

Earthquake and Tsunami Emergency Support Project (ETESP)

Grievance Mechanism



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Table of Contents

A.	The Project	1
	General Background	1
	Overall Implementation Arrangement	2
B.	Establishing a Grievance Mechanism	4
	1. Grievance Mechanism at BRR	4
	2. Rationale for Establishing a Specific Grievance Mechanism for ETESP	5
	3. Actions Taken in Establishing the Grievance Mechanism for ETESP	6
	OSPF Assistance	6
	Setting up of Grievance Mechanism at EMS and with Consultant Sector Teams	7
	Establishment of the Grievance Mechanism for ETESP	7
C.	The Functioning of the Grievance Mechanism	8
	1. Grievance Intake	8
	2. Grievance Sorting, Processing and Feedback	9
	3. Sector-Specific Grievance Mechanisms	9
	Levels of Complaint Handling	9
	Examples of ETESP Sector-Specific Grievance Mechanisms	10
	Example from the Housing Sector	10
	Example from the Agriculture, Fisheries and Irrigation Sectors through Bina Swadaya	14
	4. Grievance Facilitation Unit (GFU)	16
	GFU Responsibilities	17
	Nature and Update on Cases Received by the GFU	18
	5. The Grievance Mechanism at EMS	22
	Grievance Intake and Grievance Log	23
	The EMS Grievance Focal Point	23
	Nature and Update on Cases Received by EMS	23
	6. Budgetary Implications	24
D.	Lessons Learned and Recommendations	24
	Lessons Learned	24
	Recommendations	26

Annex A: Sample Cases on Complaint Handling in ETESP

List of Abbreviations

ADB	Asian Development Bank
Bapel	Badan Pelaksana (Implementation Coordination Board)
BPK	Badan Pemeriksa Keuangan (Supreme Audit Agency)
BPN	Badan Pertanahan Negara (Land Agency)
BRR	Badan Rehabilitasi dan Rekonstruksi Nad Nias (Aceh-Nias Rehabilitation and Reconstruction Board)
BS	Bina Swadaya
CF	Community Facilitator
CMS	Community Mobilization Specialist
CSO	Civil Society Organization
DIPA	Daftar Isian Pelaksanaan Anggaran (Annual Government Budget)
DIU	District Implementation Unit
DMRR	Disaster Management, Rehabilitation and Reconstruction
EA	Executing Agency
EMS	Extended Mission of Sumatra
ETESP	Earthquake and Tsunami Emergency Support Project
GAA	German Agro Action
Gerak	Gerakan Anti Korupsi
GFU	Grievance Facilitation Unit
GOI	Government of Indonesia
HELP	Hilfe zur Selbsthilfe-Germany
IA	Implementing Agency
IRM	Indonesia Resident Mission
JFPR	Japan Fund for Poverty Reduction
KPK	Komisi Pemberantasan Korupsi (Anti Corruption Commission)
KTTP	Koordinator Tenaga Pendamping Petani (Supervising Community Organizer)
MDF / MDTF	Multi Donor Fund / Multi Donor Trust Fund
NAD	Nanggroe Aceh Darussalam Province
NGO	Non Government Organization
OC	Housing Oversight Consultant
OSPF	Office of the Special Project Facilitator
PAM	Perusahaan Air Minum (Water Utility Company)
PIU/Satker	Project Implementation Unit/ Satuan Kerja
PIC	Project Implementation Consultant
PLN	Perusahaan Listrik Negara (Electric Company)
PMO	Project Management Office
PMU	Project Management Unit
PPC	Project Preparation Consultant
PPRG	Panitia Pembangunan Rumah Gampong (Committee for Village House Construction)
PU	Pekerjaan Umum (Ministry of Public Works)
SAK	Satuan Anti Korupsi (Anti Corruption Unit)
SERD	South East Asia Regional Department
SMS	Short-message service
Sorak	Solidaritas Rakyat Anti Korupsi
SPAR	Sub Project Appraisal Report
SPPR	Sub Project Preparation Report
TOR	Terms of Reference
VDF	Village Development Forum
VMF	Village Mobilization Facilitator

THE ETESP GRIEVANCE MECHANISM

A. The Project

General Background

In the morning of 26 December 2004, a powerful 9.0 magnitude earthquake, with its epicenter about 250 km from Banda Aceh, the capital of Aceh Province, triggered a tsunami at around 7:58 AM. The disaster caused massive damage to various parts of Aceh Province and Nias Island in North Sumatra. The Government of Indonesia (GoI) estimates more than 124,000 lives were lost. A further 32,000 people remain missing and more than 550,000 were left homeless. The disaster totally devastated livelihoods and damaged private and public properties. Public infrastructure collapsed along the coastal lines, and inland destruction was significant due to the earthquake. The tsunami swept debris and seawater up to 5 km inland, crushing and damaging buildings, roads, bridges, telecommunications, water and electricity systems, fisheries infrastructure, crops, fuel outlets and food warehouses. On 28 March 2005, another strong (8.7 magnitude) earthquake struck Nias Island causing further loss of lives and damage to properties and infrastructure.

On April 15, 2005, the Master Plan for the rehabilitation and reconstruction of Aceh and Nias was set in law, through Presidential Regulation No. 30/2005. And on 29 August 2005, the Government issued a decree to establish the Aceh-Nias Rehabilitation and Reconstruction Board (BRR) to coordinate the overall implementation of Disaster Management Rehabilitation and Reconstruction (DMRR) support in the affected regions. With offices in Banda Aceh and Jakarta, BRR is responsible for all DMRR activities including those supported by donors. The structure of BRR provides for (i) an Implementation Coordination Board (Bapel) to manage day-to-day operation; (ii) Steering Board (Badan Pengarah), comprising selected cabinet ministers (the Governors of Banda Aceh and North Sumatra and heads of district administrations act as a Steering Committee to BRR); and (iii) a Supervisory Board (Badan Pengawas) comprising of various NGOs, universities and other respected institutions, to provide community oversight of DMRR activities. Around \$6 billion from various sources has so far been allocated for the rehabilitation and reconstruction efforts.

The Earthquake and Tsunami Emergency Support Project (ETESP)¹ is among the several projects currently being implemented as part of the ongoing rehabilitation efforts in Nanggroe Aceh Darussalam Province (NAD) and Nias Island. The ETESP Grant Agreement between the Government of Indonesia (GOI) and the Asian Development Bank (ADB) was signed and became effective in April 2005. The implementation of ETESP started in April 2005 and is expected to be completed by December 2008.

¹ Grant No. 0002-INO, approved on 7 April 2005.

The total ADB grant for the Aceh and Nias Reconstruction Program consists of:

- \$294.5 million for ETESP, including \$290 million from ADB's internal resources, \$3.5 million from the government of the Netherlands and \$1 million from the government of Luxembourg;
- \$16.5 million of complementary grants for the Rural Water Supply and Sanitation component;
- \$10 million contribution for the Multi-Donor Fund (MDF); and,
- \$8 million in Japan Fund for Poverty Reduction (JFPR) grants.

Around \$65 million in 12 ongoing-ADB reprogrammed loans were also made available for the reconstruction efforts.

ETESP consists of five principal sector groupings, and a total of 12 sectors:

- a. Livelihood Restoration
 - Agriculture
 - Fisheries
 - Microfinance and Livelihood
- b. Social Service
 - Health
 - Education
- c. Community Infrastructure
 - Rural Water Supply and Sanitation
 - Housing
 - Irrigation
- d. Physical Infrastructure
 - Roads
 - Power
 - Spatial Planning and Environmental Management
- e. Fiduciary Oversight

A local Non government Organization (NGO), Bina Swadaya, was engaged by ADB for the provision of community empowerment and organizing activities for the Agriculture, Fisheries and Irrigation Sectors. This includes organizing of farmers' and water users' associations, facilitating community discussions and provision of basic capacity building for community-based associations.

Overall Implementation Arrangement

BRR was designated as the Executing Agency (EA) for ETESP with responsibility for its overall management and coordination. It was initially envisioned that ETESP subprojects would be implemented by the line ministries and the local governments concerned. For day to day management, a dedicated Project Management Office (PMO) was established within the BRR Secretariat to: (i) coordinate ETESP implementation; (ii) ensure that ADB support is fully aligned with the DMRR strategies; (iii) enhance synergies and ensure close coordination of ADB support with projects financed by other

donors and development partners; and (iv) provide guidance and monitor the activities of the Project Management Units (PMUs) established in the line ministries.

Sub-projects are prioritized following selection criteria agreed between BRR and ADB. Concept Notes for proposed sub-projects are first reviewed by BRR. On the basis of the Concept Notes, Subproject Appraisal Reports (SPARs) are developed for review by BRR and ADB. After which, subproject preparation is detailed in a Subproject Preparation Report (SPPR). Subproject implementation can commence upon the approval of the SPPR by BRR and ADB.

With concurrence from BRR, ADB hired sector consultants to provide technical support to BRR and the Implementing Agencies (IAs) in the identification and preparation of subprojects. These Sector Consultant teams help in the preparation of Concept Notes, Subproject Appraisal Reports (SPARs) and Subproject Preparation Reports (SPPRs). They also assist the Project Implementation Units (PIUs, called Satkers in Bahasa Indonesia) in the required documentation for the procurement of goods and services for subprojects, monitoring of subproject implementation and preparation of progress reports.

