

**Accountability and Grievance Mechanism
Of
Foreign Environmental Cooperation Center**

(2019 Edition)

I. INTRODUCTION

FECO and the GEF/GCF project executing agencies are obliged to comply with GEF and GCF environmental and social safeguards standards and other relevant policies in the GEF/GCF project cycle. FECO has established an Accountability and Grievance mechanism to respond to complaints related to the implementation of the GEF/GCF projects. This mechanism to monitor and evaluate compliance with FECO policies, principles, and project practices at any stage in the project cycle is based on prompt, effective, accessible, independent and transparent procedures to receive and resolve complaints.

The objective of the Accountability and Grievance mechanism is to provide people or communities fearing or suffering adverse impacts from a project with the assurance that they will be heard and assisted in a timely manner, and to secure FECO both as an implementing agency and an executing agency and the GEF/GCF project executing agencies compliance with FECO's Environmental and Social Safeguards Policy, and other policies and principles in the project cycle. FECO and GEF/GCF project executing agencies shall hold themselves accountable for observance of environmental and social safeguards and other policy requirements, accessibility and responsiveness to the complainant, involvement of stakeholders, and proper actions of redress and remediation.

II. STATEMENT OF PRINCIPLES

The Accountability and Grievance Mechanism follows the principle of fairness, where grievances are treated confidentially, impartially assessed and transparently handled; operates independently of all stakeholders, allowing impartial treatment with objectivity and independence;

To ensure participation and social inclusion, the Accountability and Grievance Mechanism seeks to be accessible to as a wide range of project affected people as possible, to bring grievances and comments to the attention of the project executing agencies and FECO staff;

The Accountability and Grievance Mechanism is supported by qualified staff and resources to manage it, to ensure the means and power to investigate grievances and address non-compliance. Such staff shall accept trainings on relevant laws, policies, and complaints handling capacities.

III. ELIGIBILITY

Any community, organization, project stakeholder or affected group (consisting of two or more individuals) who believes that it may be negatively affected by the failure to follow FECO's environmental and social safeguard standards, or procedures may submit a complaint. Representatives filing a complaint on behalf of a community, project stakeholder or affected group must provide concrete evidence of authority to

represent them. Complainants' identities will be kept confidential upon their request.

The eligible complaints include those issues concerned with non-compliance with FECO's Environmental and Social Safeguards Policy and other policies and principles in the project cycle and causing harm to the substantial and/or procedural rights to the affected individual or group. The respondent includes FECO and its staff as well as any executing agency and their staff.

IV. PROCEDURE

If a project executed by the project executing agency or FECO violates FECO environmental and social safeguards standards or other policies, causes or may cause direct and substantial damage to the environment or the impacted groups, relevant organizations or individuals can make complaints through FECO's Accountability and Grievance Mechanism, which includes complaint acceptance, classification, complaint investigation and remediation measure, implementation and monitoring etc.

1. Complaint Acceptance

Recognizing that the accountability and grievance system needs to be separate from all the other divisions in FECO that potentially implement and/or execute GEF/GCF funding, the accountability and grievance mechanism is set in the Discipline Inspection Office. FECO has designated a Grievance Focal Point, special staff of the Discipline Inspection Office, who is responsible for receive and deal with all complaints.

The complaints acceptance channels are:

- a. Phone number: +86-10-82268825
- b. E-mails: complaints@mepfeco.org.cn
- c. Fax number: +8682200510
- d. Address for correspondence: Discipline Inspection Office, Foreign Environmental Cooperation Center, No. 5 Houyingfanghutong, Xicheng District, 100035 Beijing
- e. Make a disclosure through Complaint Mailbox which has been set in FECO's office building, from which the Grievance Focal Point will timely and regularly collects complaints and whistle-blowing information.

