

# **Gender-based Violence Action Plan (GBV Action Plan)**

**Timor-Leste Water Supply and Sanitation Project  
Baucau Municipal  
P167901**

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## Abbreviation

BTL, E.P	Bee Timor-Leste Empresa Publica
CESMP	Contractor – Environmental and Social Management Plan
CoC	Code of Conduct
COVID-19	Coronavirus Disease of 2019
DED	Detailed Engineering Design
EA	Executing Agency
ES	Environmental and Social
ESCP	Environmental and Social Commitment Plan
ESF	Environment and Social Framework
ESS	Environmental and Social Standard
ESMP	Environment and Social Management Plan
FGD	Focus Group Discussion
FSM	Faecal Sludge Management
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
GSP	Gender-based Violence Service Provider
GoTL	Government of Timor Leste
HR	Human Resources
IA	Implementing Agency
ILO	International Labor Organization
JSA	Job Safety Analysis
LOTO	Lock Out/Tag Out
M&E	Monitoring and Evaluation
LMP	Labor Management Plan
MoH	Ministry of Health
MPW	Ministry of Public Works
NGO	Non-Governmental Agency
OHS	Occupational Health and Safety
PAP	Project Affected Person
PMU	Project Management Unit
PPE	Personal Protective Equipment
SEA	Sexual Exploitation and Abuse
SDS	Social Development Specialist
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
SOP	Standard Operating Procedures
ToR	Terms of Reference
WHO	World Health Organization
WSS	Water Supply System
WB	World Bank

## Glossary of Key Terms

**Affected Communities** - Refers to groups of people living in close proximity to a project that could potentially be impacted by a project (“Stakeholders,” in contrast, refers to the broader group of people and organizations with an interest in the project).

**Child Labor** - A worker who is above the minimum age of 14 (or as specified by national law) and under 18 years of age that is employed or engaged in connection with the project.

**Community Workers** - People employed or engaged in providing community labor.

**Consultation** - The process of gathering information or advice from stakeholders and taking these views into account when making project decisions and/or setting targets and defining strategies.

**Contracted Workers** - People employed or engaged through third parties to perform work related to core functions of the project, regardless of location.

**Direct Workers** - People employed or engaged directly by the Project to work specifically in relation to the project.

**Environmental and Social Impact Assessment** - An assessment comprising various social and environmental studies which aim to identify project impacts and design appropriate mitigation measures to manage negative impacts, and to enhance positive ones.

**Forced Labor** - A worker who perform any work or service to the project not voluntarily, without the free and informed consent of the worker, under threat or other circumstances of restriction or deceit.

**Gender-based Violence** - Gender-based violence (GBV) is an umbrella term for any harmful act that is Perpetrated against a person’s will and that is based on socially-ascribed (i.e., gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private.

**GBV or SEA/SH Action Plan** - Document which outlines how the project will put in place the necessary protocols and mechanisms to address SEA/SH risks; and how to address any SEA/SH allegations that may arise. It should include an Accountability and Response Framework, which details how allegations of GBV/SEA/SH will be handled (investigation procedures) and disciplinary action for violation of the Code of Conduct (CoC) by workers.

**Gender-based violence (GBV) service provider** - An organization offering specific services for GBV survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

**Grievance Redress Mechanism** - a process for receiving, evaluating, and addressing project-related complaints from citizens, stakeholders and other affected communities.

**Human trafficking** - Trafficking in persons is defined as the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Women and children are particularly vulnerable to trafficking practices.

**Non-governmental Organizations** - Private organizations, often not-for-profit, that facilitate community development, local capacity building, advocacy, and environmental protection.

**Perpetrator** - A person who carries out a violent act or cause hurt and/or harm or imposes their will and actions on other without that person’s consent. Potential perpetrators of GBV can be any

personnel associated with the project and may include not only construction workers, but also consultants and project staff supervising the civil works or undertaking technical assistance activities or studies, or the security guards hired to protect a project site.

**Primary Suppliers** - Those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential to the core functions of the project.

**Service Provider** - Organizations that provide direct services to victims of gender-based violence, including; domestic violence, sexual assault and child abuse.

**Sexual Exploitation** - as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another

**Sexual Abuse** - actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual harassment** – Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. This may include unwelcome sexual advances, requests for sexual favors, and may take place through online activity or mobile communications as well as in person.

**Stakeholders** - Persons or groups who are directly or indirectly affected by a project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively (IFC's Handbook on Stakeholder Engagement (2007)); workers, local communities directly affected by the project and other stakeholders not directly affected by the project but that have an interest in it, e.g. local authorities, neighboring projects, and/or nongovernmental organizations, etc.

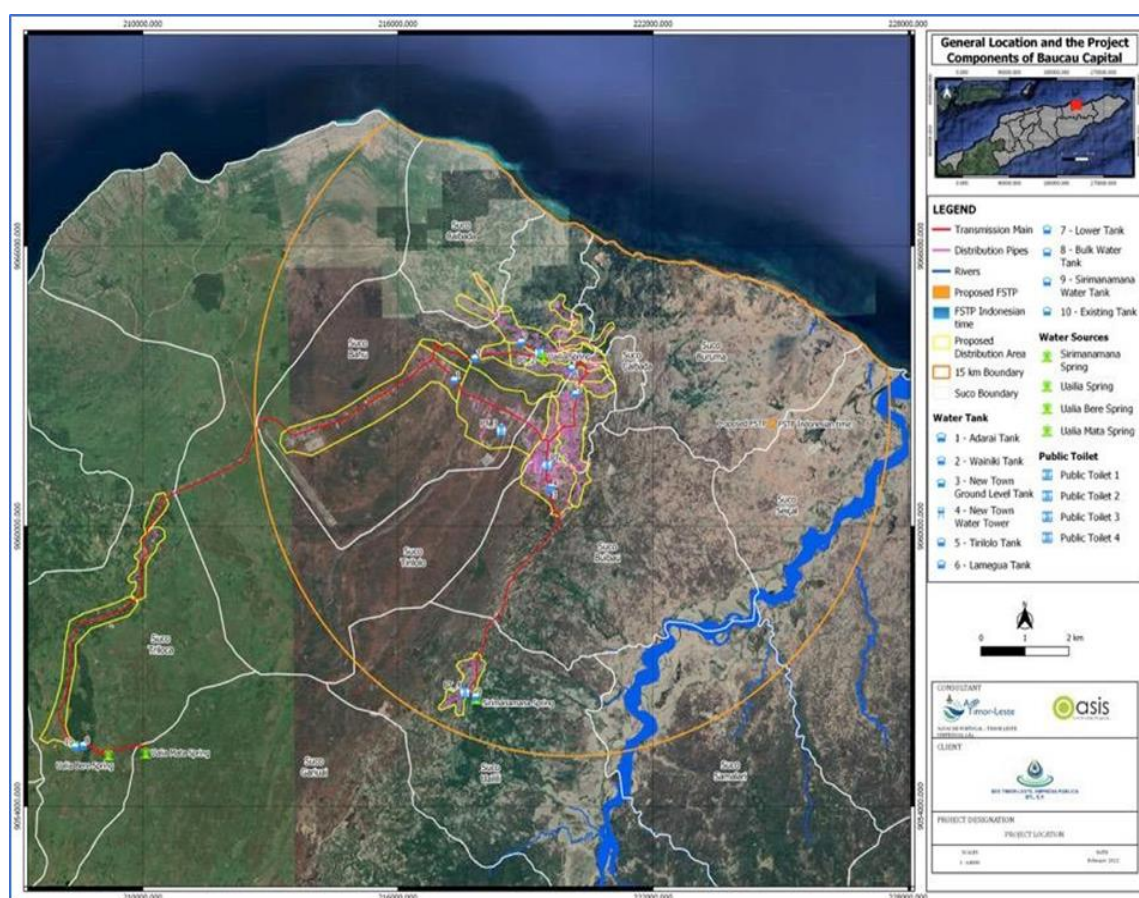
**Survivor-centered approach** - The survivor-centered approach is based on a set of principles and skills designed to guide professionals regardless of their role in their engagement with survivors (predominantly women and girls but also men and boys, and transgender and non-binary people) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

## 1. Introduction and Project Overview

1. Timor-Leste's Water Supply and Sanitation Project, Baucau subproject (hereinafter referred as "Project") aims at (a) addressing the infrastructure and sustainability gaps to increase access to and quality of drinking water and sanitation services in the capital city of the municipality of Baucau and increase resilience of the services to climate change and (b) supporting the Ministry of Public Works (MPW), in collaboration with other development partners, to implement the institutional reforms to improve service delivery and long-term sustainability of the infrastructures. Implementation of this project will involve the following three components.

