

FEDERAL GOVERNMENT OF SOMALIA



MINISTRY OF FINANCE

SEXUAL EXPLOITATION AND ABUSE/SEXUAL HARASSMENT PREVENTION AND RESPONSE ACTION PLAN

SOMALIA ENHANCING PUBLIC RESOURCE MANAGEMENT PROJECT - SERP

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ABBREVIATIONS & ACRONYMS

CoC	Code of Conduct
COVID-19	Corona Virus Disease 2019
CRSV	Conflict- Related Sexual Violence
CRC	Convention on the Rights of the Child
FGM	Female Genital Mutilation
FGS	Federal Government of Somalia
GBV	Gender Based Violence
GRC	Grievance Redress Committee
GM	Grievance Mechanism
GPN	Good Practice Note
IEC	Information Education and Community
IPV	Intimate Partner Violence
IASC	inter-agency standing committee
IP	Implementing Parties
OHS	Occupational, Health and Safety
PCUs	Project Coordination Units
PSEA	Principles of Sexual Exploitation and Abuse
MoF	Ministry of Finance
MoWHRD	Ministry of Women and Human Rights Development
OAG	Attorney General Offices
SGBV	Sexual and Gender Based Violence
SEA	Sexual Exploitation and Assault
SOD	Standard Procurement Documents
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
SOB	Sexual Offences Bill
SOPs	Series of Projects
SPD	Standard Procurement Documents
STIs	Sexually Transmitted Infections
VAC	Violence against Children
WB	World Bank

1 INTRODUCTION

1.1 Project Information

Somalia Enhancing Public Resource Management Project (SERP) Project Development Objective (PDO) is to strengthen accountability, transparency, and institutional capacity in public resource management, across participating entities. The project is expected to achieve the PDO through an innovative design to implement interdependent reforms in public resource management, in an integrated manner, across the whole of Somalia. The project supports the strengthening of Public Finance Management (PFM), Domestic Revenue Mobilisation (DRM), and Public Sector Management (PSM) across Somalia. The project components and sub components are summarized in **Table 1-1** below.

Table 1-1: SERP Components

Component	Subcomponent	Key activities
Component 1: Public Financial Management	1.1 Support essential budget execution functions	(i) Strengthen the internal control environment and quality, comprehensiveness, and transparency of financial reporting (ii) Support the use of financial management information systems (FMISs) (iii) Strengthen procurement processes. (iv) Support external audit and parliamentary oversight on public expenditure
	1.2 Strengthen PFM for service delivery in the health and education sectors	Support stronger health and education service delivery by ensuring sustainable and efficient planning, budget allocations, cash forecasting and expenditure management in the Federal Government of Somalia (FGS), Puntland State of Somalia (PSS) and Jubaland State of Somalia (JSS)
	1.3 Support capacity building of PFM staff	Address immediate capacity needs while also aiming to institutionalize capacity building to reduce dependency on consultants
	1.4 Facilitate the harmonization of PFM systems between FGS and FMS	(i) Harmonize FGS's and FMSs' PFM Acts, Accounting, and Reporting (ii) Harmonize PFM staff competency framework and pay and grading system in collaboration with Component
	1.5 Improve budget preparation and transparency	(i) Support key budget preparation processes to improve budget credibility for states with significant domestic revenue (FGS, PSS, JSS and SL) (ii) Enhance budget transparency of the FMSs
	1.6 Strengthening Public Investment Management	Support potentially the FGS, PSS and other FMSs, and SL, in strengthening the institutional framework for enhanced decision-making in public investment management (PIM) and, at a higher level, contribute to sustainable levels of debt over the medium to long term.
Component 2: Domestic Revenue Mobilization	2.1 Strengthening and harmonizing tax policy capacity	(i) Strengthening and harmonizing tax policy capacity (ii) Review of the FMSs tax laws (iii) FGS and FMSs consensus-building for alignment of their legal frameworks for which the Intergovernmental Fiscal Forums (IGFF) has already been established with support from the Bank's, Somalia Recurrent Cost and Reforms Financing Project (RCRF) project.
	2.2 Strengthening and harmonizing inland	(i) Implementation and harmonization of taxpayer segmentation strategy e.g. large taxpayer office (LTO)