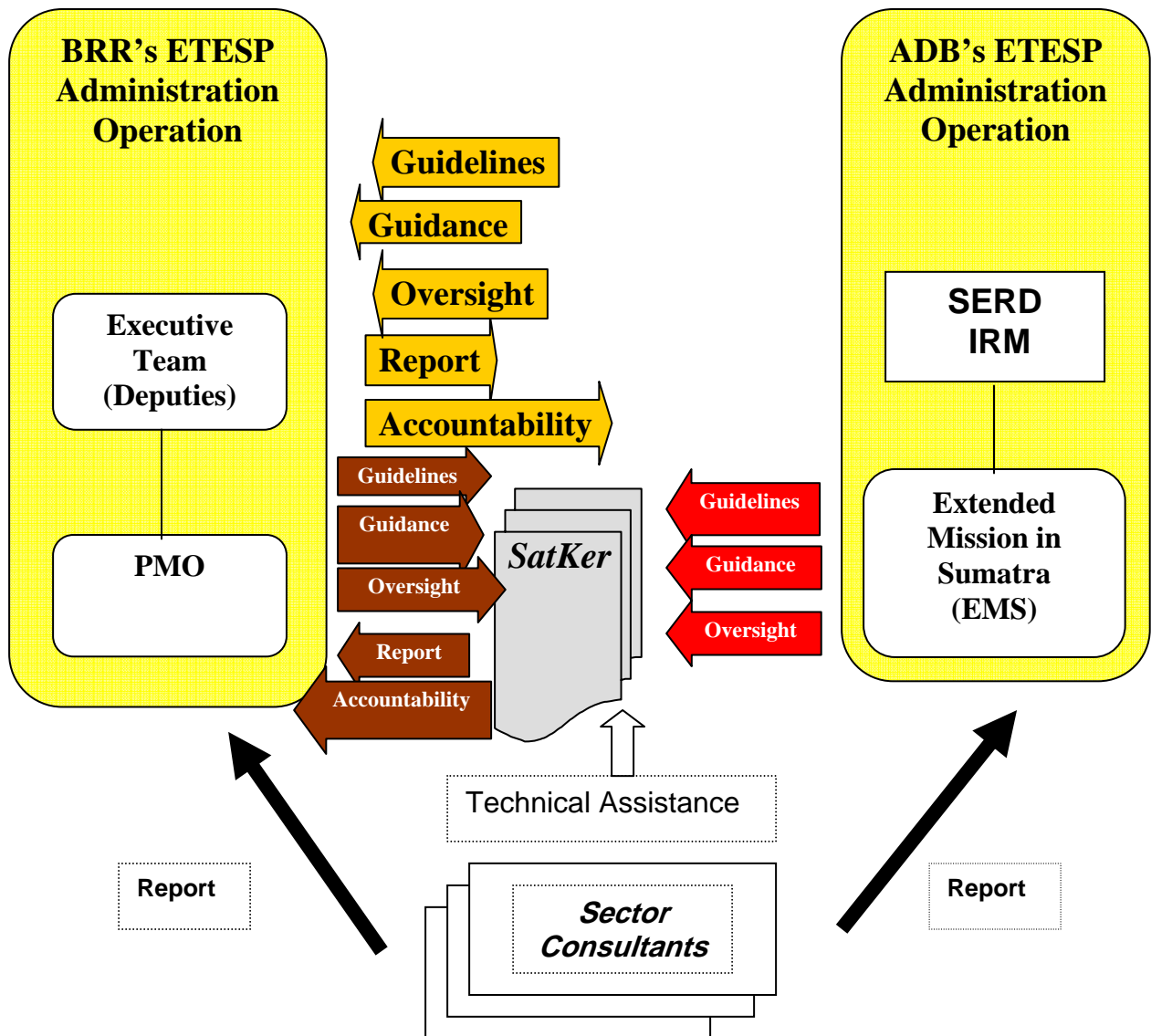
Recognizing the resulting complexity of implementing reconstruction projects by different agencies for 2 budget years, BRR decided at the end of 2006 to unify the implementation responsibilities under a single agency. BRR also initiated direct implementation of subprojects in selected sectors. For ETESP, BRR became both the EA and IA for most activities. Project Implementation Units (PIUs, or Satkers) were established to handle subproject implementation.

Each sector has its own Satker. In some sectors with big and complex subprojects (i.e. Roads and Bridges), a Satker is formed for each subproject. Separate Satkers were also set up for subprojects in the Nias Island. The Satker is responsible for planning, design and supervision of civil works, and financial matters related to subproject implementation. It processes and signs contracts, and monitors/evaluates subproject activities.

To facilitate project administration and provide sound fiduciary oversight arrangements for ETESP, ADB established the Extended Mission in Sumatra (EMS). The EMS became fully operational in July 2005, with offices in Banda Aceh and Medan, the latter serving as a hub and back-up for coordinating ADB support. The EMS Office in Banda Aceh provides full support to visiting ADB missions and coordinates with BRR and other agencies associated with the reconstruction and recovery programs based in Banda Aceh. EMS is headed by an ADB Officer who is supported by a team of international and national advisors responsible for day-to-day coordination and monitoring of the ETESP components in coordination with the sector division staff of the South East Asia Regional Department (SERD) and with the support of the Indonesia Resident Mission (IRM). SERD Management provides advice and guidance to EMS on policy issues relating to ETESP implementation, and also participates in

discussions with key officials of BRR. Figure 1 shows the overall implementation arrangement for ETESP.

Figure 1. ETESP Overall Implementation Arrangement



B. Establishing a Grievance Mechanism

1. Grievance Mechanism at BRR

Two grievance review and resolution mechanisms exist under the BRR over-all structure - the Anti Corruption Unit (SAK or Satuan Anti Korupsi) under Bapel, and Badan Pengawas to cover grievances on all aspects related to the tsunami-earthquake rehabilitation/reconstruction efforts. SAK operates under the BRR Deputy for Support Services and is supported by staff, mostly detailed from the Supreme Audit Agency (BPK). Badan Pengawas, on the other hand, is supported by a small secretariat in Banda Aceh and sector experts. Badan Pengawas engages outsourced expert staff to support the work of its sector experts in the conduct of field monitoring and assessments. Coordination exists between the SAK and Badan Pengawas. SAK initiates monthly meetings and submits regular reports to Badan Pengawas. Beginning in 2007, the management of SAK was transferred from Bapel to Badan Pengawas.

Both the SAK and Badan Pengawas bring issues to the attention of the concerned implementing agency, District Government, and the BRR Departments and follow up on the action taken. More serious cases are referred to the Anti-Corruption Commission (KPK or Komisi Pembarantasan Korupsi), the BPK, the Business Practice Commission or even the local police.

Since their establishment, SAK and Badan Pengawas have been receiving complaints and queries from the public through verbal narration by walk-in complainants, letters, e-mails, sms, phone calls, reports from media or information obtained during field visits. Issues and cases include complaints on delayed payments, land boundary disputes, delay in contractor's selection or mobilization, non-operability or defects of systems and equipment, non-compensation for lands affected by subprojects, exclusion of certain communities from support, quality and distribution of food, clarification on the procurement process and guidelines, infrastructure support requests, advice on ethical concerns, reports of other crimes, abuse of authority, complaints about staff performance, general problems concerning subproject implementation, allegations of improper use of facilities/equipment, and other general requests for advice and suggestions. However, these cases are for all activities, projects and policies related to the rehabilitation efforts and there was no segregation of cases or complaints received by funding source. Hence, it cannot be determined which of these cases are ETESP and non-ETESP related cases.

In August 2005, BRR proposed to ADB that its SAK complaint handling system be considered as the complaint handling system for ETESP. However, ADB found that the system at SAK did not meet the requirements for a Grievance Review and Resolution Mechanism stipulated in the Grant Agreement. The concerns raised by ADB include a) the complaint handling as being part of BRR's anti-corruption system, b) insufficient or vague information on how the public will be made aware of how complaints can be lodged and how they can get redress,

and c) lack of independence from BRR's Implementation Coordination Board (Bapel). Based on these concerns, EMS worked with BRR in drafting a plan for establishing a Grievance Mechanism that would comply with the requirements of the Grant Agreement.

2. Rationale for Establishing a Specific Grievance Mechanism for ETESP

The legal basis for the establishment of a grievance mechanism for the Project is contained in the ETESP Grant Agreement which requires the Government of Indonesia to establish a grievance review and resolution mechanism within the BRR. The Agreement stipulates that the mechanism shall involve (a) reviewing and addressing grievances of citizens, beneficiaries and other stakeholders of the Project, in relation to either the Project, any of the service providers, or any person responsible for carrying out any aspect of the Project; and (b) establishing the threshold criteria and procedures for handling such grievances, for proactively and constructively responding to them, and for providing the public with notice of such mechanism, including publishing notices in newspapers. The Grant Agreement identified the BRR Supervisory Board (Badan Pengawas) as responsible for the mechanism. It was expected that a facilitation unit would be established, in coordination with CSOs and /or NGOs.²

At the project level, implementers cannot avoid receiving complaints and queries from beneficiaries and the public. Project Implementation Units (Satkers) are often approached by beneficiaries, non-beneficiaries, contractors, and other concerned citizens with regard to subprojects. Some people call, come to their offices, write letters, or complain during village meetings or through the media. If complaints are received in the field, the Satker responds to simple queries and provides information. If a complaint is more complex, it is referred to the concerned BRR Manager or Deputy. Corruption cases are referred to SAK or the police.

In other instances, residents or communities also raise grievances and queries with Sector Consultant teams during the conduct of consultations, socializations, and subproject planning activities. Sector Consultant teams also facilitate discussions and dialogue between the communities and the BRR Satker and other government agencies involved in the planning and implementation of various activities to address issues requiring action or attention from them.

Although the responsibility for the grievance review and resolution mechanism rests primarily with BRR, some complaints or queries are brought to the attention of the Extended Mission to Sumatra (EMS) Office by walk-in complainants, phone calls, letters or through meetings and other interactions of EMS Advisers with various stakeholders.

² Schedule 5 – Execution of Project and Operation of Project Facilities, ETESP Grant Agreement, 29 April 2005, pp 41-42

The reasons for establishing a complaint handling system for ETESP can be summarized as follows:

- To comply with the legal requirements based on the Grant Agreement
- To help people who are adversely affected by subproject implementation
- To help resolve disputes and conflicts arising from the preparation and implementation of subprojects
- To help ensure that resources under the Project are used well and for the intended purpose
- To help ensure open communication and feedback between Project implementers, communities and beneficiaries

Given the complexity of ETESP and its being at different stages of implementation following a variety of implementation arrangements, the ADB Office of the Special Project Facilitator (OSPF) recommended setting up a streamlined and systematic complaint handling system for ETESP that would clarify the roles of various units, and would include processes for appeals and facilitation. OSPF also suggested that ETESP look into the role of traditional and village-level conflict resolution mechanisms and integrate these into the overall system for complaint handling for the Project.

3. Actions Taken in Establishing the Grievance Mechanism for ETESP

OSPF Assistance

In May 2006, OSPF conducted a complaint management workshop for ETESP. The workshop involved the EMS Advisers, ETESP Sector Consultant Teams and the ETESP Satkers. The workshop recommended follow-up training on village level complaint handling, establishment of a grievance handling system at EMS, and engagement of a consultant to help firm up the complaint handling for ETESP.

On 7-8 November 2006, OSPF conducted a follow-up complaint management workshop for the ETESP Housing NGO conduits. During the workshop, it was agreed that each NGO would include in the SPPR a description of their respective complaint handling mechanisms for subprojects they propose for ETESP funding.

On 9-11 November 2006, OSPF conducted pilot village-level complaint handling training for the Village Mobilization Facilitators (VMFs) and Community Mobilization Specialists (CMS) of Bina Swadaya in Aceh Besar and Banda Aceh. The workshop helped clarify the roles and processes to be observed in complaint handling related to the implementation of ETESP agriculture, fisheries and irrigation sectors. A draft plan for the orientation of the remaining VMFs of Bina Swadaya was prepared.

Setting up of Grievance Mechanism at EMS and with Consultant Sector Teams

Based on the OSPF recommendations, EMS set up and formalized its system for complaint handling. A memo signed by the Head of EMS (Pieter Smidt) was issued on 23 August 2006, which describes how complaints can be received (letters, fax, phone calls, visits, SMS, emails), how the recording is done and to whom complaints are referred. A grievance focal point was also designated from among the EMS Advisers.