2. This GBV Action Plan details the operational measures that will be put in place to assess and mitigate the risks of gender-based violence, including sexual exploitation and abuse (SEA) and sexual harassment that are project related and how they will be integrated over the life of the project. This includes procedures for preventing and responding to SEA/SH including managing these grievances.

**Figure 1 Project Location Map**



### 1.1 Component 1: Water Supply and Sanitation Infrastructure Development.

3. The construction of the centralized water supply system in the municipal capital of Baucau to increase access to safely managed drinking water services to 25,000 people through the installation in household premises of 5,000 connections delivering continuous water supply meeting water quality standards, as currently, only half of the population has access to water supply a few hours a day and with no water treatment. This would include:

- a) Construction of existing and new intakes and the protection of the respective sources;
- b) Increase in storage capacity, including construction of bulk water reservoirs and ground-level and elevated water reservoirs to guarantee continuous supply;



- c) Installation of chlorination facilities for improved water quality;
  - d) Construction of buildings for storage and water quality laboratory;
  - e) Replacement and extension of the transmission and primary distribution mains, including installation of bulk meters; and
  - f) Construction of the distribution network, with household water connections and micro metering.
4. The construction of a Faecal Sludge Treatment Plant (FSTP) to support the existing and planned on-site sanitation using septic tanks to ensure that faecal sludge, from schools, hospitals, government and commercial offices, hotels, and households, is safely managed and treated, as currently, there is no solution to safely dispose and treat faecal sludge in the municipality of Baucau contributing to the contamination of the environment and water bodies. By 2025, the plant is expected to receive a septage inflow of 900m<sup>3</sup> per year covering the estimated demand. The collection, desludging, and transportation of the septage will be by trucks to be financed under the project and managed by the service provider in Baucau. Construction of FSTP will include:
- a) Primary treatment units operating through two facultative lagoons operating in parallel which allow for the sludge to settle and digest; and
  - b) Minimum of two secondary lagoons operating in series.
5. The construction of three simplified, community-based decentralized sewerage network and treatment systems to increase access to safely managed sanitation service to an estimated 500 households with toilets in the most densely urbanized areas of the city. These three community-based systems will be implemented as a pilot at the request of the MPW to test the feasibility of the community-based approach and technology in Timor-Leste before a possible scale-up across the city and country.
6. The construction will include a combination of a simplified sewerage network (constructed using smaller diameter pipes laid at a shallower depth and at a flatter gradient than conventional sewers) and of simple treatment facilities. Standard treatment applications are based on four basic steps: flocculation, sedimentation, and anaerobic and aerobic treatment using different filters and ponds. Septage from these treatment facilities will be collected and safely treated at the FSTP. This decentralized sewerage network and treatment systems will be managed by dedicated community-based organizations, building on regional experience. Communities will participate in the design and O&M of the systems with technical support from the service provider and the municipal authorities. Communities will take charge of O&M costs through the payment of a sanitation fee.
7. The construction of a resilient FSTP and community-based decentralized sewerage network and treatment systems will reduce the impact of floods, by reducing the localized contamination of water bodies by unmanaged faecal sludge.

## **1.2 Component 2: Infrastructure Sustainability Support.**

8. Both new water supply system and FSTP will be operated by the service provider that is in charge in the Water Supply System (WSS) services in the Municipality of Baucau. The decentralized sewerage network and treatment systems will be managed by a dedicated community-based organization, with oversight from the Baucau service provider.
9. This component will finance the supervision of the construction contract and provision of technical assistance, capacity building, training, and goods for:
- a) Designing and implementing a Community Engagement Plan to secure community participation, buy-in, and support for the project's sustainability;
  - b) Strengthening service provider's capacity, systems, and procedures to manage, operate, and maintain the new water supply system and the FSTP according to international quality standards;
  - c) Preparing a rolling five-year Sustainability Improvement Plan to ensure the technical and financial sustainability of the investments financed under the project;

- d) Supporting the municipal authorities and service provider to develop and implement the appropriate institutional, regulatory, and financial arrangements for FSM; and
- e) Supporting beneficiary communities and community-based organizations to design, operate, and maintain, with support from the service provider, a sustainable decentralized sewerage network and treatment systems. Specific detailed activities to be implemented are as follows:
  - **Community engagement** through technical assistance and capacity building to the service provider in Baucau, which will include public consultations, focus groups, and household discussions to address a wide range of issues, including water conservation, FSM, water chlorination, connection policy, metering, and tariffs. As part of this activity, a substantive female participation (at least 50 percent) will be promoted in community discussions, consultations, and training events. In addition, adequate number of women trainers will be hired and both male and female trainers will be trained on gender sensitivity and inclusion.
  - **O&M of the infrastructure** through technical assistance, capacity building, and training with scope of activities that is harmonized with and complements the sector reform road map implementation.
  - **Financial sustainability** through technical assistance to the service provider in the municipality of Baucau to prepare a rolling five-year Sustainability Improvement Plan to ensure the technical and financial sustainability of the infrastructures financed under the project. Before the completion of construction activities, the project will review the tariff recommendation from the reform road map and, if needed, will carry out complementary analyses and socioeconomic surveys to refine the water tariff in Baucau.
  - **Institutional, regulatory, and financial arrangements for FSM** through technical assistance and capacity building to support the municipal authorities and the service provider in Baucau to prepare and implement a comprehensive FSM plan, including appropriate institutional, regulation, and financing arrangements for faecal sludge collection and transport, treatment, and reuse to ensure a safe and sustainable FSM service chain in Baucau.
  - **Community participation for decentralized sewerage network and treatment systems management** through technical assistance and training to the beneficiary communities and community-based organizations to design, operate, and maintain, with support from the service provider, sustainable decentralized sewerage network and treatment systems.

### 1.3 Component 3: Institutional Strengthening and Project Management.

10. This component aims both at strengthening sector institutions' capacity to implement project activities and support sector institutional reforms to improve service delivery and promote long-term sustainability of the investments, through financing of the operational costs associated with:

- a) Technical, environmental, and social supervision of subprojects' implementation (including the implementation of the Gender Action Plan (GAP); or Gender-based Violence (GBV) action Plan
- b) Project audits and monitoring and evaluation activities under the project; and
- c) Provision of administrative and operational support to the Project Management Unit (PMU), including personnel and equipment for its operationalization.

11. In addition, this component will finance activities to support MPW-led sector stakeholders' collaborative platform to develop and implement the sector institutional reform, including the establishment of the national public water and sanitation utility and the regulatory agencies for WSS and water resources. Specific activities to be financed under the project to support the implementation of the sector road map will be defined once the reform process is approved by the Council of Ministers in 2020. General activities envisaged to be supported by this component could include, among others, staffing development and capacity building; the development of utility O&M management system; the establishment of Standard Operating Procedures (SOPs),



performance-oriented human resources policies, and billing policies and procedures; and the preparation of the national utility business plan.

## 2. Overview of the National Action Plan on Gender-Based Violence (NAP-GBV)

12. The National Action Plan on Gender Based Violence (NAP-GBV) for 2017-2021 is the first revision of the Plan, which was adopted in 2012 by the Council of Ministers for a three-year period, within the framework of the Law against Domestic Violence. The Secretariat of State for the Support and Socio-economic Promotion of Women (SEM), as the overarching national machinery for gender equality, conducted an evaluation of the first NAP-GBV in 2015 to better understand progress achieved and priority areas for addressing GBV. The CEDAW Committee also made a recommendation to Timor-Leste in November 2015, which called upon the government to “adopt expeditiously the extension of the National Action Plan on Gender Based Violence”<sup>1</sup>. In April 2016, SEM initiated the process of revision of the Plan, in collaboration with relevant line ministries and civil society organizations and with the technical and financial support of UN Women, UNFPA, and The Asia Foundation. The NAP-GBV 2017-2021 extends the government commitment to end GBV in Timor-Leste, based on the implementation of a multi-sectoral approach.