Component	Subcomponent	Key activities
	revenue and selected customs administration systems and capacity	(ii) Strengthening and harmonizing business process mappings and redesign processes to fit to the local context, and informed by the experiences of the FGS and PSS, which were supported under the DRM and PFM Project (iii) Strengthening and harmonizing the modernization and automation of the Integrated Tax Administration Automation System (ITAS) with a focus on a 'fit for purpose' (iv) Strengthening and harmonizing capacity building in close conjunction with Component 3
	2.3 Strengthening and harmonizing taxpayer education and facilitation	Support needs-based establishment of taxpayer orientation programs, taxpayer service charters, facilitation and grievance help desks, reports for proactive disclosure of revenue performance and forecasting, tax forums, and a revenue academy
Component 3: Public Sector Institutions Management and Performance	3.1 Strengthening the Capacity and Performance of Central and Line Ministries, Departments, and Agencies building on the work of the PREMIS-PFM Project, CIP, and CSSP.	(i) Improvement of strategic staffing, informed by affordability (ii) Capacity development in Civil Service Commissions, MoFs, the OAGs, and selected priority MDAs. (iii) Support the improvement of the quality of staff through blended approaches in training including building a pipeline of future civil servants, strengthened performance management, and support to peer learning networks.
	3.2 Strengthening the implementation of workforce management policies.	(i) Human Resource Management Information Systems (HRMIS) that have been established in the FGS, FMSs, and SL. (ii) support Pensions. In GSS, HSS, JSS, and SWSS support will be for the development of related policy and legal frameworks (iii) Support the Pay and Grading (P&G) systems already being established in the FGS and PSS, while ensuring that P&G reforms are fiscally sustainable across all FMSs. (iv) Support labor market surveys in GSS, HSS, JSS, and SWSS to form the foundations for future reviews of their P&G systems (v) Support a review exercise of: (a) existing civil service management policies and regulations to identify any improvement needs; and (b) existing mechanisms for policy planning, development, oversight and coordination in GSS, HSS, JSS, and SWSS.
	3.3 Expansion of key government services to local governments in Somaliland.	Support SL to expand key government services to local districts, which may include the issuance certificates of good conduct, licensing (driving, trade), registration of properties, tax payments, and so on
1. Project Management, Coordination, and Support in Delivery	4.1 Project management	Support the management, coordination, and M&E for the three components.
	4.2 Results monitoring, which along with conducting day to day M&E and supporting government capacity will include a survey-based impact assessment.	

1.2 SEAH Purpose and Objective.

This action plan details the necessary operational measures and protocols that will be put in place to address project related Sexual Exploitation and Abuse and Sexual Harassment (SEAH) Response and Prevention Plan. The plan includes protocols that will be adopted to resolve any SEAH allegations that may arise during implementation of the SERP project. The plan also provides procedures for preventing and responding to SEAH, how complaints of SEAH will be handled, and disciplinary action for violation of the Code of Conduct (CoC) by project workers. .

The overall objective of the SEAH Response and Prevention Plan is to provide tools and frameworks that will support the SERP Project Coordinating Committee (PCU) in preventing and responding to the Project-induced SEAH and GBV risks.

1.3 Approach and Methodology

The plan was prepared using the methodology below.

- (i) Literature review of World Bank guidelines, global and national laws and policies on GBV/SEAH.
- (ii) Identification of potential project-induced GBV/SEAH risks related to SERP interventions.
- (iii) Development of possible mitigation measures which included an assessment and plan for strengthening capacity of project workers to be engaged under the SERP project.
- (iv) Identification of key actions to be taken, such as institutions responsible and time frames for the implementation of each of the identified actions.