Follow-up sessions with some sector teams (fisheries, agriculture, housing, water/sanitation, micro-finance and Bina Swadaya) were conducted by EMS to further discuss sector-specific complaint handling systems.

Establishment of the Grievance Mechanism for ETESP

EMS initiated discussions with SAK and Badan Pengawas on the appropriate grievance mechanism set up for ETESP. Inputs were also sought from OXFAM International on their experience with village-level complaint handling in Aceh, and with Transparency International on their experience with kecamatan-level complaint handling. Based on these discussions, EMS drafted a proposal for strengthening grievance review and resolution for ETESP. The proposal included: a) firming up of the ETESP sector-specific complaint handling systems and clarification of the roles of Implementation Units and Sector Consultants, b) establishment of a Grievance Facilitation Unit attached to Badan Pengawas, c) designation and orientation of grievance focal persons and creation of a grievance register, d) designation and orientation of ETESP village and community facilitators, and e) public disclosure of the ETESP grievance review and resolution mechanism.

The training of village and community facilitators includes an orientation on what is a grievance review and resolution mechanism, why it is needed for ETESP, principles, rights of communities/beneficiaries, types of grievance, grievance handling process, role of community facilitators and grievance focal points, and role of the GFU. This orientation is a supplement to the earlier orientation the village facilitators received from the Sector Consultant Teams related to subproject design, activities, implementation and reporting arrangement and related topics.

On 9 October 2006, BRR concurred with the EMS proposal. BRR also officially appointed and designated the grievance focal points in the various BRR ETESP sectors, comprised mainly of BRR Senior Staff (Directors, Managers, Assistant Managers).

In June 2007, ADB engaged Unsyiah Kuala University for the provision of experts and staff to manage the ETESP Grievance Facilitation Unit (GFU) attached to BRR's Badan Pengawas. Under a 17-month contract, the GFU is

tasked to forward and follow up on complaints or queries on ETESP received from the public. It is expected to work closely with the BRR ETESP Satker, ETESP Consultants and village facilitators in addressing concerns raised by beneficiaries and the general public on ETESP.

C. The Functioning of the Grievance Mechanism

1. Grievance Intake

There are several intake points for ETESP-related complaints and queries. Under the set-up, the following persons and units can receive complaints and feedback from beneficiaries and the general public:

- a. those involved in project implementation – Satker, DIU, village and community facilitators, site advisers, KTCP, community mobilization specialists, oversight consultants
- b. BRR ETESP Grievance Focal Points
- c. BRR ETESP PMO
- d. Partner NGOs – Sorak, Gerak, Transparency International Indonesia and its Kecamatan-based Grievance Committees, as well as partner-implementing NGOs, i.e. Bina Swadaya, Muslim Aid, GAA, UN Habitat, CordAid, HELP
- e. Village and subdistrict leaders, religious leaders
- f. Grievance Facilitation Unit at Badan Pengawas
- g. EMS

Those involved in subproject preparation and implementation--i.e. Satker, consultant staff, Bina Swadaya staff and village and community facilitators--are knowledgeable about issues concerning implementation schedules and budget, eligibility for support, and civil works design. Hence, persons with concerns about these issues are encouraged to first approach these staff.

However, alternative means for receiving complaints and feedback are also available in case the complainant is not satisfied with the actions taken or response they receive from those involved in implementation or if the complainant feels more confident or at ease to approach or report to these alternative offices or persons.

In addition, the public can access the existing over-all grievance redress and anti-corruption system under BRR (SAK and Badan Pengawas) and the MDF Ombudsman, who can then refer these cases to the concerned ETESP Satker or Consultant Sector Team.

Anyone with a complaint, feedback or question related to the goods, civil works, project staff, consultants, provincial or district offices of government line ministries (Dinas) and others involved in ETESP have the right to register complaints or questions. All complaints and feedback are treated with

confidentiality. The complainant or reporter may or may not reveal his or her identity.

Complaints, grievances, feedback or queries about ETESP can be reported through letter, SMS/text-message, verbal narration (from walk-in complainants), phone call or fax.

2. Grievance Sorting, Processing and Feedback

Any query, feedback or complaint related to ETESP activities and persons involved in its implementation can be reported or brought forward. At ETESP, feedback and complaints received are classified as follows:

Type A: queries, comments, suggestions

Type B: allegations of violation of rights, non-performance or poor performance of obligations against consultants, contractors, government officials, NGO-conduits, project staff, BRR staff, conflict between beneficiaries, quality of goods and works

Type C: allegations of fraud and corruption

Type D: allegations of violation of law and criminal activities

Queries, suggestions, complaints on performance and works are addressed through working and coordinating with those involved with project implementation (Type A and B). In some instances, help may be sought from heads of the village or sub-district or religious and traditional leaders to help resolve the issue or conflict. However, complaints involving allegations of corruption or criminal activities (Type C and D) are forwarded to KPK or the local police. Results of the actions taken are reported back to the complainant. Figure 2 shows the various possible grievance intake units for ETESP.

3. Sector-Specific Grievance Mechanisms

Levels of Complaints Handling

In each sector, complaint handling among project implementers is generally divided into three levels. Any person who does not agree with the decision on a complaint or grievance may file an appeal with the next higher level of the grievance redress system or any appropriate office. Following is a description of these levels:

First (Village)-level Complaint Handling. Under the ETESP sector-specific complaint handling system, complaints and queries are first dealt with by the village facilitators and village committees who act as both grievance intake points and facilitators. The facilitators work with existing traditional and village-level conflict resolution structures, when necessary. In the housing sector, community-

based associations organized under the Project also act as grievance intake units and facilitators.

Persons and units in village-level or traditional conflict resolution that are engaged or consulted by project-hired village and community facilitators include the camat (subdistrict leader), geucik (village leader), tuha peut or tuha lapan (informal leaders in the village), imam (religious leader), and panglima laot (fishermen leader). In some sub districts, kecamatan-based Grievance Committees organized and funded by Transparency International also help in grievance facilitation.

Second-level Complaint Handling. Issues that cannot be resolved at the village level are then referred to second-level facilitators such as the Site Advisers, Community Mobilization Specialists or designated grievance focal points from the ETESP Sector Consultant teams, in partnership with the concerned Satker. In the agriculture-irrigation sectors, inter-agency technical working groups at the District level are also sometimes tapped to help address unresolved grievances. Issues that require action from the local district governments are referred to the Office of the Mayor (Walikota), while those needing attention from the line ministries are referred to the head of Dinas.

Third-level Complaint Handling. Complaints that cannot be resolved at the 1st and 2nd levels are referred to the concerned Department Managers or Deputies at the BRR. Facilitation at this level can be handled by the Grievance Focal Points at the BRR. If still unresolved, these will be referred to the appropriate agencies or offices in government or even the courts.

[illegible]

Examples of ETESP Sector-Specific Grievance Mechanisms

Given the varying nature and implementation arrangements of the sectors covered under ETESP, certain nuances exist in the grievance mechanisms. Following are two examples of grievance systems among those directly involved in subproject implementation.

Example from the Housing Sector

Background: The ETESP Housing Sector involves the provision of support for the construction of about 6,000 new houses and rehabilitation of 1,000 partially damaged housing units in selected areas. It also includes provision of community facilities and repair or upgrading of roads and drainage based on agreements and the plans of the communities. Financing of the sector is either through on-budget (contracting and

supervision handled by the BRR Satker) or off-budget (UN Agencies and International NGOs – engaged directly from ADB-HQ to implement ETESP subprojects) schemes.

The on-budget scheme covers subproject activities in:

Kota Banda Aceh	- Gampong Pande, Lamdingin, Merduati and Keudah
Aceh Besar	- Baet, Ruyung, Meunasah Mesjid, Pulot and Lamsenia
Sabang	- Ujung Seukundo, Cot Ba'u and Blang Tunong
Meulaboh, A. Barat	- Pasi Mesjid, Alue Penjarin, Alue Penjaring, Alue Penjaring 2
Nias Selatan	- Bawogosal, Bawoganowo, Hilimondregeraya and Hilinaminiha

The off-budget scheme implemented by partner-International Organizations covers the following:

Muslim Aid	- 2 sites in Pidie district, 2 sites in Aceh Utara district, and 1 site in Bireuen district
German Agro Action	- 8 sites in Simeulue and 1 site in Pante Raja-Pidie district
UN Habitat	- 4 sites in Nias and 1 site in Simeulue
CordAid	- 5 sites in Aceh Utara district
HELP	- 2 sites in Nias district

For the on-budget scheme, the Project Implementation Consultants (PICs) prepare the detailed design for the subproject and facilitate the community action planning process based on initial designs prepared by the Project Preparation Consultants (PPC). One PIC team covers Sabang, Banda Aceh and Aceh Besar (Package 9). Another team covers Aceh Barat and Nias Selatan (Package 10). The PIC employs Community Facilitators (CF) in every site to undertake community consultations, planning and surveys. In addition, an Oversight Consultant (OC) team was engaged for quality assurance. The OC team organizes, trains and assists PPRGs – Panitia Pembangunan Rumah Gampong (Committee for Village House Construction)³--among the housing beneficiaries in each site to help supervise construction and serve as a link to concerned units and groups.

Grievance System for On-budget Housing Subprojects. At the village level, complaints can be received either through the PPRG or the PIC-hired Community Facilitators. Complaints or feedback received are either

³ PPRG (Panitia Pembangunan Rumah Gampong) is composed of housing beneficiaries elected by the community, along with other village leaders like tuha peut, and geucik. They meet at least once a month to discuss progress of subproject implementation and issues arising. PPRG is also sometimes referred to as CHU or Community Housing Unit.

resolved at the level of the PRRG or referred by the CF to the concerned office or unit. The CF is responsible for reporting issues and feedback received during their weekly meetings organized by the PICs. PICs then submit these to the OC team for integration and follow-up.

Grievance Focal Points were assigned from among the staff of the Oversight Consultants (OC) and the Project Implementation Consultants (PICs). The OC team's Land/Legal Specialist concurrently acts as its grievance focal point. As the grievance focal point, he integrates all complaints received related to subproject implementation. For issues requiring further action, he also helps refer cases to concerned agencies and follows up progress. For the PICs, the team leaders act as the Grievance Focal Points. The PICs also hire Community Facilitators (CFs) to help organize beneficiaries, help obtain consensus on community facilities to be prioritized and receive feedback from the community on subproject preparation and implementation. Issues concerning implementation and construction quality are discussed and resolved through the PIC and Satker. Problems concerning utilities are referred to the Water Utility Companies (PAM or Perusahaan Air Minum) or the Electric Company (PLN or Perusahaan Listrik Negara). Coordination is also made with the Public Works Department (PU or Pekerjaan Umum) on concerns related to access roads and drainage. Complaints concerning guardianship and inheritance issues are referred to the Syariah (Islamic) courts, while land disputes are referred to BPN or the Administrative Tribunal. Falsification of documents and other criminal violations shall be referred to the State Courts. Figure 3 shows the complaint handling mechanism for the ETESP (on-budget) Housing Sector.