13. Gender-based violence (GBV) is a pervasive problem in Timor-Leste, with domestic violence being the most common form. The Demographic and Health Survey (2009-2010) found that 38% of women age 15-49 have suffered from physical violence at some point since age 15. The survey also found that 34 percent of ever married women have ever experienced physical or sexual violence from their husband<sup>2</sup>.

14. Although most violence against women in Timor-Leste occurs within intimate partner relationships, rates of non-partner sexual violence are also high, with 14% of Timorese women aged 15-49 having ever been raped by a man who was not their husband or boyfriend<sup>3</sup>.

15. GBV is a human rights violation and a form of discrimination that seriously inhibits women’s ability to enjoy rights and freedoms on a basis of equality of men. The social acceptance of GBV in Timor-Leste is alarming, due to unequal gender power dynamics, and exacerbated by exposure to other forms of violence, such as child abuse. The Demographic and Health Survey (2009-2010) found that 86% of women and 81% of men believed that the husband is justified in beating his wife under certain circumstances, and these attitudes have changed very little in the six years since (81% women and 70-79% men: The Asia Foundation, 2015<sup>4</sup>).

16. The perception within many communities that GBV, particularly domestic violence, is a private matter, contributes towards the isolation of victims, often unable to access to proper assistance and support services. The 2010 Law against Domestic Violence (LADV) importantly made domestic violence a public crime, but more efforts are needed to encourage reporting of cases. The study undertaken by The Asia Foundation in 2015, found that two in three women (66%) who experienced intimate partner violence did not tell anyone at all about the violence. When women did seek help, most told their family or friends (34%), while only 3% went to the police, 2% told a local leader, and less than 1% told to women’s organization or civil society organization (CSO).

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<sup>1</sup> Recommendation No. 17 (a), issued on 20 November 2015, CEDAW Committee to Timor-Leste.

<sup>2</sup> Timor-Leste Demographic and Health 2009-2010 (Dili, National Statistic Directorate, Ministry of Finance, Republic Democratic of Timor-Leste, 2010), p.228-240. A nationally representative study undertaken by the Asia Foundation in 2015 found that 59% of ever-partnered women aged 15-49 have experienced some form of physical or sexual violence from their husband or boyfriend in their lifetime.

<sup>3</sup> (The Asia Foundation, Understanding Violence against Women and Children in Timor-Leste; Finding from the Nabilan Baseline Study, Dili 2016).

<sup>4</sup> (The Asia Foundation, Understanding Violence against Women and Children in Timor-Leste; Finding from the Nabilan Baseline Study, Dili 2016).

### 3. Definition of GBV/SEA/SH

17. The Inter-Agency Standing Committee (IASC) defines gender-based violence as “an umbrella term for any harmful act that is perpetrated against a person’s will, and that is based on socially ascribed (gender) differences between males and females. GBV broadly encompasses physical, sexual, economic, psychological/emotional abuse/violence including threats and coercion, and harmful practices occurring between individuals, within families and in the community at large. These include sexual violence, domestic or intimate partner violence, trafficking, forced and/or early marriage, and other traditional practices that cause harm.

18. The United Nations defines “**sexual exploitation**” as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse on the other hand is “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”

19. **Sexual harassment** occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

20. **Sexual Exploitation and Sexual Abuse (SEA)** occurs against a beneficiary or member of the community while Sexual Harassment occurs between personnel/staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature.

21. **Consent** is a key consideration in GBV particularly with regards to SEA/SH. GBV arises when consent is not voluntarily and freely given. Consent must be informed, based on a clear appreciation and understanding of the facts, implications and future consequences of an action. There is no consent when agreement is obtained through: i.e.; (i) the use of threats, force or other forms of coercion, abduction, fraud, manipulation, deception, or misrepresentation; (ii) the use of a threat to withhold a project benefit to which the person is already entitled; or (iii) a promise made to the person to provide a benefit from the project.

### 4. Legal Framework

22. The National Action Plan on Gender-Based Violence (NAP;GBV) has been developed in accordance with Timor-Leste’s national laws and international obligations. Inherent in the NAP-GBV’s outcomes and strategic outputs are the principles enshrined in the Timor-Leste Constitution, including equality before the law and non-discrimination (Article 16), equality between women and men (Article 17), child protection (Article 18) and access to justice (Article 26).

23. The NAP-GBV (2017-2021) also recognizes the weight that the Constitution attributes to international law (Article 9), including Timor-Leste’s commitments within the Convention on the Elimination of Discrimination against Women (CEDAW), the International Convention on Civil and Political Rights (ICCPR), the International Convention on Social and Economic Rights (ICESCR) and the Convention on the Rights of the Child (CRC). In this regard, the NAP-GBV complements and supports implementation of related policy frameworks, such as the National Action Plan on UN Security Council Resolution 1325 on Women, Peace and Security, and the National Action Plan on the Rights of the Child.

### 5. Project Strategic Activity on GBV, SEA/SH Prevention

24. Key stakeholders such as the Program Management Unit (PMU) of the Timor-Leste’s Ministry of Public Works, the World Bank, the project supervision consultant and the Contractor will work to ensure the implementation of this Action Plan.

25. The Contractor and the Supervision Consultant have the main responsibilities in the implementation of this GBV Prevention Action Plan. To implement this, Contractor will assign and work together with assigned GBV Service Provider (GSP). A Term of Reference was developed for the GSP to deliver their tasks.

26. It will be a contractual requirement for the contractors to have in place a policy on SEA/SH for regular compliance monitoring. It will also be a responsibility of the supervision consultant and the PIU to ensure that applicable policies on SEA/SH are in place, monitor compliance with the policy provisions and apply penalties as provided for in the contract in case the contractor does not comply.

27. The Action Plan establishes 6 strategic activities to reach the stated purpose:

- Code of Conduct (Operational Action)
- Training to Managers on GBV elements
- GBV Training (Internal campaign)
- Community GBV awareness raising and prevention (external outreach)
- GBV training for the GRM focal points
- Establishing GBV Grievances Redress Mechanism (GRM)

### **5.1 Code of Conduct (Operational actions)**

28. The project develops a GBV Code of Conduct (GCC) that consists of:

- Company Code of Conduct: Commits the company to addressing EHS, OHS and GBV issues;
- Manager's Code of Conduct: Commits managers to implementing the Company (Contractor's and the Project Supervision Consultant) Code of Conduct, as well as those signed by individuals; and,
- Individual Code of Conduct: Code of Conduct for everyone working on the project, including managers.

29. The company including the managers and all workers will sign the GCC to ensure that all those engage in the project areas is committed to GBV prevention and that the project is implemented in such a way which minimizes gender-based violence against women, men, boys and girls of the local communities and its workers. Any violation of the Code of Conduct may result in serious consequences, up to and including termination and possible referral to legal authorities. This will be done by respecting the Environmental, Social, Health and Safety (ESHS) standards and ensuring appropriate Occupational Health and Safety (OHS) and prevention of Gender-Based Violence (GBV) standards are met. Company commits to the GBV code of conduct that will apply to all company employees, including sub-contractors and suppliers.

### **5.2 Training to Managers on GBV elements**

30. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV elements of the GCC. This training will be separated from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed.

### **5.3 Gender-Based Violence Training (internal campaign)**

31. The GBV training is a prevention strategy, undertaken to ensure the workers, including managers are understand the following topics:

- GBV types and forms and its harmful effects, , particularly GBV risks in relation to civil construction works, how the project can induce or exacerbate GBV/SEA/SH including sexual exploitation and abuse (SEA), Sexual Harassment (SH) within and outside of the workplace, human trafficking (HT), violence against child and child labor, and HIV/AIDs issue;
- Roles and responsibilities of actors involved in the project GBV prevention strategies;

- Case-reporting mechanism, accountability structures, and referral procedures where to seek legal and social assistance and psychosocial services within agencies and for community members to report cases related to project workers, including internal complaint procedure.