1.4 Definition of Terms

Table 1.2 below provides an overview of terms that are applicable when discussing SEAH and GBV risks

Table 1-2: Definition of Terms

Term	Definition
Violence against women and girls (VAWG)	The 1993 UN Declaration on the Elimination of Violence against Women defined violence against women and girls as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (Article 1). Violence against women and girls shall be understood to encompass, but not be limited to, the following: • Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

Term	Definition
	- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced sex work; - Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs (Article 2)
Gender-based violence (GBV)	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 (IASC 2015). Women and girls are disproportionately affected by GBV across the globe.
Sexual harassment (SH)	Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities. The distinction between SEA and SH is important so that agency policies and staff training can include specific instructions on the procedures to report each. Both women and men can experience SH.
Sexual Exploitation and Abuse (SEA)	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 is further defined as "the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions." Women, girls, boys and men can experience SEA. In the context of World Bank supported projects, project beneficiaries or members of project-affected communities may experience SEA.
Child/ Forced early Marriage	Forced marriage is the marriage of an individual against her or his will. Child marriage is a formal marriage or informal union before age 18. Even though some countries permit marriage before age 18, international human rights standards classify these as child marriages, reasoning that those under age 18 are unable to give informed consent. Therefore, child marriage is a form of forced marriage as children are not legally competent to agree to such unions (The Inter-Agency Standing Committee IASC 2015).
Human Trafficking	The recruitment, transportation, transfer, harboring or receipt of persons, by means of force, the threat of force, other forms of coercion, abduction, fraud, deception, of the abuse of power, or of a position of vulnerability, or giving or receiving of payments or benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the sex work of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (United Nations 2000. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children).
Survivor	An individual who has undergone sexual assault but has gone through or undergoing recovery. Additionally the term is used when discussing short and long term effects of sexual violence
Survivor Centered Approach	A survivor-centred approach to violence against women seeks to empower the survivor by prioritizing her rights, needs and wishes. It means ensuring that survivors have access to appropriate, accessible and good quality services including health care. Those interacting with the survivor and/or handling information regarding the allegation must maintain confidentiality, ensure safety of the survivor, and apply survivor-centred principles which are safety, confidentiality, respect, and non-discrimination.

2 LEGAL FRAMEWORK AND GAP RELATED TO SEAH AND GBV

2.1 Somalia Context

The Somali legal system is a mixture of systems, which comprises of statutory law, customary law (Xeer) and Sharia law. Although Sharia law is not applied in statutory courts, it is integrated into customary law where it is also not adhered to strictly. While formal laws define crimes and punishment, their application is continuously negotiated through the customary power dynamics and their upholders. In practice, the primacy of Xeer is accepted and is the most accessible, used and preferred system for dispute resolution. The state also perpetuates the Xeer supremacy when its officers – police, prosecutors and judges – refer cases back to clan elders, who still remain the most powerful force behind justice and access to it.

The same is witnessed in Somaliland, where “Xeer remains the main source of law, especially in remote and rural areas where government presence is scarce.”¹ The Xeer is made by clan leaders or elders, selected for their assumed wisdom, courage, experience and knowledge to arbitrate disputes and deliver verdicts. **Table 2-1** below presents context of legal context on SEAH/GBV related issues.

Table 2-1: Somalia Legal Context

Principle	Details
The Provisional Constitution of Somalia (2012)	The constitution stipulate general principles of human rights accorded to all Somali citizens. Under these Titles, there are 31 Articles that specify the fundamental rights accorded to all Somali citizens and those set out for permissible limitation on rights provided. Relevant articles are: Article 10: protects human dignity. Article 11: protects equality of all citizens regardless of sex, religion, social or economic status, political opinion, clan, disability, occupation, birth or dialect. Article 15: protects liberty and security of the person, including freedom from all violence against women including Female Genital Mutilation (FGM), which is explicitly prohibited. Article 27: protects social and economic rights. Articles 34 and 39: guarantees access to courts and redress for violations of human rights.
The 1962 Penal Code	The 1962 Penal Code is still current law in the legislation that addresses GBV. It criminalizes rape (Article 298) and other forms of sexual violence, such as sexual exploitation and abuse and sexual harassment as well as forced prostitution (Article 408). Articles 398–9 provide that ‘carnal intercourse’ and ‘acts of lust committed with violence’ are punishable with 5–15 years’ and 1–5 years’ imprisonment respectively. However, the crimes are too narrowly defined in accordance with international law standards of protection from GBV.