The OC team (through the Grievance Focal Point and Community Development Specialist) also conducts regular field visits to identify and follow-up on issues/complaints arising from subproject implementation. The schedule is made in such a way that they are able to visit all the housing sites at least once a month.

In addition to their system, BRR fielded inspectors to identify issues and problems related to subproject implementation. In some instances, issues/problems received by the PRRGs are referred to the BRR field inspectors for action.

Grievance System for Off-budget Housing Subprojects. The five International Organizations engaged by ADB to undertake off-budget housing subprojects also have their respective grievance mechanisms. Common to all these organizations is the deployment of field facilitators, site inspectors or Community Mobilization Managers who are tasked to regularly visit the subproject areas to monitor progress, link with the beneficiaries and identify issues and concerns. Muslim Aid and HELP

have developed complaint intake forms which the complainant can fill in to register his or her concerns. The team leader or co-team leader acts as the Grievance Focal Point.

Most of the comments received are suggestions, validation of information or general queries that are resolved or clarified at the village level. Issues that cannot be resolved at the village level are referred to the relevant agency or office (BRR, District Government, ADB, etc.) for action.

In the case of UN Habitat and GAA, Planning Committees composed of housing beneficiaries were also organized to take responsibility in subproject implementation at the village level, including dealing with complaints from beneficiaries and the general community. Issues that cannot be resolved at the village level can then be raised at the Sub district Level Reconstruction and Rehabilitation Implementation Committee.

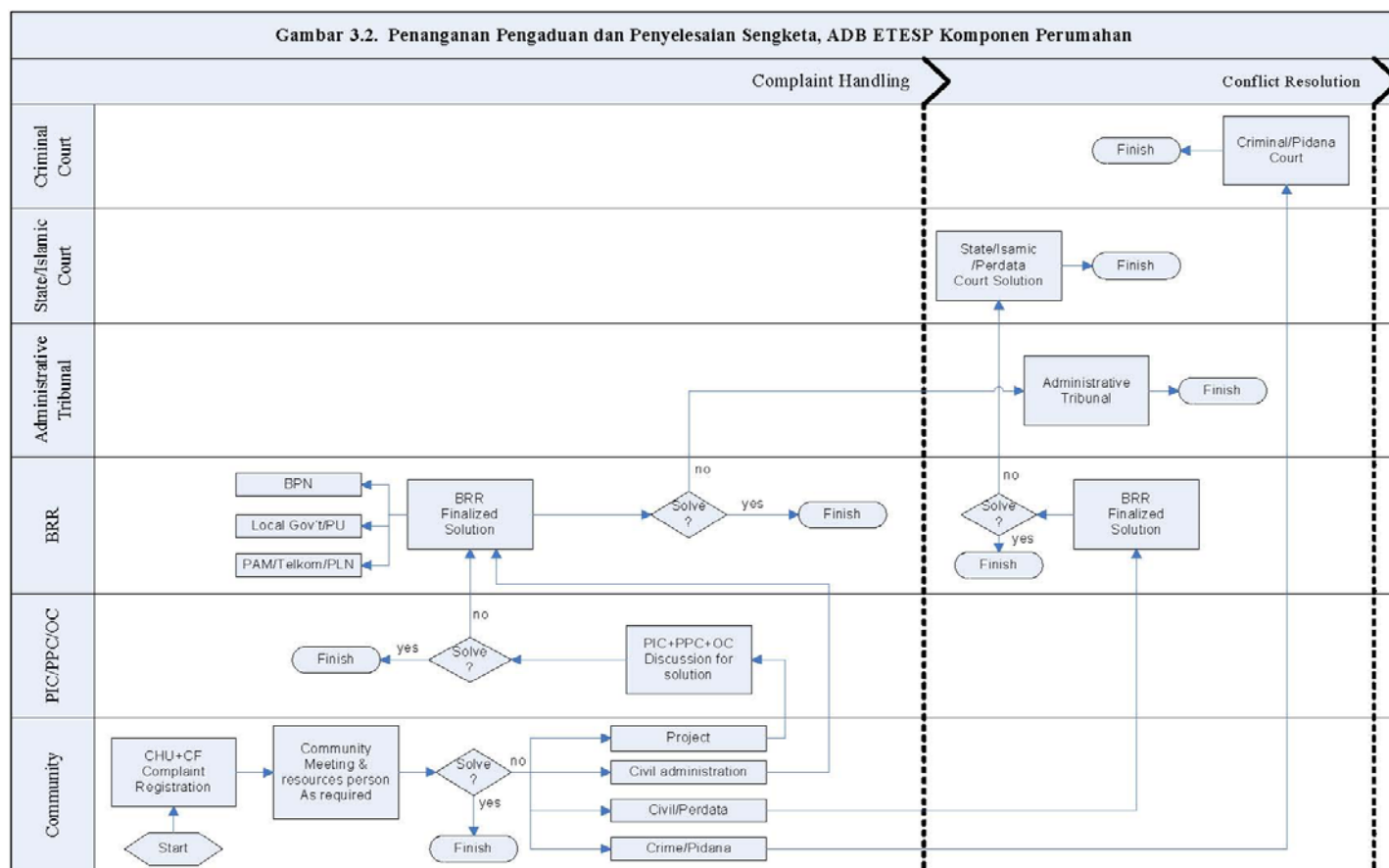
CordAid organized a Village Development Forum (VDF), composed of 4 women and 4 men elected by the community, in each of the villages to take a key role in the planning and mobilization activities. Issues raised with regard to the subproject are also discussed at the VDF.

Likewise, the OC team visits off-budget housing sites to identify and follow up on issues and complaints arising from subproject implementation.

Nature and Update on Cases Received. The Housing OC team has so far documented 110 cases involving the housing sector. Most of these cases (90%) were raised by the community with Community Facilitators or other PIC staff. Others (10%) were received by the OC during field visits. Complaints are recorded in a Grievance Intake Form designed by the OC and logged into a grievance database. Around 70% of the complaints are on construction quality issues, 20% are on land issues, while 10% are general queries on schedules and other subproject activities.

Most of the complaints (90%) have been reportedly resolved or clarified. Around 5% are still pending resolution, while another 5% can no longer be addressed. Among the cases resolved, around 10% were resolved at the level of the Community Facilitator at the village level. The bulk of the cases required the intervention or input of the PIC Core Team, the OC and the Satker. Cases 1 and 2 in Annex A are examples of complaints facilitated under the Housing Sector Grievance Mechanism

Figure 3: Housing Sector (On-budget): Complaint Handling and Conflict Resolution⁴



Example from the Agriculture, Fisheries and Irrigation Sectors through Bina Swadaya

Background: Bina Swadaya was engaged by ADB to provide community facilitation and capacity building support for the communities covered by the ETESP Agriculture, Fisheries and Irrigation Sectors. Under the contract with ADB, Bina Swadaya is expected to mobilize 654 village mobilization facilitators (VMFs). Of these, 420 are for the agriculture sector, 121 for the irrigation sector and 113 for the fisheries sector. In most cases, there is one VMF per village. In some villages where there are overlaps in the activities of the three sectors, one VMF can provide support to more than one sector. Of the targeted 654 VMFs, Bina Swadaya has engaged and mobilized 558 persons, all of whom were recruited from the community. Bina Swadaya has a core team based in Banda Aceh. They also have 2 or 3 Community Mobilization Specialists (CMS) based in the district. So far, Bina Swadaya has 31 CMS deployed in 12 Districts and 2 Cities in NAD and Nias.

⁴ Prepared by Mr. Herman Soesangobeng, Grievance Focal Point, Housing Sector Oversight Consultants

Grievance System through Bina Swadaya

At the village level, the Village Mobilization Facilitator (VMF) hired by Bina Swadaya from among the community residents acts as the grievance intake for complaints or questions raised by beneficiaries and other members of the community. In some cases, help is sought from the traditional or formal village leaders in addressing concerns raised. Following are the tasks of the VMF:

- a. Inform beneficiaries about the complaint handling system, including the contact persons at the Satker and grievance focal persons from the Consultant Team and BRR.
- b. Receive and sort grievance, comments, and suggestions and answer queries (if able) and record this in the logbook. Include information about the complainant. Also write update on the case in the logbook.
- c. In case of complaint,
 - As a first step, seek assistance from existing village-level structures and systems which are also tasked with conflict resolution i.e. geucik or panglima laot (in case of issues related to capture fisheries) for complaint facilitation.
 - Observe and record result of village complaint facilitation and include in monthly reporting of complaints to CMS.
- d. If complaint is not resolved at the village level,
 - assist complainant in filling up and signing the intake form and inform complainant on the next steps in the process.
 - forward signed intake form to CMS and give some background to the case.
 - update the complainant on the status of his or her complaint.