32. The GBV Service Provider will work with Contractor in implementing this plan. The following activities will be undertaken:

- A full-day project workers training (including managers);
- Half-day refresher training once every three months for construction workers and managers;
- Distribution of GBV information (including project GBV-GRM and the Hotline call), education and communication materials to the workers and managers in the workers camps in all villages/Sucos.

#### **5.4 Community GBV awareness raising and prevention (external outreach)**

33. The awareness raising is external outreach activities with groups of community living around the project areas, aiming at transforming attitudes, practices, norms and behaviours that support, tolerate or accept gender-based violence. It is important to empower and to improve knowledge, awareness and practice of the community in regard to the behaviour standards demanded from Contractor employee under its Code of Conduct. Introducing the types, forms and risk of GBV, access to legal services, report mechanism on suspected or actual GBV cases in the project and Grievance Redress Mechanism (GRM) of the project is part of GBV awareness activities.

34. The GBV Service Provider will design an awareness raising strategy and work with Contractor in implementing this plan. The following activities will be undertaken:

- One full day GBV Community-awareness raising activities;
- Half-day Community GBV awareness raising in every 6 months for groups most at risk for GBV in the project areas;
- Distribution of awareness raising materials in a language understood by the locals, including project GBV-GRM and the Hotline call).

#### **5.5 GBV training for the GRM focal point**

35. All entity (the PMU, the Contractor and the Supervision Consultant) will select their GBV focal point that has responsibility on ensuring GBV action plan is implemented and to inform their workers about the activities. All the Focal Points on the GRM will be trained and empowered to understand the GBV aspects and GBV Grievance Redress Mechanism (GRM) of the project. It is essential that the focal points understand the guiding principles and ethical requirement of dealing with survivors of GBV.

36. GRM Focal Points comprise of as follows:

- A social safeguards specialist or a Gender Specialist from the Project Management Unit (PMU) of the Ministry of public works.
- The Occupational Health and Safety (OHS) from the contractor tasked with the responsibility for addressing GBV with the time and seniority to devote to the position;
- National Resettlement Specialist of the supervision consultant.
- A representative from the 'GBV Service Provider' (GSP), which will be hired by the Contractor, as the person/organization experienced in GBV prevention, case management and resolution mechanisms.

#### **5.6 Establishing GBV Grievances Redress Mechanism (GRM)**

37. The project operates a Grievance Redress Mechanism (GRM), managed by a designated GRM operator within the PMU under the Ministry of Public-Works. The PMU together with the

Project Supervision Consultant (PMU/PSC), including the Contractors will manage and facilitate the implementation of this mechanism.

38. Project GBV focal point within the Project GRM's important role is to inform workers and community about the activities and responsibilities of the GRM prior to the commencement of their assignment to ensure that they are sensitized on GBV. The key roles of project GRM includes;

- Receive and monitor resolutions and sanctions regarding complaints received related to GBV associated with the project adhering to the principles of maintaining the confidentiality of victim case information, survivor-centered approach and including child friendly procedures for SEA against children, an assessment and process that is fair to all parties involved, and a prompt resolution and,
- Ensure that GBV statistics in the GRM are up to date and included in the regular project reports.
- Ensure the survivor receives the required support (from the GBV service provider), and when the survivor no longer requires support, the case is closed.

a) Complaint Channel

39. To ensure the GRM is accessible to all GBV survivors and communities in the affected areas, the GRM provides different channel for complaint that can be made directly through:

- Dialing the GRC Hotline Service
- Dropping their grievance note on the Complain Box (at Suco chief office, contractor and consultant offices)
- Through the GBV service provider or,
- Verbally complaint to the local leaders or any GRC member (if convenient)

40. The contact number for GBV complaints will be provided in the brochure distributed in the community and disclosed in the banner put in the project areas. Complaint from people with physical and mental disabilities, including elderly and illiterate persons, can be made with assistance of a trusted relative or a person in the village with victim's consent.

41. The complaint protocol will utilize the existing Grievance Redress Committee (GRC) created in the project level, to provide immediate response to any GBV incidents. The composition of the existing GRC is including the GBV Focal Point, representatives of the Contractor, Supervision Consultant and the PMU. However, the GBV Service Provider will have a key role in the overall GBV case management from project level.

b) The Grievance Redress Process

42. Adapting on to the Timor-Leste's GBV existing mechanism, when the project received grievance related to GBV case, the GRC will internally identify and document the GBV case before moving to the next step. If the GBV survivor is of an appropriate severity and identified as crime, the case will be reported to the Police for immediate investigation and arrest of perpetrator with the support and assistance of the Service Provider.

43. For identification process, the GRC will collect two items of data related to GBV:

- The nature of the GBV; and,
- To the best of the knowledge was the perpetrator associated with the project. However, any survivor will receive care regardless of whether the perpetrator is associated with the project or not.

44. The GRC will refer the case to the GBV Service Provider for further assessment, including services and assistances, and ultimately provide a resolution to the complaint, or the Police if appropriate. The GBV Service Provider will gather additional information using the existing survivor centered approach support protocols. The victim's confidentiality highly protected when reporting any incidences to the Police. The Service Provider will, upon resolution, advise the complainant of the outcome, unless it was made anonymously. The GRM Operator will follow all the process in dealing with the case and document it in the GRM system.

45. All staff, supervision consultants and contractors are encouraged to report suspected or actual GBV cases. Managers are required to report suspected or actual GBV cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

46. For GBV complaints referred to/and or from the Office of Employment - the Secretary of State for Policy of Vocational Training and Employment (SEPFPOE) due to labor issues will also be preceded through the GBV grievances mechanism. Case documentation and referral must be held accountable. Hence, any GBV complaints will be made anonymity when preferred by GBV survivor.

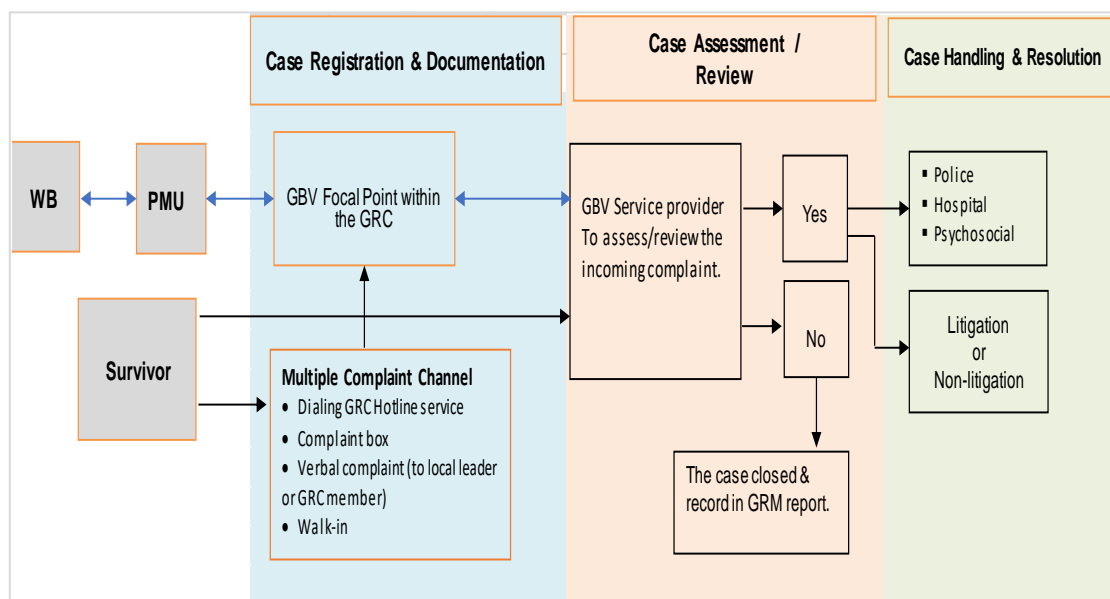
**Table 1 Summary of the Grievance Processing**