¹ Policy Paper by the Strategic Initiative for Women in the Horn of Africa (SIHA Network). A reflection on Gender equality. Agenda in Somaliland November 2020

	Furthermore, the legislation contains no age of consent. This omission leaves children particularly vulnerable to abuse.
Rape, fornication and other related offences bill- law no. 78/2020- Somaliland	The House of Representatives in September 2020 passed the Rape, Fornication and other Related Offences Bill- Law No. 78/2020. Article 11 of the Act address Sexual Harassment and Assault, it provides that “ <i>Any mature and mentally sane individual who inappropriately touches a person other than their spouse, or compels a person to touch him/her inappropriately, or forces a person to touch another person inappropriately, has committed a criminal act of unwelcome sexual advances and inappropriate touching and is liable to a penalty of 1-3 years of imprisonment. If the criminal act stated in Paragraph 1 of this Article, is committed against a minor, or a vulnerable person, the offender will be liable to 3-5 years of imprisonment</i> ”. The law does not provide any details on legal age of a minor in Somalia or sex consent. However, according to the Family Code (1975), the legal age for marriage in Somalia is 18 for both men and women

2.2 International Legal Instruments

The international human rights instruments that define GBV and that Somalia has signed and ratified include: the recently ratified Convention on the Rights of the Child (CRC) in January 2015; the International Convention on the Elimination of All Forms of Racial Discrimination in 1975; and the African [Banjul] Charter of Human Rights in 1985 and 1986. Somalia is yet to sign or ratify many of the international instruments that are derived from the universal human rights that define GBV, including Convention for Elimination of Discrimination against Women CEDAW and the Protocol to the African Charter on Human Rights and Peoples’ Rights on the Rights of Women in Africa.

2.3 The WB Good Practice Note

The WB Good Practice Note² (GPN) provides a comprehensive understanding of the nature and kinds of GBV that project funded by the Bank may exacerbate. The GPN establishes an approach to identifying risks of GBV, particularly sexual exploitation and abuse and sexual harassment that can emerge in major infrastructure projects with civil works contracts. The GPN builds on World Bank experience and good international industry practices, including those of other development partners.

The GPN which provides tailored information and tools to understand GBV risks and considerations in infrastructure projects; addressing GBV risks and capacities to respond using the Bank’s GBV Risk Assessment Tool; addressing GBV risks in design and implementation phases including during bid processes, codes of conduct with contractors and laborers; safeguards to collect and respond to GBV and SEA including Grievance Mechanisms, consultations and responding to GBV incidents, and suggestions for improving safety of, and consultations with,

² Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, 28 September 2018, the World Bank group.

women and girls throughout the project. Key Principles of GPN are summarized in **Table 2-2** below.

Table 2-2: Key Principles of World Bank Good Practice Note (GPN)

Principle	Details
Reduce labor influx by tapping into the local workforce.	Depending on the size and the skill level of the local workforce, a share of the workers required for the project may be recruited locally. This is generally easier for unskilled workers, while more specialized staff (typically required in smaller numbers) frequently will be hired from elsewhere. Depending on the requirements of the project and their skill level, it may be possible to train local workers within a reasonable timeframe to meet project requirements. This may be more likely if such trained staff are needed afterwards for the operation and maintenance of the new infrastructure.
Assess and manage labor influx risk based on appropriate instruments.	This may range from broad requirements set out in the ESMP in a low-risk environment, to the need to develop more specialized instruments, such as a site-specific Labor Influx Management Plan and/or a Workers' Camp Management Plan (or other instruments with similar purpose)
Incorporate social and environmental mitigation measures into the civil works contract.	Most adverse impacts from labor influx can only be mitigated by the contractor commissioned by the Borrower to carry out the works. It is therefore paramount that the responsibilities for managing these adverse impacts are clearly reflected as a contractual obligation, with appropriate mechanisms for addressing non-compliance.

