yahoo.com and Charlie.sedap@gmail.com copy to beulah.fsm@gmail.com, wkilmete@yahoo.com and Steve@iasaustralia.com
8. By mail: Post Office Box PS-12, Palikir, Pohnpei, FSM 96941
9. In person: Department of Resources and Development National Government, Palikir, Pohnpei, Federated States of Micronesia. Given to the Departments Office Secretary.
10. Website: www.fsmrd.fm

Chuuk Public Utility Corporation (CPUC)

All correspondence to: Chief Executive Officer: Mr. Kasio "kembo" Mida, Jr.

6. By Phone: (691) 330-2400/2476
7. By email: kembo.mida@cpuc.fm copy to beulah.fsm@gmail.com wkilmete@yahoo.com and Steve@iasaustralia.com
8. By mail: Post Office Box 910, Weno, Chuuk State, FSM 96942
9. In person: CPUC Office, Weno Island, Chuuk State, Federated States of Micronesia. Give to the Office Secretary.
10. Website: www.cpuc.fm

Kosrae Utilities Authority (KUA)

All correspondence to: Customer Service Supervisor & Legal Counsel: Mr. Casey Freddy.

1. By Phone: (691) 370-3799/3344
2. By email: caseyfreddy9@outlook.com and KUA@mail.fm copy to beulah.fsm@gmail.com wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box KUA, Tofol, Kosrae State, FSM 96944
4. In person: KUA Office, Tofol, Kosrae State, Federated States of Micronesia. Give to the Office Secretary.
5. Website: www.kosraepower.com

Yap State Power Utility Company (YSPSC)

All correspondence to: General Manager: Mr. Victor Nabaian.

1. By Phone: (691) 370-4427
2. By email: vnabeyan@gmail.com copy to beulah.fsm@gmail.com wkilmete@yahoo.com and Steve@iasaustralia.com
3. By mail: Post Office Box Colonia, Yap State, FSM 96943
4. In person: YSPSC Office, Colonia, Yap State, Federated States of Micronesia. Give to the Office Secretary.
5. Website: www.yapstategov.org

Roles and Responsibilities

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