Step	Process	Duration
1	<p><b>Grievance reception/acceptance</b></p> <p>PAPs submit his/her grievance in person, via phone call, or via complain box to the GRM operator and will proceed to data base checking</p>	1 day
2	<p><b>Acknowledgment, Record and Refer</b></p> <p>The complainant receives confirmation that his/her grievance has been received. The grievance is entered in the database using a grievance registry form, and relevant focal point is notified. Then the complaint will be referred to the GBV service provider with the consent of the complainant. The service provider initiates accountability proceedings with the survivor's consent.</p> <ul style="list-style-type: none"> <li>• If the survivor does not wish to place an official complaint with the employer, the complaint is closed.</li> <li>• If the survivor agrees to place an official complaint with the employer, the complaint will be proceeded to the assessment</li> </ul>	2 days
3	<p><b>Assessment</b></p> <p>The GBV service provider will assess or review the complaint and a course of action is agreed upon; the appropriate party who employs the perpetrator (i.e., the contractor, consultant, or IA) takes the agreed disciplinary action in accordance with local legislation, the employment contract and the CoC.</p> <p>The involvement of other stakeholder, such as, suco chief, should be in the form of coordination, while the whole process of the case assessment is purely at the hand of GBV service provider.</p>	5 days
4	<p><b>Resolution &amp; Complainant Satisfaction</b></p> <p>a. <u>Project Level Resolution</u></p> <p>Grievance focal points and its related department will provide solution to the grievance and discussed it with the PSC Manager for final approval.</p> <p>If resolution is agreed <b>(Yes)</b>; The process concludes with a written agreement signed by the complainant(s) and PSC manager</p>	14 days max



Step	Process	Duration
	If unresolved <b>(No)</b> ; or at any stage if PAP is not satisfied the grievance will be elevated to next level	
	<p>b. <u>Management Level Resolution:</u></p> <p>ESU and the Technical unit within the PMU will provide solution to the grievance and discussed it with the PMU manager for final approval.</p> <p>If resolution is agreed <b>(Yes)</b>; The process concludes with a written agreement signed by the complainant(s) and PMU manager</p> <p>If unresolved <b>(No)</b>; or at any stage if PAP is not satisfied the grievance will be elevated to next level</p>	14 days max
	<p>c. <u>Ministry Level Resolution</u></p> <p>PMU and the MPW coordinator refers the matter to the designated government offices (DGPW, Land Dept., Agriculture Dept., Housing Dept. &amp; MoF – Loan Unit)</p> <p>If resolution is agreed <b>(Yes)</b>; The process concludes with a written agreement signed by the complainant(s) and Minister of MPW</p> <p>If unresolved <b>(No)</b>; or at any stage if PAP is not satisfied the grievance will be elevated to next level</p>	30 days max
5	<p>d. <u>Litigation</u></p> <p>PAPs can take the matter to appropriate court</p>	As per judicial system

c) GBV's GRM Flowchart



## 6. Appropriate Services and Referral of GBV Survivors

47. For the grave offenses associate with gender-based violence, while investigation is taking place, victim will be referred to the designated Service Provider<sup>5</sup>, for immediate assistance on medical care and forensic examination at the National Hospital, as well as legal and psychosocial assistances. In case a survivor is in trauma or shock from GBV incident and needs a temporary safe place, she/he must be referred and accompanied to a nearest Safe Shelter “Uma Mahon” that are available in 7 municipalities<sup>6</sup>. A dangerous perpetrator / GBV actor must also be taken out from the community to a safe place secured by national Police (PNTL).

48. The GBV-GSP works to ensure a survivor is under protection and accompanied when a case is finally brought to formal processes. The GSP and VPU Police must accompany the survivor to prosecutor’s office for formal proceedings until court final decision is made. Project GRM must ensure a secured and good social reinsertion process of victims to her/his society and families. Reinsertion of perpetrator will also be facilitated as soon as he/she completed his sentence<sup>7</sup>.

49. When a GBV case occur, the Service Provider will undertake necessary actions following available case management system or referral protocol as below task (at minimum):

- Provide counseling and accompany the survivors through the initial complaint procedure securing the immediate support for quick registration of criminal complaint;
- Support dialogue efforts with community to promote the safety of survivors;
- Provide safe place for GBV victims/survivors who are in need of safe place; Support survivor in making a formal complaint to contractor within the GRM internal procedure as well as SEFOPE, when relevant.
- Advocate for effective dealing with the criminal complaint and the complaint to contractor

### 6.1 Accountability Measures

- Once a GBV case is reported to the GRC, it must be handled accountably and in a confidential manner to protect the rights of the survivor and all involved.
- To ensure confidentiality, only the GBV Service Provider will be privy to information regarding the survivor. The GRM operator will be the primary point of contact for information and follow up regarding the perpetrator.
- The PMU, contractor and supervision consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).

50. The contractor and supervision consultant must prohibit discrimination or adverse action against an employee because of survivor’s disclosure, experience or perceived experience of GBV.

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5 Existing local service providers in Timor-Leste including Victim Support Center (VSS) on Legal assistance, FOKUPERS on psychosocial services, case mediation, counseling, and reintegration and rehabilitation services. ALOLA Foundation on GBV research, capacity building to member of members of the GBV referral system, PRADET on forensic examination, emergency care, and safe room from GBV victims. The National Police – Vulnerable Person Unit (VPU), The Dili National Hospital and the 6 Referral Hospital in 6 municipalities. Lastly, Social services by MSSl. The overall system is under MSSl’s control mechanism.

6 In the SOP for gender based violence and domestic violence referral system - the Ministry of Social Solidarity and Inclusion (MSSI), there are about 10 Safe Shelters for GBV survivors in Timor-Leste, located in Dili, Lospalos, Covalima, Baucau, and Manufahi including Casa Vida.

7 This process in part of the Rede Referral service mechanism, usually this process is facilitated in coordination with the National Directorate for Social Reinsertion (DNRS) under Ministry of Social Solidarity and Inclusion

51. Accountability Measures to maintain confidentiality can be achieved through the following actions:

- Inform all employees that confidentiality of GBV survivors' personal information is of utmost importance.
- Provide the GRM with training on empathetic and non-judgmental listening.
- Take disciplinary action, including and up to dismissal, against those who breach survivor's confidentiality (this is unless a breach of confidentiality is necessary to protect the survivor or another person from serious harm, or where required by law).

## 7. GBV Survivor Support Measures

52. It is essential to appropriately respond to the survivor's complaint by respecting the survivor's choices to minimize the potential for re-traumatization and further violence against the survivor. Any survivor will receive care regardless of whether the perpetrator is associated with the project. The support will be provided by the GBV Service Provider including medical and psychosocial support, emergency accommodation, transport fees necessary to receive services, security including Police protection and livelihood support by facilitating contact and coordination with these services

53. If the survivor is an employee of the contractor, supervision consultant or PMU, to ensure the safety of the survivor, and the workplace in general, the PMU, contractor or supervision consultant, in consultation with the survivor, will assess the risk of ongoing abuse to the survivor and in the workplace. Reasonable adjustments will be made to the survivor's work schedule and work environment as deemed necessary. The employer will provide adequate leave to survivors seeking services after experiencing violence.

54. Leave options for survivors that are employees can include:

- An employee experiencing sexual harassment (medium to complex level) should be able to request paid special leave to attend medical or psychosocial appointments, legal proceedings, and relocation to safe accommodation among other services that may be needed.
- An employee who supports a person experiencing sexual harassment may take care givers leave, including but not limited to accompanying them to court or hospital, or to take care of children.
- Employees who are employed in a casual capacity may request unpaid special leave or unpaid care givers leave to undertake the activities described above.
- The amount of leave provided will be determined by the individual's situation through consultations with the employee, the management and the GRM where appropriate.