3 SEAH PREVENTION AND RESPONSE ACTION PLAN

3.1 Contextual GBV Risks

GBV is widespread in Somalia, and considered to be a major obstacle to equality, peace and development in the country. Despite the lack of comprehensive and reliable national population based GBV prevalence data, information that does exist indicates that GBV is common in the lives of women and girls across the life course in Somalia, with some forms of GBV endemic. Female Genital Mutilation (FGM) has in the past been near universally practiced. Intimate partner violence and sexual violence, the most prevalent types of GBV globally, are both commonplace in the lives of Somali women and girls, although there is limited data on which to estimate reliable prevalence and trends in perpetration and victimization rates over time.

Some forms of GBV are normative in Somalia, including FGM, child marriage and some intimate partner violence behaviors, in particular a man's use of physical violence to discipline or control his wife under certain circumstances.³ Other normative forms of GBV in Somalia include cultural practices of abduction and forced marriage and widow inheritance.⁴ The extent to which each type of GBV is practiced and normative varies across regions of the country, and there are indications of apparent shifts in beliefs and attitudes that support FGM, child marriage and intimate partner violence within Somalia, as discussed in more detailed in the next section. However, in the absence of reliable quantitative and qualitative research, it is hard to assess the degree of attitudinal change.

Conflicts, disasters and insecurity have in the past, and continue to, exacerbate risks associated with child marriage and intimate partner violence in Somalia. The effects that displacement has on increasing GBV risks and rates among internally displaced and refugee communities globally is increasingly recognized,⁵ and evidence points to a similar escalation of violence against women catalyzed by conflict and climate-related displacement and associated stressors in Somalia. Child marriage has been adopted as a past coping strategy for drought-affected families in response to acute economic insecurity,⁶ and the altered economic and social dynamics resulting from displacement have been linked to increased intimate partner violence perpetration among displaced populations in Somalia.⁷

³ International Alert/CISP (2015) *The Complexity of Sexual and Gender-Based Violence: Insights from Mogadishu and South Central Somalia*, International Alert, Nairobi.

⁴ Norwegian Country of Origin Information Centre (2018) *Somalia: Marriage and divorce*, Land info, Oslo.

⁵ Vu, A. et al, 'The prevalence of sexual violence among female refugees in complex humanitarian emergencies: a systematic review and meta-analysis', in *PLOS Currents Disasters*: Stark, L and Ager (2011) 'A systematic review of prevalence studies of gender-based violence in complex emergencies', in *Trauma Violence Abuse* 2011;12:127–34.

⁶ Ministry of Planning, Investment and Economic Development Somalia Drought Impact & Needs Assessment, Federal Government of Somalia, Mogadishu, 2017; *Girls Not Brides, Child Marriage in Humanitarian Settings*, Girls Not Brides, London, 2018; Myers, J., *Untying the Knot: Exploring Child Marriage in Fragile Settings*, World Vision UK, 2013, London.

⁷ Oxfam Rapid Gender Analysis for Oxfam Drought Response in Somaliland, Oxfam, June 2017

Further⁸, with the drought intensifying in Somalia, the protection of women and girls is at a higher risk now than ever. Protection is one of the least funded clusters at only 11.4%. The worsening drought in Somalia has resulted in women having to walk farther to access water and basic services leaving them vulnerable to sexual violence. More girls are dropping out of school putting them at risk of early marriages. Parents who can no longer afford to pay for schools are resorting to prioritizing boys over girls. The key protection concern is Female Genital Mutilation (FGM). During the COVID-19 pandemic, it was noted that there was an increase in FGM as girls were away from school. FGM opens the avenue of early marriages. As the drought exacerbates, many girls are dropping out of school to support their parents in the food search. Millions of people have been displaced resulting in high levels of family separation that is, inadvertently, exposing women and girls to Gender-Based Violence (GBV). As families struggle to cope with the current drought situation, women are taking on more responsibilities as female-headed households increase. Women are responsible for 90% of preparing and buying food. With the onset of the drought, women's businesses have been adversely affected forcing many to lose their sources of income

As well as exacerbating child marriage and intimate partner violence, conflict and disaster-related displacement magnifies sexual violence risks for women and girls in Somalia. Women and girls are at amplified risk of sexual assault during movement to new areas and once settled in displaced settings. Unsafe environments, eroded protection mechanisms and social cohesion, and a lack of safe livelihoods options all increase the incidence of opportunistic sexual violence perpetrated in and around displaced settings when women and girls are collecting water, firewood and other resources, and when in public spaces and accessing public facilities.⁹