For those complaint delivered by telephone or orally report, the Grievance Focal Point should well register the complaint. Complaints may be submitted in the complainant's native language and should include the following information:

- (1) Name, and contact information;
- (2) If the complaint is delivered by a representative, it must identify valid proof of representation;
- (3) Whether confidentiality is requested (stating reasons);
- (4) A brief introduction of the basic information of the complained project, including name and location;

(5) Explanation of the direct and substantial damage the project has brought about or may bring about to the complainants.

FECO encourage complaints to provide following information at the same time:

- (1) Explanation of direct and substantial damage caused by violation of the environmental and social safeguards policies and procedures in the process of project design, execution and implementation;
- (2) Explanation of the violation of the environmental and social safeguards policies and procedures in the process of project design, execution and implementation;
- (3) Explanation of the advanced exploration of common resolution of the problem through relevant specific grievance mechanism and the result of these efforts;
- (4) Explanation of the result or compensation measures the impacted group expected to get through the accountability and grievance mechanism;
- (5) Other relevant matters or facts attached with identification documents.

2. Complaint Classification

The Grievance Focal Point will acknowledge receipt of the complaint, assess the eligibility, and provide a response as to whether or not it is eligible, in accordance with the above criteria, within 20 business days. The source of the complaint should be treated with confidentiality, unless this is waived. To reach this decision, the Grievance Focal Point will involve the Safeguards Coordinator and, as appropriate, external specialists with related expertise and experience in assessing the complaint.

The eligible complaints will be classified into two categories based on FECO's roles:

Complaints A for FECO as the implementing agency

Complaints B for FECO as the executing agency

2.1 Complaints A

For Complaints A, the Complaints are further classified into two categories based on an assessment of their contents:

- ✧ Safeguards issue referring to those breach of safeguards or other relevant policies;
- ✧ Ethical issue referring to FECO staff or project executing agencies breaching FECO's ethical conduct or even violating the law.

The safeguards issue will be handled with by the safeguards coordinator with the safeguards team. The ethical issue will be handled with by the Discipline Inspection Committee for GEF/GCF Projects (referring to the responsibilities of Discipline Inspection Committee for GEF/GCF Projects).

2.2 Complaints B

Complaints B will be handled with by the Director of the division responsible for the execution of the project leading to the complaints.

3. Complaint Investigation and Remediation Measures for Safeguards Issues

3.1 Complaints A

After receiving the complaint transferred, the Safeguards Coordinator will notify the executing agency and request, within 30 business days, a detailed response report of investigation. The executing agency shall look into the matter, with technical support from FECO's safeguard management team as needed, for example, through investigation of the issues raised and dialogue with the complainants (unless confidentiality is requested), and other stakeholders so as to ensure all parties have the opportunity to express their opinions. Investigation includes file investigation, meeting, discussion and site survey.

Based on the investigation results, the executing agency shall prepare the investigation response and provide to the Safeguards Coordinator. The investigation response should include the details of the contents of the complaint raised, actions taken, conclusions reached, follow-up action plan and remediation measures, and time frame for completion as agreed to by the parties and if confidentiality has been requested, the Grievance Focal Point will communicate the response to the complainants.

Remediation measures include but not limited to following aspects:

- (1) Stop all project activities that may cause damage;
- (2) Consult with the impacted groups on compensation to the loss caused by the project, ensuring that the compensation level meets the requirement of FECO's standards for environmental and social safeguards;
- (3) Review the alternatives of the project and adjust the design and implementation plan;
- (4) Giving consideration to stop the project if necessary and remedy the negative environmental and social impact already appeared.

The Safeguards Coordinator will review the investigative response submitted by the executing agency with the support of external specialists as appropriate and prepare an investigation report, which includes detailed description of the complaint, the process followed, the consultations carried out and the corrective action plan with a specific time frame.

The investigation report will be reviewed by the Director of GEF Implementation Office and then submitted to the Grievance Focal Point. The Grievance Focal Point will review the report and contact with the complainants to make sure that a consensus has been reached. The final report will be officially approved by the Director General (or Steering Committee when DG considered it necessary).