## 8. Sanctions

55. In accordance with the Code of Conduct, any employee confirmed as a GBV perpetrator shall be considered for disciplinary measures in line with sanctions and practices as agreed in the Individual Code of Conduct. Potential Sanctions to employees who are perpetrators of GBV include:

- Informal warning
- Formal warning (with a written letter signed by GRM Team members)
- Loss of up to one week's salary
- Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.

- Termination of employment.
- Referral to the Police or other authorities as warranted.

56. It is important to note that sanctions in any level must be released with the PMU and GRC members/focal point's notification. Even though, for each case, disciplinary sanctions are intended to be part of a process that is entirely internal to the employer, is placed under the full control and responsibility of its managers and is conducted in accordance with the applicable national labor legislation.

57. Such process is expected to be fully independent from any official investigation that competent authorities (e.g. Police) may decide to conduct in relationship to the same case, and in accordance with the applicable national law. Similarly, internal disciplinary measures that the employer's managers may decide to enact are meant to be separate from any charges or sanctions that the official investigation may result into (e.g. monetary fines, detention etc.).

## 9. Monitoring and Evaluation of GBV's GRM

- a) The project GRM is to notify the PMU immediately of any complaints related to GBV. The PMU then immediately notify the World Bank.
- b) The GRM Operator will monitor the follow up of cases that have been reported and maintain all reported cases in a confidential and secure location. The GRM Operator will collect number of cases and keep all GBV case statistics for inclusion in their reporting.
- c) The representative of the GRC participates in the Government's GBV Referral Mechanism Working Group Quarterly Meetings to update project GBV prevention activities and GBV case management<sup>8</sup>
- d) The GRC discuss ways to strengthen resources and GBV support for employees and community members during monthly coordination meeting.
- e) The PMU will include the GBV aspect, including monitoring of GBV cases in the regular project progress.

## 10. Schedule of Implementation

No	Activity	Schedule
1	Code of Conduct signed by all workers; <ul style="list-style-type: none"> <li>▪ Company and Manager CoC</li> <li>▪ Workers CoC</li> </ul>	As soon as workers are hired (for both consultant & contractor)
2	Induction Manager Training	When the Contractor & Consultant team leader mobilized at site
3	Preparation of Terms of Reference on GBV Service Provider	Initial stage
4	Identify the GBV Service Provider	Completed by PMU August 2023
5	Contract the GBV National Service Provider	Prior to the commencement of the Civil Works
6	GBV Training on GBV Focal	Prior to the commencement of the Civil

<sup>8</sup> The GBV Referral Working Group meeting composed of two meetings: 1) the Service Provider Coordination Meeting chaired by the Ministry of Social Solidarity and Inclusion (MSSI formerly MSS), which is responsible for ensuring coordinated responses to cases of gender-based violence; and 2) the Strategy and Advocacy Meeting, chaired by the Secretariat of State for Gender Equality and Inclusion (SEII formerly SEIGIS/SEM/SEPI) which advocates for changes to policies and laws, partly based on recommendations from the Service Providers Coordination Meeting.

	Point/Grievance Redress Committee (GRC)	Works
7	Gender-based Violence Training: <ul style="list-style-type: none"> <li>▪ A full-day project workers training</li> <li>▪ Half-day refresher training</li> <li>▪ Distribution of awareness raising materials</li> </ul>	Prior to commencement of construction work and during the implementation of the Civil Works.
8	Community GBV awareness raising and prevention strategy <ul style="list-style-type: none"> <li>▪ One full day GBV Community awareness raising activities</li> <li>▪ Half-day Community GBV awareness raising in every 6 months</li> <li>▪ Distribution of awareness raising materials in a language understood by the local</li> </ul>	Prior to commencement of construction work and during the implementation of the Civil Works.
9	Finalization Complaint and respond protocol	During the implementation of the Civil Works.

## 11. Budgeting

58. The implementation of this action plan will be carried out by a GBV Service Provider and under the PSC supervision and to be monitor by the PMU. The activity will be financed under the civil works contractor's contract.

## **Annexes:**

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- Annex 1: Terms of Reference for GBV Service Provider**
- Annex 2: Code of Conducts**
- Annex 3: Grievance Redress Mechanism Forms**
- Annex 4: Service Provider Mapping Result**



## **ANNEX 1: Terms of Reference for GBV Service Provider**

### **Background**

Timor-Leste (Baucau Capital Municipal) Water Supply and Sanitation Project (hereinafter referred as "Project") aims at (a) addressing the infrastructure and sustainability gaps to increase access to and quality of drinking water and sanitation services in the capital city of the municipality of Baucau and increase resilience of the services to climate change and (b) supporting the Ministry of Public Works (MPW), in collaboration with other development partners, to implement the institutional reforms to improve service delivery and long-term sustainability of the infrastructures. Implementation of this project will involve the following three components.

The Government of Timor-Leste through the Ministry of Public Works has agreed to implement activities to prevent and respond to Gender Based Violence (GBV) within the project. As the Upgrading & Maintenance of Baucau - Viqueque Highway is currently starting its implementation phase, GBV aspect has been now retrofitted to the project safety component. The project is looking for a GBV Service Provider that is a local organization and has experienced on GBV aspect. The GBV Service Provider (GSP) will support the Project components (Project Management Unit/PMU under the Ministry of Public Work, the Contractor, and Supervision Consultant) to ensure successful and timely implementation of the action.

The GSP is a local organization, which has the trust of the local community, the Government, both municipal and national level, has wide networking with other relevant service, experienced and ability to support survivors of GBV during the project work period. To support the GBV implementation in the civil construction work, the selected GSP will be contracted by the contractor to deliver activities defined below.

### **Objectives of the Assignment**

This assignment is for the delivery of activities to prevent and respond to GBV in project areas, in particular the Baucau subproject of the Timor-Leste Water Supply and Sanitation Project.

The objective is including:

- To reduce the risk of GBV against women, men, girls and children in connection with RNUSP projects by providing training for the PMU staff, supervision consultant and contractor employees;
- To increase awareness of Code of Conduct standards of Contractor and its employees, of GBV and available GBV services among project workers and the local communities impacted by the project;
- To ensure appropriate services and redress mechanisms to GBV survivors.

### **Scope of Activities**

The Gender-Based Violence service provider is expected to support the implementation of the Upgrading & Maintenance of Baucau - Viqueque Highway, ensuring that GBV prevention and response is appropriately advocated, integrated and supported during the implementation of the project, particularly in the GBV risk awareness raising, prevention, survivor assistances and referral services when GBV incident occur.

Specifically, the Gender Based Violence Service Provider will conduct:

a) Gender Based Violence Training

Deliver GBV awareness training to the project workers, including managers. The training is undertaken to ensure the workers, including managers are understand on (i) GBV issues and it risks, the types and forms of GBV, particularly GBV risks in relation to civil construction works, such as sexual exploitation and abuse (SEA), Sexual Harassment (SH) within and outside of the workplace, human trafficking (HT), child abuse and child labor, including HIV/AIDs issue; ii) GBV prevention strategies; iii) complaint protocol, where to seek legal and social assistance and psychosocial services, including internal complaint procedure.

The training programs shall be based on local tools and materials. The following trainings will be developed and delivered:

- A full-day project workers training (managers will also attend), including pre-post-test to monitor result of training; participants' understanding and perspective changes.
- Half-day refresher training once in three months for construction workers and managers
- Distribution of awareness raising materials in the area of GBV

The training materials will be submitted ad approved by the PMU and the World Bank.

b) Community GBV awareness raising and prevention strategy

The awareness training to the groups of community living around the project areas is undertaken to empower and to improve knowledge, awareness and practice of the community in regard to type/forms of GBV and its risk particularly GBV risk in relation to civil construction works; community's right; laws; and access to services related to GBV and to provide a report mechanism on suspected or actual GBV cases in the project, including Grievance Redress Mechanism of the project.

Detailed tasks for the community awareness training are as below:

- Work with Contractor to identify target community groups, such as women, men, young boys and girls in the affected areas for GBV prevention and awareness raising activities.
- One full day GBV community-awareness raising activities that will covers 10 Sucos/villages.
- Half day Community GBV awareness raising in suco/villages every 6 months for groups most at risk for GBV in the project affected areas.
- Distribution of awareness raising materials in a language understood by the local Community

The training materials will be discussed with the PMU and the World Bank.

c) Ensure appropriate services are provided to any GBV survivors who report or are referred to the service provider.