Sexual exploitation and abuse of children and women by people in positions of authority and power are reportedly common in Somalia, and as elsewhere, linked to poverty, insecurity and impunity.¹⁰ Although the issue remains under-researched due to the significant sensitivities associated with it, there is evidence of high levels of sexual exploitation and abuse by domestic and foreign security forces and by civilians.¹¹ Anecdotal evidence from humanitarian and development agencies indicate that sexual exploitation and abuse is a largely unreported and significant problem in the country.

Conflict in Somalia has given rise new expressions of GBV in recent decade, in particular Conflict- Related Sexual Violence (CRSV), with both state and non-state actors implicated in perpetration. Sexual violence has been deployed as a conflict strategy by armed actors to punish,

⁸ <https://www.care-international.org/news/somalia-women-and-girls-left-vulnerable-worsening-drought>

⁹ Ministry of Planning, Investment and Economic Development, 2017; Refugees International on the Edge of Disaster: Somalis forced to flee drought and near famine conditions, RI, Washington DC, 2017; Human Rights Watch Here, Rape is Normal, HRW, 2014a, New York.

¹⁰ See Reports of the United Nations Secretary-General on Sexual Violence in Conflict S/2019/280 and 2018/250; Human Right Watch "The Power These Men Have Over Us" Sexual Exploitation and Abuse by African Union Forces in Somalia, HRW, 2014b, New York.

¹¹ Human Rights Watch 2014

humiliate and displace populations, and through forced marriages based on family, clan or political affiliation, to control women's fertility and reproductive capacities. Women and girls have also been exposed to sexual violence indirectly linked to conflict, opportunistically sexually assaulted by authorities, smugglers and traffickers, with displaced women and girls used as 'payment' for safe passage at checkpoints.¹² The surge in sexual assault since the onset of civil war in 1991-92 has been described as 'shocking' for Somali culture.¹³ On a positive note, the recent post-conflict period has seen a reduction in the incidence of conflict-related rape and sexual assault in Mogadishu following the withdrawal of clan militias.¹⁴

Sexual violence, along with other violence, is normalized in Somalia. This apparent normalization appears to be the result of sustained exposure to elevated levels of sexual violence over past decades compounded by the lack of national and community-level communication, discussion and dialogue about sexual violence and other forms of GBV.¹⁵ This combination of high levels of exposure and low levels of public and private discourse have created an environment which not only enables violence against women and girls to continue, but also curbs national and community-level awareness, commitment and action to do something about it.

The impacts of GBV are long-lasting and severe, resulting not only in physical and mental health problems that can last a lifetime for the individuals experiencing it, but it also creates a considerable economic burden for households, communities and countries.¹⁶ GBV can affect women's contribution to household income, result in high costs for social services required by survivors, affect children's development prospects and therefore negatively affect a country's economic growth as well as feed the intergenerational transmission of violence, as experiencing one type of violence may increase the likelihood of perpetrating or becoming a survivor of another type of violence later in life.

There is recognition as well that humanitarian and development operations have the potential to increase or introduce new risks of GBV, including the risks of sexual exploitation and abuse (SEA) and Sexual Harassment (SH). These risks can manifest in different ways by a range of perpetrators linked to the implementation of operations both in the public and private spheres, for example, through the large influx of workers, which may increase risk of transactional sex, change power dynamics at home, contribute to redistribution of land where women are typically excluded from land titles, or the lack of safe ways of facilitating access to work for women.

¹² Musse 2004.

¹³ Ritchie, H. and Koshin, S. A., *Country Gender Profile Somalia: Trends of Change in a Fragile and Fragmented Context?*, African Development Bank and UN Women, 2019, Nairobi.

¹⁴ International Alert/CISP 2015

¹⁵ International Alert/CISP 2015.