3.2 Complaints B

The complaint investigation procedure will be started officially by an investigation team assigned by the division Director (with the assistance of external safeguards experts when necessary). In the whole process of complaint investigation, the

investigation team should consult with all stakeholders including the complainant, project management and implementers so as to ensure all parties have the opportunity to express their opinions. Investigation includes file investigation, meeting, discussion and site survey.

After completing investigation, the investigation team should prepare the investigation report, which includes the details of the contents of the complaint and remediation actions and the expected solution. Remediation measures include but not limited to following aspects:

- (1) Stop all project activities that may cause damage;
- (2) Consult with the impacted groups on compensation to the loss caused by the project, ensuring that the compensation level meets the requirement of respective international executive agency standards for environmental and social safeguards;
- (3) Review the alternatives of the project and adjust the design and implementation plan;
- (4) Giving consideration to stop the project if necessary and remedy the negative environmental and social impact already appeared.

The investigation team will submit the investigation report to the complainant and stakeholders to solicit their opinions. After necessary modification is made according to relevant feedback, the investigation report will be reviewed by the division Director and then submitted to the Grievance Focal Point. The Grievance Focal Point will review the report and contact with the complainants to make sure that a consensus has been reached. The investigation report will be officially approved by the Deputy Director General, who is in charge of the business of the division. It's up to the Deputy Director General to decide whether it will be submitted to the Meeting of Directors-General for approval.

4. Implementation and Monitoring

4.1 Complaints A

Once the remediation measures are officially approved, they become part of the project implementation plan and are subject to project monitoring. FECO safeguards coordinator is responsible for assessing and certifying whether the appropriate actions are taken and the desired results obtained.

4.2 Complaints B

Once the remediation measures are officially approved, they become part of the project execution plan and are subject to project monitoring. The division Director is responsible for assessing and certifying whether the appropriate actions are taken and the desired results obtained.

V. STORING, TRACKING AND DISCLOSING COMPLAINTS

Complaints shall be filed by the Grievance Focal Point in a logbook with detailed records (with due regard for confidentiality of information) of complaint receipt, complaint handling process, complaint investigation reports, remediation action plan monitoring and consultations with complainants and other impacted groups throughout the whole process. The investigation reports demonstrating compliance with FECO's Environmental and Social Safeguard Policies will be posted on the website for consideration by stakeholders and the general public, with due regard to confidentiality.

VI. ACCESSIBILITY AND ADVERTISING OF THE MECHANISM

For the mechanism to be effective and accessible, the executing entity must inform all relevant project stakeholders of the existence of FECO's Accountability and Grievance Mechanism and about the relevant provisions of FECO's Environmental and Social Safeguard Policy. This should ideally be done during the project design phase but no later than within the first quarter of project implementation. Stakeholders need to know the issues eligible for the grievance mechanism, the contact information and the mechanism for complaint submission. The information should be delivered in a culturally appropriate form assuring that all relevant groups are reached, including women, indigenous peoples and vulnerable groups. It can be communicated verbally (in consultation meetings or through media) or in writing.

The Accountability and Grievance Mechanism and the complaints acceptance channels will be published on FECO's website as well.

VII. NON-RETALIATION

FECO expressly prohibits any form of retaliation against any staff or complainant for raising or reporting a bona fide complaint under this mechanism or for assisting in a complaint investigation. Any staff who is found to have participated or engaged in retaliatory conduct will be subject to disciplinary action, up to and including termination. Staff members who reasonably believe that they have been victims of any such retaliation should inform the Discipline Inspection Office immediately.

VIII. HANDLING ACCOUNTABILITY

Non-compliance with environmental and social safeguards and other relevant GEF project policies by FECO staff or third party agencies, detected during monitoring, shall follow the same rules as those for handling grievances.