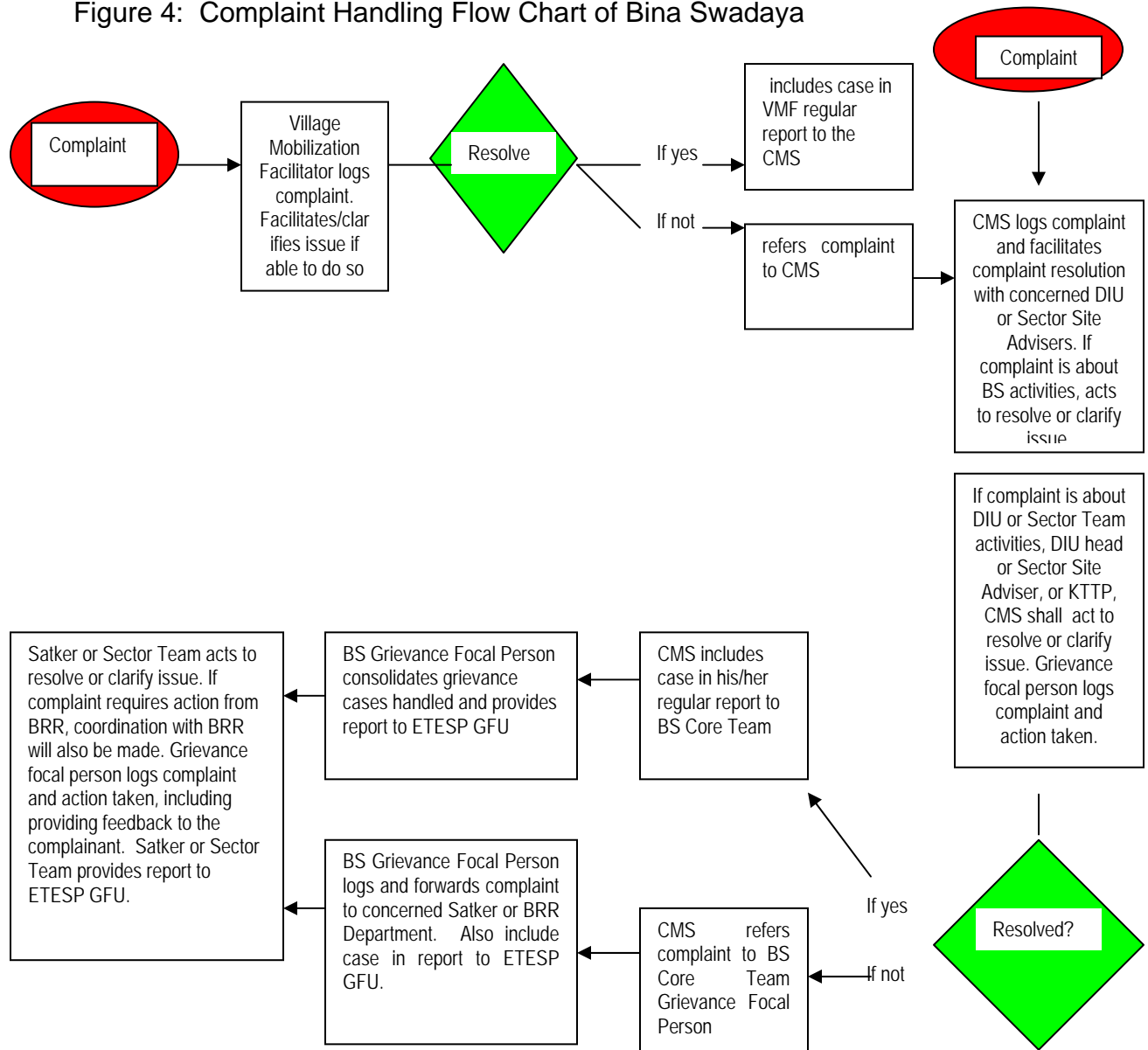
At the District Level, the Community Mobilization Specialist (CMS) acts as the Grievance Focal Point. The CMS is tasked to:

- a. Inform stakeholders about the ETESP grievance review and resolution mechanism during socializations and community meetings;
- b. Provide regular guidance to VMF on their role in complaint handling;
- c. Integrate VMF reports on complaints received and submit to Bina Swadaya for reporting;
- d. Conduct grievance facilitation for complaints not resolved at the village level. This includes calling for meetings with concerned units at the District level;
- e. Advise VMF on the status of complaint for feedback to complainant;
- f. If complaint is not resolved through CMS facilitation, forward case to the concerned Satker or BRR Department for action;
- g. Follow-up status of complaints forwarded to the Satker or BRR Department;

- h. Receive, sort and record complaints directly submitted to CMS. Answer queries (if able) and record this in the logbook. Include information about the complainant and write in the logbook update on the case.

Issues that cannot be resolved through the facilitation by the CMS are referred to the Bina Swadaya core team through its Team Leader, supported by the Training Specialist, who act as the Grievance Focal Point for Bina Swadaya. Figure 4 shows the complaint handling flow chart of Bina Swadaya.

Figure 4: Complaint Handling Flow Chart of Bina Swadaya



Nature and Update on Cases Received. Village Mobilization Facilitators (VMF) usually get queries from beneficiaries and the general community on subproject schedules, requirements, eligibility for assistance and other general information about the ETESP support in the villages. Most of these are clarified at the village level and are not recorded in the grievance log but are included in the regular progress reporting. Questions and complaints that VMFs cannot resolve or clarify are referred by the VMF to the CMS, Site Advisers or the Agriculture/Fisheries District Unit for action and recorded in the grievance log. So far, only 10 cases have been recorded in the Bina Swadaya grievance database. Of these, 6 are queries on delays in payments or implementation, while 4 are complaints related to prioritization of subproject activities and transparency in fund management. Seven of these cases have been resolved or clarified, while 3 are still being processed. Cases 3 and 4 in Annex A are examples of complaints facilitated by Bina Swadaya.

4. Grievance Facilitation Unit (GFU)

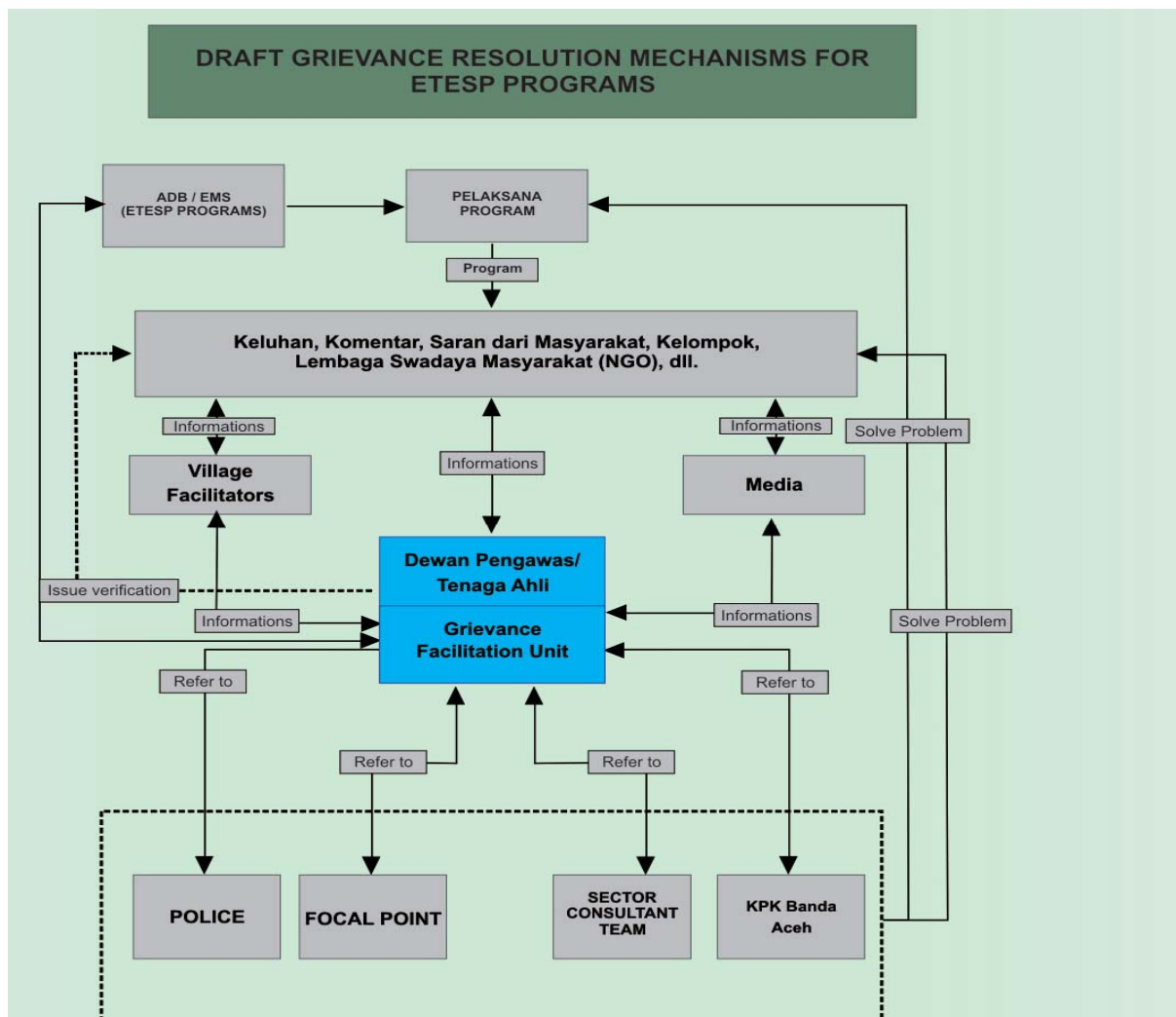
Unlike the grievance mechanism managed directly by the Satker, sector consultant teams and Bina Swadaya which cover sector-specific subprojects and activities, the scope of activities of the GFU runs across the various sectors. GFU receive complaints directly from beneficiaries and the general public through sms, phone calls, office visits and during field visits. In some cases, village facilitators also forward complaints they receive from the public that are not directly related to their specific activities or subprojects. Likewise, EMS sometimes refer cases to the GFU for follow up. At the same time, GFU monitors media reports on issues or complaints related to ETESP operations or staff and conduct validation visits to check on the veracity of the reports. The GFU works with the Project Implementation Units (Satkers), Sector Consultants, and BRR sector experts in helping to resolve complaints or clarify questions from the public. Complaints related to violations of laws or criminal offenses are referred to the local police, while those involving corruption allegations are referred to the KPK or BRR SAK. Actions taken on the complaints are reported back to the complainants. Figure 5 shows the complaint handling flowchart at GFU.

The Grievance Facilitation Unit Office was mobilized in June 2007. The GFU is composed of a Facilitation Specialist supported by 1 Technical Staff and 1 Administrative Staff. Badan Pengawas provided three desks for the GFU staff. Badan Pengawas also informed Bapel BRR that the Grievance Facilitation Unit for ETESP had been effectively established.

Prior to the official commencement of work, informal discussions were held between the GFU and EMS to clarify the scope of work and obtain background on ETESP. Through a letter to BRR PMO from EMS dated 13 July 2007, the GFU was officially introduced to BRR. The team was also introduced to the

ETESP Consulting Team Leaders during the Team Leaders' meeting on 2 August 2007. The existence and contact details of the Facilitation Unit were advertised in local newspapers (Serambi for NAD, and Waspada and Suara Indonesia Baru for Nias). The GFU also conducted Community Orientations on the ETESP Complaint Handling System in Banda Aceh, Meulaboh, Gunung Sitoli-Nias, and Simeuelue. Flyers on the complaint handling system were distributed in these orientation sessions and during field work.