When a GBV case occur, the Service Provider will undertake necessary actions following available case management system or referral protocol as below task (at minimum):

- Provide counseling and accompany the survivors through the initial complaint procedure securing the immediate support for quick registration of criminal complaint;

- Support dialogue efforts with community to promote the safety of survivors;
- Provide safe place for GBV survivors who are in need of safe place;
- Support survivor in making a formal complaint to contractor within the GRM internal procedure as well as SEFOPE, when relevant;
- Advocate for effective dealing with the criminal complaint and the complaint to contractor

d) Responsibility to Report

The Gender Based Violence Service Provider will work closely with the Contractor and the Supervision Consultant and will report directly to them once an activity has been done. Both the contractor and the Supervision Consultant will then report to Project Management Unit (PMU), under the Ministry of Public Works, Dili Timor-Leste. The GSP will also work closely with the PMU and the World Bank consultants for GBV, particularly, ensuring the implementation and monitoring of the GVB code of conducts.

e) Key Deliverable and Timeline

The Service Provider will provide following deliverables:

- GBV Training module, schedule, pre-post-test questionnaire
- GBV training report, including pre-post-test report
- Community GBV awareness raising and prevention module
- Community GBV awareness report
- GBV Case assisted and referred report (if any)

f) Qualification

It is expected that the Gender Based Violence Service Provider (GSP) will meet the following organizational qualification:

- Has good knowledge on working with gender based violence issues in any settings; in civil construction related development projects is an asset.
- Experience in working with Contractor and Client Develop Gender-Based Violence prevention and response strategy in the context of development projects;
- Has good network with other existing relevant legal, socio-cultural and psychosocial services, including health services at the National and referral Hospitals, shelter for survivors and Social protection through the Ministry of Social Solidarity and Inclusion (MSSI), labor right issues and mitigation under the Secretary of State for Professional Employment (SEPFPOE) and the National Police – Vulnerable Persons Unit (VPU) for GBV crime investigation to ensure immediate and effective Gender-Based Violence Response, and services for survivors.
- Significant knowledge on development projects in Timor-Leste region;
- Good track record in implementing awareness raising initiatives to local communities;
- Have experienced trainers within its staff/support professionals and has a good track record of providing quality training in GBV related areas.

## ANNEX 2: Code of Conducts

### Manager's Code of Conduct

#### Implementing ESHS and OHS Standards Preventing Gender Based Violence

The company, (.....), is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the local environment, communities, and its workers. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards are met. The company is also committed to creating and maintaining an environment where children<sup>9</sup> under the age of 18 will be protected, and where Sexual Exploitation and Abuse (SEA) and sexual harassment have no place. Improper actions towards children, SEA and sexual harassment are acts of Gender Based Violence (GBV) and as such will not be tolerated by any employee, sub-contractors, supplier, associate, or representative of the company.

Managers at all levels have a responsibility to uphold the company's commitment. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere to this Manager's Code of Conduct and to sign the Individual Code of Conduct. This commits them to supporting the implementation of the Contractor's Environmental and Social Management Plan (C-ESMP), the OHS Management Plan, and developing systems that facilitate the implementation of the GBV Action Plan.

Managers need to maintain a safe workplace, as well as a GBV-free environment at the workplace and in the local community. Their responsibilities to achieve this include but are not limited to:

#### Implementation

To ensure maximum effectiveness of the Company and Individual Codes of Conduct:

- a) Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the work space. Examples of areas include waiting, rest and lobby areas of sites, canteen areas and health clinics.
- b) Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.

Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.

Ensure that:

- a) All direct reports sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
- b) Staff lists and signed copies of the Individual Code of Conduct are provided to the OHS Manager, the GBV Focal Point, and the PMU.
- c) Participate in training and ensure that staffs also participate as outlined below.
- d) Put in place a mechanism for staff to:
  - report concerns on ESHS or OHS compliance; and,

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<sup>9</sup> Referring to Child Right Convention (CRC)

- confidentially report GBV incidents through the Grievance Redress Mechanism (GRM)
- e) Staffs are encouraged to report suspected or actual ESHS, OHS, GBV issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.

In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed. Use background and criminal reference checks for all neither employees nor ordinarily resident in the country where the works are taking place.

Ensure that when engaging in partnership, sub-contractor, supplier or similar agreements, these agreements:

- a) Incorporate the ESHS, OHS, and GBV Codes of Conduct as an attachment.
- b) Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
- c) Expressly state that the failure of those entities or individuals, as appropriate, to ensure compliance with the ESHS and OHS standards, take preventive measures against GBV, to investigate allegations thereof, or to take corrective actions when GBV has occurred, shall not only constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct but also termination of agreements to work on or supply the project.

Provide support and resources to the GBV Focal Point to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the GBV Action Plan.

Ensure that any GBV complaint warranting Police action is reported to the Police, the PMU and the World Bank immediately.

Report and act in accordance with the agreed response protocol any suspected or actual acts of GBV.

Ensure that any major ESHS or OHS incidents are reported to the PMU and the supervision engineer immediately, non-major issues in accordance with the agreed reporting protocol.

Ensure that children under the age of 18 are not present at the construction site or engaged in any hazardous activities.

## Training

The managers are responsible to:

- a) Ensure that the OHS Management Plan is implemented, with suitable training required for all staff, including sub-contractors and suppliers; and,
- b) Ensure that staffs have a suitable understanding of the C-ESMP and are trained as appropriate to implement the C-ESMP requirements.

All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV elements of these Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the GBV Action Plan for addressing GBV issues.

Managers are required to attend and assist with the project facilitated monthly training courses for all employees. Managers will be required to introduce the trainings and announce the self-evaluations, including collecting satisfaction surveys to evaluate training experiences and provide advice on improving the effectiveness of training.

Ensure that time is provided during work hours and that staff prior to commencing work on site attend the mandatory project facilitated induction training on:

- a) OHS and ESHS; and,
- b) GBV required of all employees.

During civil works, ensure that staffs attend on-going OHS and ESHS training, as well as the mandatory refresher training course required of all employees to on GBV.

## Response

Managers will be required to take appropriate actions to address any ESHS or OHS incidents regarding GBV:

- a) Once the Company adopted the GBV Action plan, managers will uphold the Accountability Measures set forth in the GBV Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
- b) If a manager develops concerns or suspicions regarding any form of GBV by one of his/her direct reports, or by an employee working for another contractor on the same work site, s/he is required to report the case using the GRM.
- c) Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made by the Company (the Director with the consultation to GBV Focal Point, PMU and the Service Provider).
- d) If a Manager has a conflict of interest due to personal or familial relationships with the survivor and/or perpetrator, he/she must notify the Company and GBV Focal Point and the PMU. The Company will be required to appoint another manager without a conflict of interest to respond to complaints.
- e) Ensure that any GBV issue warranting Police action is reported to the Police, the PMU and the World Bank immediately

Managers failing address ESHS or OHS incidents or failing to report or comply with the GBV provisions may be subject to disciplinary measures, to be determined and enacted by the Company's Director or equivalent highest-ranking manager. Those measures may include:

- a) Informal warning.
- b) Formal warning.
- c) Additional Training.
- d) Loss of up to one week's salary.
- e) Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- f) Termination of employment.

Ultimately, failure to effectively respond to ESHS, OHS, and GBV cases on the work site by the company's managers or the Director may provide grounds for legal actions by authorities.

*I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, and GBV requirements. I understand that any action inconsistent with this Manager's Code of Conduct or failure to act mandated by this Manager's Code of Conduct may result in disciplinary action.*

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## Individual Code of Conduct

### Implementing ESHS and OHS Standards Preventing Gender Based Violence

I, \_\_\_\_\_, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Gender Based Violence (GBV) is important.