Figure 5: GFU: Grievance Facilitation Flow Chart



GFU Responsibilities

The GFU has the following responsibilities:

- a. maintain a database of grievance cases and queries in ETESP, including status of these cases
- b. design and oversee the conduct of orientation on the ETESP grievance redress system for Satkers, DIUs and village facilitators
- c. coordinate and follow up with SAK, the Sector Experts from Badan Pengawas, and the District and Subdistrict contact persons and Regional Offices of both SAK and Badan Pengawas on grievances that are ETESP-related. Also coordinate with the Grievance Officers to be designated in each of the ETESP Sector PMUs and integrate data gathered from these sources with the ETESP grievance database.
- d. Analyze trends and crosscutting concerns and propose actions to address these.
- e. Coordinate with the Adviser to the KPK in capacity building and advocacy activities.
- f. Refer corruption-related cases to KPK, through its Adviser, for further action.
- g. Help verify complaints related to ETESP.
- h. Prepare monthly reports for Badan Pengawas, BRR and EMS on grievance cases and related activities
- i. If needed, serve as facilitator or mediator to settle conflicts and concerns between implementing agencies, communities and the private sector
- j. Obtain regular updates on ETESP Sector activities and provide such updates to the concerned Badan Pengawas Sector Experts for possible field validation
- k. Coordinate with the MDF Ombudsman System and other similar accountability mechanisms, i.e. the National Ombudsman Commission of Indonesia
- l. Facilitate the conduct of quarterly feedback sessions with local NGOs or CSOs, religious leaders and District Governments in ETESP-covered areas
- m. Undertake monitoring of local (print and broadcast) media, including clipping, translating – where needed.

Nature and Update on Cases Received by the GFU

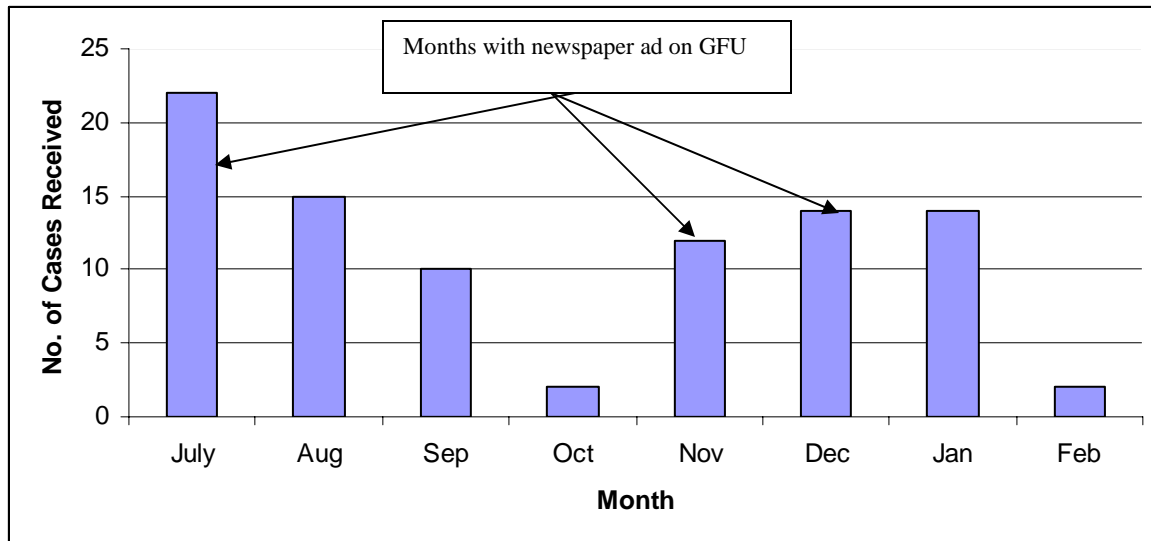
As of 29 February 2008, a total of 91 cases have been recorded in the grievance database of the Grievance Facilitation Unit (GFU). Of these, only 70 cases (77%) are related to ETESP. Table 1 shows the summary of ETESP cases that are now recorded in the GFU database.

A little over half (51.4%) were received via short message service (SMS). Another 31.4% were phone calls. A few others were walk-in complaints (7.1%),

mailed complaints (1.4%), raised during field visits/workshops conducted by the GFU (5.7%) or referred by EMS (2.9%).

It was noted that when the GFU ran advertisements in local newspapers, the volume of complaints received from the public increased (see Figure 6). This indicates the importance of using the media in improving the visibility of the GFU.

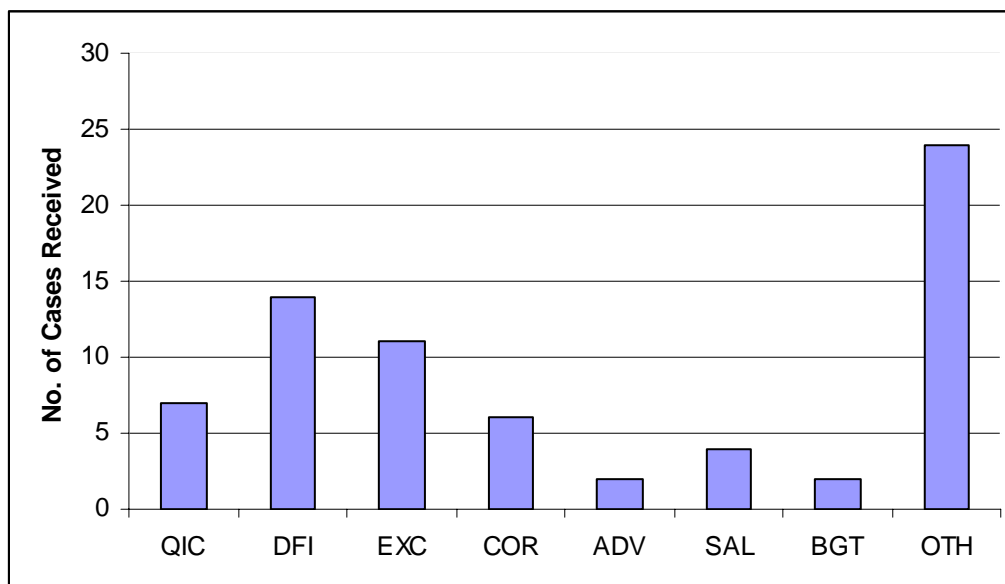
Figure 6: Number of Complaints and Queries Received by GFU per Month (July 07 – February 08)



More than half of the cases (49 cases or 54.3%) are complaints against project staff and implementers (Type B). Another 36 cases (37.1%) are questions and comments (Type A). A few others (8.6%) are allegations of corruption or irregularities in procurement (Type C). Most complaints and questions come from beneficiaries (35.7%) or concerned citizens and neighbors (21.4%). A few others are raised by village heads (5.7%) or by project implementers, staff or workers (4.3%). A considerable number of the questions and complaints received by the GFU are from anonymous senders, callers or persons who requested to have their identity kept confidential and undisclosed. To the extent possible, efforts are made to respond, validate or address anonymous calls/reports.

Complaints and questions received revolve around various aspects including quality issues, delay in implementation or funding, exclusion of beneficiaries or allegation of wrong beneficiary targeting, allegation of corruption or irregularities, adverse effects of the subproject, salaries of project staff/workers, budget changes/discrepancies and other concerns (See Figure 7).

Figure 7: Content of Complaints and Queries Received by the GFU (as of February 2008)

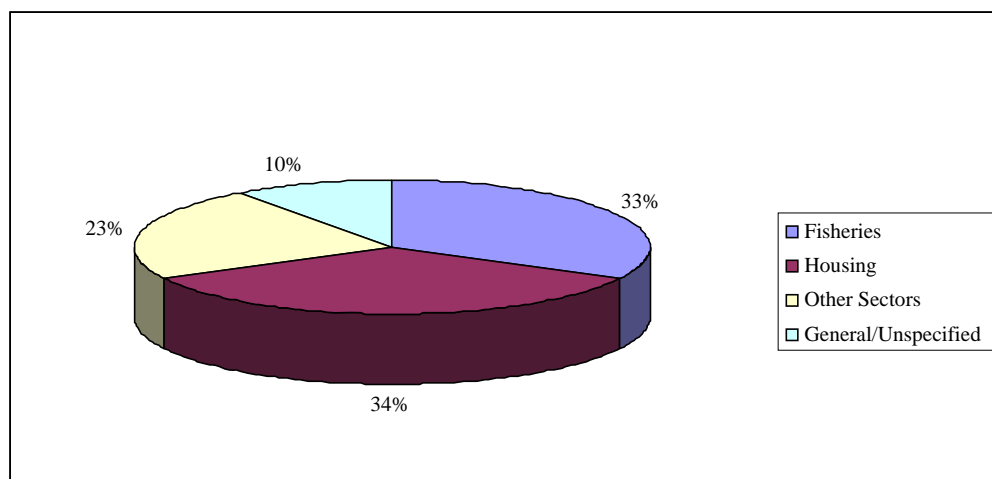


Legend:

- QIC = quality issues/concerns
- DFI = delay in funding or implementation
- EXC = exclusion from subproject benefits or wrong beneficiaries
- COR = allegation of corruption or allegation of irregularities in procurement
- ADV = allegation of adverse effects from the subproject
- SAL = salaries and wages issues.
- BGT = budget changes/discrepancies
- OTH = others / general questions about ETESP

Around two-thirds of the cases received by the GFU come from the fisheries (32.9%) and housing (34.3%) sectors. The rest are distributed in the agriculture, irrigation, health, education, roads and bridges and micro-finance sectors. However, 10% of the cases are general concerns or questions on ETESP or have insufficient information to determine the sector (See Figure 8).

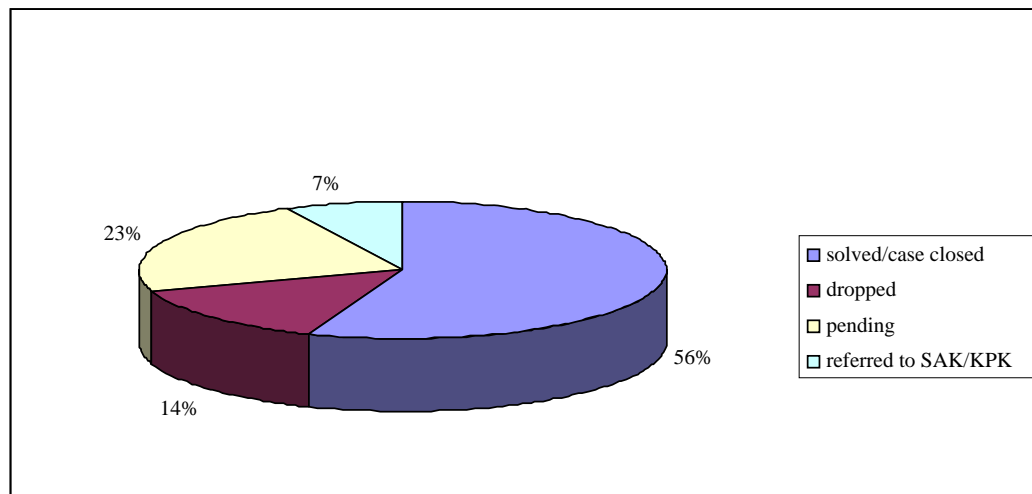
Figure 8: Complaints Received by the GFU According to Sector (as of February 2008)



In terms of location, the bulk of the cases (77.1%) is in the NAD province. The other 11.4% are in Nias Island, while another 11.4% are general or unspecified. Complaints and questions came from 13 districts. However, the majority of these are in Pidie (14.3%), Aceh Barat (14.3%), Banda Aceh (12.9%), Aceh Besar (10.0%), and Bireuen (10.0%).