The Company, (.....), considers that failure to follow ESHS and OHS standards, or to partake in activities constituting GBV be it on the work site, the work site surroundings, at workers' camps, or the surrounding communities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution by the Police of those who commit GBV may be pursued if appropriate.

I agree that while working on the project I will:

- a) Consent to Police background check.
- b) Attend and actively partake in training courses related to ESHS, OHS, and GBV as requested by my employer.
- c) Will wear my personal protective equipment (PPE) at all times when at the work site or engaged in project related activities.
- d) Take all practical steps to implement the contractor's environmental and social management plan (C-ESMP).
- e) Implement the OHS Management Plan.
- f) Adhere to a zero-alcohol policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties at all times.
- g) Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- h) Not to use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- i) Not to sexually exploit or abuse project beneficiaries and members of the surrounding communities.
- j) Not to engage in sexual harassment of work personnel and staff for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature is prohibited. E.g. looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; in some instances, giving personal gifts.
- k) Not to engage in sexual favours for instance, making promises of favourable treatment (e.g. promotion), threats of unfavourable treatment (e.g. loss of job) or payments in kind or in cash, dependent on sexual acts or other forms of humiliating, degrading or exploitative behaviour.
- l) Not to use prostitution in any form at any time.
- m) Not to participate in sexual contact or activity with children under the age of 18 including grooming, or contact through digital media. Mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
- n) Unless there is the full consent by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered "non-consensual" within the scope of this Code.

- o) Consider reporting through the GRM or to my manager any suspected or actual GBV by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

**With regard to children under the age of 18:**

- a) Bring to the attention of my manager the presence of any children on the construction site or engaged in hazardous activities.
- b) Wherever possible, ensure that another adult is present when working in the proximity of children.
- c) Not to invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- d) Not to use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography (see also "Use of children's images for work related purposes" below).
- e) Refrain from physical punishment or discipline of children.
- f) Refrain from hiring children for domestic or other labor below the minimum age of 14 unless national law specifies a higher age, or which places them at significant risk of injury.
- g) Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank's safeguard policies on child labor and minimum age.
- h) Take appropriate caution when photographing or filming children.

**When photographing or filming a child for work related purposes, I must:**

- a) Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
- b) Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- c) Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- d) Ensure images are honest representations of the context and the facts.
- e) Ensure file labels do not reveal identifying information about a child when sending images electronically.

**Sanctions:**

I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:

- a) Informal warning.
- b) Formal warning.
- c) Additional Training.
- d) Loss of up to one week's salary.
- e) Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- f) Termination of employment.
- g) Report to the Police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. That I will adhere to the occupational health and safety management plan. That I will avoid actions or behaviours that could be construed as GBV. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, and GBV issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my on-going employment.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_


Title: \_\_\_\_\_

Date: \_\_\_\_\_

### ANNEX 3: Grievance Redress Mechanism Forms

#### Complaints Registry Form

Note: Name and address of the complainant can be left blank for anonymous grievances

 Democratic Republic of Timor-Leste BEE TIMOR-LESTE E.P. Ministry of Public Works	
<b>COMPLAINT REGISTRY FORM</b>	
DATE: ____/____/____ (dd/mm/yy)	<b>CRF: 001</b>
Complaint Category: _____	
<b><u>COMPLAINANT PROFILE</u></b>	
Name : _____	Age : _____
Gender : [ ] Male [ ] Female	Civil Status : [ ] Single [ ] Married [ ] Widow/er
Address	Aldeia _____
	Suco _____
	Administrative Post _____
<b><u>Complaint Details</u></b>	
Attending Officer:	
Name/Designation	Complainant Signature

Notes:

<i>Category 1</i>	<i>Social Issues</i>
<i>Category 2</i>	<i>Environmental Issues</i>
<i>Category 3</i>	<i>Complaints related to violations of policies, guidelines, and procedures</i>
<i>Category 4</i>	<i>Complaints related to breach of contract Complaints regarding misuse of funds/lack of transparency, or other financial</i>
<i>Category 5</i>	<i>Management problems</i>
<i>Category 6</i>	<i>Complaints related to abuse of power/intervention by the project or government</i>
<i>Category 7</i>	<i>Complaints regarding staff performance</i>
<i>Category 8</i>	<i>Force majeure report</i>
<i>Category 9</i>	<i>Complaints about Project intervention</i>
<i>Category 10</i>	<i>Others</i>

### Complaints Investigation Form

*Notes: Consent from the complainant on disclosure of the grievance information (incl. to third parties) shall be received prior to conducting the investigation activities.*

Grievance ID	Brief Description and Category of Grievance	Personnel/Department in Charge	Targeted timelines	Investigation Status
<i>[Fill in name/ID of grievance and the status (open or close) and date]</i>	Category:  Related Activity:  Location:  Source:	<i>[Name and signature of person/department in charge of handling the grievance]</i>	Investigation date:  Discussion with complainant date:  Close out date:	<i>[Mark with open or close following the timeline dates]</i>
<p><b><u>Investigation</u></b></p> <p>Direct Cause of Grievance:</p>   <p>Root Cause Analysis:</p>				
<p><b><u>Follow Up:</u></b></p> <p>Action Plan:</p>   <p>Result at the Close Out Date: <i>[closed or remain open/requires additional investigation]</i></p>				
<p><b>Date and Signature of Involved Parties [after considered as Closed]</b></p>  <p><i>[Complainant]</i>                      <i>[Investigation officer/team representative]</i>                      <i>[Project Coordinator/GRM Officer]</i></p>				



### ANNEX 4: Service Provider Mapping Result

No	Organization name	Address	Year start	Focus area of work	Number of staff	Working area	Experience in providing GBV/VAC risk prevention activities	Experience in providing response to GBV/VAC case	Do your organization have safe house	Any coordination role with the government entities	Resources to finance the upcoming agreement
1	<b>FOKUPERS</b>	Farol, Dili	1997	(i) Women Rights Advocacy, (ii) Gender-Based Violence Victim Assistance, (iii) Community Awareness & Training, and (iv) Early Childhood Equality Education	<b>2 Males</b> (Logistic & Driver)  <b>9 Females</b> (Awareness coordinator, victim Assistance, Counselor, Shelter officer, and Support staff)	<b>All 13 districts</b> within Timor-Leste	<b>Yes,</b> (i) Provided GBV training & awareness service for the WB loan financed road project TLRCRP - Lot 2 (2021-2022)	<b>Yes</b>	<b>Yes,</b> (i) Shelter, (ii) Trauma Healing Centre, and (iii) Transit house	<b>Yes</b>	<b>Insufficient</b> resources to carry out a certain big program and mostly rely on donors advance payment.
2	<b>PRADET</b>	Bairo Pite, Dili	2002	(i) Peace and Democracy Assistance for Juvenile Justice, (ii) Mental Disorder Assistance Program, (iii) Safe Room, and (iv) Counter Trafficking Program	<b>2 Males</b> (Logistic & Driver)  <b>6 Females</b> (Awareness coordinator, victim Assistance, Counselor & Shelter officer)	<b>All 13 districts</b> within Timor-Leste	<b>Yes,</b> covering the 13 districts	<b>Yes,</b> mostly in districts outside Dili	<b>Yes,</b> (i) Shelter ( <i>Fatin Hakmatek</i> )	<b>Yes,</b> still until today have good coordination with the; (i) Ministry of Social, Solidarity & Inclusion, (ii) Policia VPU, (iii) Forensic Police, (iv) State Secretary of Gender and equality and (v) The Court.	<b>Insufficient</b> resources to carry out a certain big program and mostly rely on donors advance payment.
3	<b>FFHF</b>	Becora, Dili		(i) Sexual Violence, (ii) Child Abuse, and (iii) Capacity building		<b>All 13 districts</b> within Timor-					<b>Insufficient</b> resources to carry out a certain big

No	Organization name	Address	Year start	Focus area of work	Number of staff	Working area	Experience in providing GBV/VAC risk prevention activities	Experience in providing response to GBV/VAC case	Do your organization have safe house	Any coordination role with the government entities	Resources to finance the upcoming agreement
				& awareness on GBV prevention.		Leste					program and mostly rely on donors advance payment.