Most of the complaints and queries received by the GFU (57.1%) have been clarified or resolved. Another 14.3% were dropped because of non-response from the complainants during follow-up. However, 21.4% of the cases are still pending and require attention from BRR. There are also 7.1% of the cases that have been forwarded to SAK and KPK for verification and follow-up (See Figure 9). Cases 5 and 6 in Annex A are sample complaints which the GFU helped resolve.

Figure 9: Status of Complaints and Queries Received by the GFU (as of February 2008)



The GFU noted the following factors that affect the resolution of these cases:

- the case involves a Satker which has been inactive or dissolved
- the case is from a previous DIPA (government annual budget) which is already closed
- the structure has been handed over to the beneficiary and the contractor has already demobilized
- lack of coordination among concerned units (local government, consultant teams, Satker)

Table 1: Summary of ETESP Cases in the Grievance Database Covering the Period July 2007 to 29 February 2008 (N = 70 cases)

Category	Number of Cases	Percent
Received via:		
Phone call	22	31.4
SMS	36	51.4
Walk-in at Badan Pengawas	5	7.1
Mail	1	1.4
Raised during field visit, workshop or consultation	4	5.7
Referred by EMS	2	2.9
Type:		
A (questions and comments)	36	37.1
B (allegations of violations of rights and poor performance of consultant or government officials, staff or disputes among beneficiaries)	49	54.3
C (allegation of corruption, fraud, irregularities in procurement)	6	8.6
Complainant:		
Beneficiary	25	35.7
Village or subdistrict official	4	5.7
Concerned citizen or neighbor	15	21.4
Project staff, implementer, facilitator, worker	3	4.3
Contractor	7	10.0
Anonymous	16	22.9
Sector:		
Agriculture	4	5.7
Fisheries	23	32.9
Irrigation	3	4.3
Housing	24	34.3
Health	4	5.7
Education	2	2.9
Roads and Bridges	2	2.9
Micro Finance Support	1	1.4
General or unspecified	7	10.0
Location (Province):		
NAD	54	77.1
Nias Island, Sumatra Utara	8	11.4
General or unspecified	8	11.4
Location (District):		
Banda Aceh	9	12.9
Aceh Besar	7	10.0
Aceh Utara	5	7.1
Aceh Timur	1	1.4
Aceh Barat	10	14.3
Aceh Barat Daya	1	1.4
Lhokseumawe	2	2.9
Bireuen	7	10.0
Pidie	10	14.3
Simeuelue	1	1.4
Sabang	1	1.4
Nias	6	8.6
Nias Selatan	2	2.9
General or unspecified	7	10.0

Category	Number of Cases	Percent
Content of the Complaint or Query		
Quality of construction or goods procured	7	10.0
Delay in funding or implementation	14	20.0
Exclusion from subproject benefits, wrong beneficiaries	11	15.7
Alleged corruption or irregularities in procurement	6	8.6
Adverse impact from the subproject	2	2.9
Salaries or wages issues of project staff and workers	4	5.7
Discrepancies or changes in budget allocation or assistance	2	2.9
Others, or general questions about ETESP	24	34.3
Status:		
Clarified, closed or resolved	39	55.7
Dropped (due to non-response from complainant during follow-up)	10	14.3
Pending resolution	16	22.9
Forwarded to SAK/KPK	5	7.1

Source: December-February Progress Report, Grievance Facilitation Unit, March 2008

The GFU continues to monitor local newspapers (Serambi, Rakyat Aceh, and Waspada) for possible issues or concerns about ETESP implementation. The GFU also organizes feedback sessions with local NGOs and CSOs. In these sessions, NGOs and CSOs expressed appreciation for the efforts of ETESP, through the GFU, to reach out to communities to seek feedback and comments. It was even suggested in one area that the GFU open a satellite office so that people can more easily come forth and provide feedback. In Nias, it was suggested that the GFU also link with radio stations in informing the public about its existence and services.

5. The Grievance Mechanism at EMS

Some complainants prefer to raise their concerns directly with ADB. Hence, OSPF recommended that a complaint handling system also be put in place at EMS. From among the EMS Advisers, the Social Safeguard Specialist (national), with guidance from the Social Safeguard Specialist (international), was appointed to serve as the EMS Grievance Focal Point by virtue of an office memorandum signed by the EMS Head.

Sector Advisers from EMS were made responsible for referring cases related to their respective sectors and in following up with the consultant teams, Satker or BRR Departments. In sectors which are still managed by SERD Sectoral Divisions in Manila, the EMS Project Management Adviser (national) was tasked to assume the responsibility of referring to the concerned consultant teams, Satker and BRR Departments.

Grievance Intake and Grievance Log

The responsibility for registering incoming and outgoing communications rests with the EMS receptionist. The receptionist maintains a logbook and excel-based records of incoming and outgoing communications. The logbook includes:

- a. information on the complainant,
- b. information on the complaint, and
- c. action taken and follow-up information.

To ensure that grievances are properly recorded and logged, each of the EMS Advisers is expected to inform the receptionist of all queries and complaints received directly by them in the course of their work.

The EMS Grievance Focal Point

While the receptionist serves as the grievance intake point for the EMS and handles the recording and tracking of grievances and complaint-related information, a Grievance Focal Point oversees the process. The Social Safeguard Specialist (national) concurrently acts as the Grievance Focal Point for EMS. The tasks of the EMS Grievance Focal Point include the following:

- a. Sort complaints received by EMS;
- b. For mailed complaints, draft an acknowledgement letter to the complainant (within 5 days) for signature by the EMS Head or EMS Team Leader;
- c. Refer complaints received by EMS to the concerned EMS Advisers and the GFU, and follow up actions taken;
- d. Provide Guidance to the ETESP GFU; and,
- e. Review the progress of the work of the GFU, including their monthly reports.

Nature and Update on Cases Received by EMS

Since the establishment of the complaint handling system at EMS in August 2006, a total of 20 cases have been logged into the EMS grievance database. Six cases were received from walk-in complainants. Other cases were received through phone calls (5 cases), sms (1 case), email (1 case), and letters or faxes (6 cases). One case was received during a meeting in the field.

Of these cases, 6 are queries on various topics while 12 are complaints on quality of construction, exclusion from the subproject, incomplete assistance received by the beneficiary, non-compensation for subproject impacts and unpaid salaries. There was also one allegation of collusion among bidders.

Fifteen cases received were referred to the concerned EMS sector consultants, through the EMS Advisers. Four were referred to GFU. One complaint was referred to IRM. Of these, 17 cases have been resolved, while 3 are still pending

resolution. Cases 7 and 8 in Annex A are samples of complaints coursed through the EMS.

6. Budgetary Implications ⁵

Staff involved in the ETESP complaint handling system may be grouped into two – those who perform grievance handling concurrently with their existing positions and those who work exclusively on grievance handling.

Expenses incurred by designated Grievance Focal Points, Community and Village Facilitators and Satker Heads in the conduct of field visits, community consultations, communications, etc. are integrated as part of their existing budgets. They don't receive additional remuneration or allowances for undertaking complaint handling activities.

Only the GFU is provided a separate budget for Grievance Facilitation. Shown below is the approved budget for the GFU ETESP for its 17-months operations. Office space, office furniture and telephone landlines are provided by Badan Pengawas.

a. Professional fee	\$ 42,000.00
(i) Facilitation Specialist	
(ii) Technical Assistant	
(iii) Administrative Assistant	
b. Support to operations (transportation, supplies, communication, coordination, consultation, documentation, equipment)	
45,000.00	
c. Training of grievance focal persons and village facilitators	
10,000.00	
d. Coordination with the National Ombudsman Commission and other related bodies and agencies	3,000.00
c. Disclosure (media ad and paraphernalia)	5,000.00
	<hr/>
	\$105,000.00
10% contingencies	<hr/>
	10,500.00
Total	<hr/>
	\$115,500.00

⁵ The cost of the OSPF-sponsored training workshops for Sector Consultants, Satker representatives and village facilitators is not reflected in the budgetary requirements.

D. Lesson Learned and Recommendations

Lessons Learned

Following are the Lessons Learned in the implementation of the grievance mechanism for ETESP:

Timely and Sufficient Information Helps Reduce Conflict and Complaints.

A lot of conflicts and complaints arise because of problems with communication brought about by delayed or insufficient information provided to the beneficiaries. In most cases, information dissemination is limited to the conduct of socialization activities which is not attended by other key stakeholders and beneficiaries. Delay in the deployment of community and village facilitators also hampered the flow of information from the Project to the beneficiaries. In some cases, village facilitators are also not well oriented about the Project design, activities, budget, implementation schedules and institutional arrangements during their mobilization, which limits their effectiveness in providing information about the subproject. Moreover, community consultations in some areas are limited to the village leaders and known individuals in the community.

Proper Coordination Among Agencies and Units is Important. Lack of coordination between the Satker, the consultant, and the local government also result in mixed information and delayed subproject implementation thereby resulting in frustration among the residents.

Various Methods are Needed in Improving Visibility of the Complaint Handling System. Socialization seminars and workshops are not enough to make beneficiaries and the public aware of the complaint handling system. Use of media ads proved to be effective in making people from a wide area aware of how they can register their complaints or queries about subprojects. Distribution of brochures is also helpful but to a lesser extent.

Having an Independent Grievance Facilitation Unit Encourages People to Come Forward and Raise Their Complaints and Expedites Resolution of Cases. Although there are sector-specific complaint handling mechanisms, a number of complainants are more comfortable to approach the GFU to raise their concerns. Others who were not satisfied with the response or action they obtain from the sector consultants or Satker also approached the GFU to seek assistance. Moreover, resolution of cases is facilitated when the GFU helps follow up with the concerned Satker or Consultant Team.

Early Designation and Orientation/Training of Grievance Focal Points is Important. For the system to work, it is important to designate and adequately orient Grievance Focal Points on the grievance mechanism

and on their roles early in the process so that concerns and queries can be handled and recorded more systematically. This will also determine who from among the Project Staff will be responsible for following up the actions undertaken in relation to the complaints received. Likewise, basic facilitation/complaint handling skills training is also needed.

Complaint Handling is Affected by the Attitude of Project Implementers About Receiving and Reporting Complaints. During the initial stages, some Satker representatives and consultants viewed complaints as negative points on their performance. Hence, there was resistance to reporting and addressing complaints that they received from the beneficiaries. Some also view complaint handling as an additional burden which will only delay subproject preparation and implementation. It is therefore important that project implementers are properly oriented on complaint handling so that they will treat complaints as opportunities for improving project design, implementation and outcomes.

Reputable People from the Local Academe can be Effective for Grievance Facilitation. Although the GFU staff mobilized for the assignment lacked previous direct experience in complaint handling, their knowledge of the local culture and conditions and their reputation in the Province enabled them to get the trust of the communities during grievance facilitation and encouraged people to raise their concerns.

Grievance Facilitation Requires Timely and Sufficient Budget for Training, Information Dissemination and Field Activities. The effectiveness of the GFU relies on its ability to train grievance focal points and village facilitators, undertake information dissemination activities (including mass media advertisements), and conduct field verification and validation of complaints. Hence, budget for its operations needs to be integrated early in the Project preparation and implementation phases. In the case of ETESP, the mobilization of the GFU was delayed due to availability of funds.

Recommendations

Based on the lessons learned from the ETESP complaint handling, the following recommendations are proposed for Projects in terms of complaint handling:

a. To Avoid or Minimize Conflicts and Complaints:

- Give timely and adequate information to the beneficiaries regarding subproject background, current status of the sub-project or proposed changes thereto. This can be done through the early mobilization and orientation/training of community facilitators or field staff.
- Post in key and conspicuous places in the villages important information (written in the local language) about the subproject, including whom they can contact for clarification, additional information or suggestions.
- Make efforts to reach beneficiaries and key stakeholders who are not present in consultations and planning sessions so that they are informed and their consent is sought.
- Provide opportunity to the beneficiaries to air or express their opinions (and concerns) that may be considered before finalizing any planned revisions. Community facilitators or field staff should proactively seek inputs and feedback from the community at the early stage of planning the subproject.
- Conduct regular coordination meetings between concerned units--i.e. Satker, consultant, NGO, local government, and village leaders--so that there is consistency in the information provided to the communities and the public, which will facilitate subproject preparation and implementation.

b. To Establish and Operate an Effective Complaint Handling System:

- Identify early the budget for grievance facilitation and include grievance facilitation in the Project preparation documents.
- Develop an effective program for improving public awareness on the complaint handling system. Complement socialization seminars and workshops with mass media advertisements and other forms of information dissemination.
- Develop both an internal system (with the Project Implementation Units) with a strong village-level complaint handling system, and an

external complaint management system to provide the public with various avenues for raising their concerns or queries about the project.

- Include in the Terms of Reference (TOR) of the Consultant Teams the task of assisting the Implementing Agency in grievance facilitation and identify the positions in the Project that should be designated as Grievance Focal Points. Once the staff has been mobilized, include grievance facilitation in the training of staff and integrate it in the regular reporting requirements.
- Consider engaging reputable people from the local academe or NGOs for grievance facilitation. Their knowledge of the local culture and conditions and their reputation in the area will be a great advantage in getting people's trust.
- When problems arise and are identified, it is best to solve them immediately. This is because when a longer time is taken to find a solution, the larger and more complex each problem becomes, which in turn makes it much harder to solve. Moreover, the real benefits of the sub-project as envisaged are delayed in being given to the beneficiaries.

Annex A

Sample Cases on Complaint Handling in ETESP

Most of the complaints and queries about ETESP subprojects are clarified and resolved through the sector-specific grievance mechanisms. However, a number of complaints and questions are also received by the Grievance Facilitation Unit (GFU) or by the Extended Mission in Sumatra (EMS) who in turn work with the concerned Project Implementation Unit (Satker) and the Consultant Teams in finding a solution to the issues raised. Following are sample complaints that were resolved using various existing grievance mechanisms in the ETESP.

Cases Resolved Through the Sector-Specific Grievance Mechanisms

Case 1: Poor Roofing in Pulot Housing: In December 2007, the Oversight Consultant (OC) Grievance Focal Point received a call from the Community Facilitator (CF) in Pulot village, Aceh Besar District reporting that the roofs of some of the newly built housing units in the village were damaged by strong winds. The beneficiaries requested that these be replaced or repaired by the contractor and that all other roofs of the newly constructed houses be inspected to ensure that they are properly and sufficiently attached to the roof frame.

The OC Grievance Focal Point and the Community Development Specialist immediately went to the village to verify the complaint. A meeting with the beneficiaries was conducted to discuss the actions to be taken to address the problem. The OC reported the issue to the Satker and requested that the contractor be asked to make the necessary repairs.

Initially, the contractor was hesitant to make the repairs. He reasoned that he did not have sufficient remaining funds for the repair works. The Project Implementation Consultant and the OC continued to follow up the case with the Satker and sought assistance from EMS to write the BRR Deputy for Housing to help resolve the issue. In April 2008, BRR issued additional budget to the contractor for the repair works, who in turn undertook the repairs and reinforcement of the roofs of the housing units built in Pulot village.

Case 2: Question on the Eligibility of Some Housing Beneficiaries in Sabang. During a field visit, a number of beneficiaries approached the OC Grievance Focal Point to report that some beneficiaries in their area should not receive housing assistance. The complainants claimed that they had already sent a letter to their village chief (geucik) on the issue, but no action was taken.

OC and PIC then organized a meeting with BRR, the City Government, sub district head, village head (geucik), the complainants, and the beneficiaries whose eligibility was being questioned. The group checked the eligibility of each of the beneficiaries using the agreed selection criteria. It was found that all the beneficiaries meet the requirements and are therefore eligible to receive housing assistance. The complainants were satisfied with the results of the meeting.

Case 3: Insufficient Budget for the Required Agro-inputs. The heads of fish farmers' groups (kelompok) in Aceh Utara approached the VMF to complain that the agreed and approved budget to their groups was not sufficient to buy the needed farm inputs. The VMF referred the case to the CMS and the Agriculture District Office. The CMS organized a meeting with the DIU, and the Consultant's

Site Adviser (SA) to discuss how to resolve the issue. It was decided that the DIU and SA would look for comparable cheaper inputs that were within the approved budget. Replacement inputs were found and distributed to the fish farmers' groups.



VMF meeting with the kelompok in Aceh Utara

Case 4: Delayed Payment for Tambak (fishpond) Rehabilitation. A member of the tambak (fishpond) farmers' group in desa (village) Pulo Bungong inquired from the VMF why the 2nd tranche of payment for the tambak rehabilitation in their area had not been received. The VMF checked and explained to the complainant that the release of funds would depend on their submission of the needed documentation of the first payment given to them. The group then acted to complete the submission of the required documents, with the help of the VMF.

Cases Resolved with Facilitation from the Grievance Facilitation Unit (GFU)

Case 5: Housing Unit for a Deceased Renter. Mrs. Lailiisma (a plot owner from Baet village, Aceh Besar District) visited the office of the GFU to complain that a house was built on her plot without her knowledge. Before the tsunami, she had a house on the plot which she rented out. However, her house was damaged by the tsunami. The renter also died from the disaster. When she visited her plot, she was surprised to find out that a new housing unit had been constructed on her plot and that the new geucik (village leader) had placed it under the name of her deceased former renter. The plot owner reported that she also received a separate financial assistance from an NGO (REKOMPAK) for the rehabilitation of her other house.

In response to the complaint, GFU visited the area to validate. The village leaders confirmed that the name of the former renter (who died from the tsunami) was recorded as claimant to the house since they didn't know the identity of the plot owner. GFU then organized a meeting with the complainant, PIC, OC, village leaders and the Chair of Dewan Pengawas. An EMS representative also came to observe. It was agreed that the house will be provided under the name of the complainant. In turn, she will return the money she received earlier for the rehabilitation of her other house.



GFU discussing with the complainant, OC, PIC, and village leaders

Case 6: Delay in Housing Construction and Concerns on Quality of Roof Materials in Alue Penyareng village, Aceh Barat District. The GFU conducted an orientation about the ETESP grievance mechanism in Meulaboh, Aceh Barat. During the orientation, some participants complained about the delay in the housing construction and the apparent poor quality of the roofing materials to be installed in houses to be provided by ETESP in their community. As a follow-up to the complaint, GFU organized a meeting with the Housing Satker, OC, ETESP-PMO and representatives of the roof supplier (Onduline) in December 2007. The Satker explained that the delay was due to the difficulty of access to the site because of loose soil conditions (gambut). The Satker clarified that they first had to construct an access road to allow them to deliver materials to the subproject site. The road has been completed and housing construction has started. With regard to the roofing material, it was explained that Onduline roofs are of good quality and meet international standards. Although they may appear less sturdy while in storage, the roof will harden once it is exposed to sunlight and humidity. GFU then advised the supplier to publicize this information in the community. GFU also informed the complainant about their findings by phone.



Meeting facilitated by GFU with the Satker, PMO, consultants and the supplier on the issues related to the quality of roofing material and delay in construction in Alue Penyareng.

Cases Courshed through EMS

Case 7: Issue on the Road Elevation in Ulee Lheue village. A resident from Ulee Lheue village came to EMS one morning to register his concern about the ongoing road works in Ulee Lheue Road. He claimed that because the subproject increased the elevation of the road in their area, it made it difficult for him and his 15 other neighbors to go in and out of their respective houses. He was also concerned that their plots would be flooded if no proper connections were made to the drainage canal that is being constructed. Lastly, he suggested that tidal gates be installed to protect the low-lying areas during high tide. The complainant said that he had already approached the Satker about the issue but was told that nothing could be done to address his concern.

He filled in the grievance intake form to describe his complaint and how he could be contacted. The case was logged into the EMS grievance database. Likewise, EMS sent a letter to the complainant informing him of the actions taken to address his concerns.

EMS referred the complaint to the Facilitation Unit for follow-up with the concerned unit at BRR. EMS, through the Adviser for Roads and Bridges, also requested the Sector Consultant to verify the complaint in the field. Both the GFU and the Sector Consultant went to the field to conduct verification and discuss with the complainant. GFU also organized a meeting with BRR, the City Government, and the drainage consultant to discuss how the drainage issue could be addressed.

Annex A: Sample Cases on Complaint Handling in ETESP



GFU conducting field validation on the issues raised by the complainant.

Based on the discussions and assessments, it was agreed that access will be provided to the affected plots. Temporary measures will be taken to address the flooding issue in the area. The ongoing drainage project of the City Government will be able to provide a long-term solution to the problem. These solutions were explained to the complainant during a meeting held in the field. GFU also sent a letter to the complainant to formally explain the solutions identified to address his concerns.



Meeting organized by GFU with PMO, consultants, Satker, City Government and the complainant

Case 8: Fertilizer Issue in Bireuen. In May 2007, an Officer of the Bireuen District Agriculture Office faxed a letter to EMS complaining about the fertilizer purchased by the BRR Satker for the ETESP Agriculture Sector. The complainant claims that the brand purchased (KMCL) is not recommended by the Agriculture Department because it has been found to be detrimental to the soil. EMS, through its Sector Adviser, referred the complaint to the Satker. The Satker asked the supplier to replace the fertilizer with the correct fertilizer as stated in the contract. The supplier replaced the fertilizer which was later distributed to the farmers.