¹⁶ (World Bank Group, 2014)

Identifying and understanding both project-related and existing contextual risks linked to GBV and particularly sexual harassment, exploitation and abuse is important to ensure that Bank-supported projects do not contribute to or exacerbate existing dynamics or vulnerabilities perpetuating violence. This should be accompanied by decisive action to develop appropriate prevention and mitigation measures integrated into project design and to be monitored throughout project implementation. Key measures, in particular response to allegations, should be survivor-centered (ensuring survivors' confidentiality and rights to informed choices) and should focus on protection and prevention of GBV, SEA and child protection risks. Protection and prevention efforts should be based on active participation of affected groups in the design and implementation of actions to ensure that activities are fully informed.

3.2 Potential Project-related SEAH Risks

The SERP as project will trigger social risks which have been assessed as Substantial. This implies that whereas project activities are expected to have substantial positive impacts, key social risks relate to foreseen low-to-medium-intensity civil work activities on reconstruction and rehabilitation of office of the Attorney General Offices (OAG) under component 3. In addition, significant aspects of project interventions relate to technical assistance related to mostly of type 2 (which covers drafting of policies, programs, plans, strategies, laws and/or regulation nature but also of type 1 (which include support to the preparation of feasibility studies, detailed technical designs, safeguard instruments, and bid documents) and 3 (which include capacity building activities) that have substantial downstream risks and impacts.

Potential general social risks and impacts related to SERP intervention:

- Risks related to security of project operations including the protection of project workers, beneficiaries and affected persons.
- Risks related to exclusion of vulnerable, marginalized and minority members of the community from project benefits due to project investments being rolled out in a context of limited resources against widespread need and amplified by weak formal redress systems and limitations in effective community engagements and participation.
- Risks selection bias and elite capture with potential leakages of project benefits such as training opportunities for auditors, selection for strategic staffing and reorganization of the civil service.
- Risks related to challenges in access to beneficiaries for meaningful stakeholder and community engagements as well as grievance redress and monitoring.
- Risks related to systemic weakness as the capacity of the PCU to identify, understand and prevent adverse social impacts on the project is limited.
- Risks of gender-based violence (GBV) including sexual exploitation and abuse/harassment (SEAH).

SERP project activities that factors that could increase the potential for SEAH/GBV risks¹⁷ during implementation the project include;

- Large-scale influx of transient male workers into small and often rural host communities with low capacity to absorb the sudden increase of workers, this might apply under sub component 3.1 at sites proposed for construction of office blocks and Information Technology (IT) labs.
- Informal areas or in organisation where people have limited access to resources to report SEAH/GBV risks and receive support
- Presence of security personnel, who can provide protection but can also abuse their positions of power and status to perpetrate SEAH/GBV risks.
- Male workers transporting construction goods related to the project (e.g. truck drivers), who can perpetrate SEAH/GBV risks on routes and at truck stops associated with the project, even if not on the project site.
- Temporal workers who might be more vulnerable to SEAH/GBV risks due to short duration contracts or that potential perpetrators may go unidentified due to lack of background checks
- Income-earning opportunities for women through direct employment in construction or operations, or indirect employment (e.g. catering, traders), which may also increase household tension and create community backlash against women in areas where the perception is that they should not work outside the home

The above risk factors could pose below discussed risk that will require adequate mitigation during project implementation stage.

- **Abuse of power and discrimination in priority-setting and community engagement processes :** Women, girls and other groups that have less power and status such as people with disabilities, unmarried women/girls, women and girls associated with armed groups/forces, displaced/returning individuals and families and minority ethnic/clan groups are more likely to be invisible or hidden in community consultation and engagement processes that lead to identification civil servants or community members benefits from SERP benefits. This exclusion from spaces of voice, agency and decision-making can lead to decisions that further excludes these category of persons from benefiting from the project.
- **Abuse of power, including sexual exploitation and abuse and bullying, in hiring, employment, and retention practices:** Hiring and employment practices that seek to increase the number of women in different employment positions can expose women to incidents of sexual exploitation (pressure to perform sexual acts in exchange for work), harassment, or violence; for example when moving about communities and/or engaging with male leaders and/or community members. Additionally, unequal gender norms and harmful beliefs (such as the idea that a woman moving about on her own might not have clan protection and is a legitimate target for abuse, harassment, violence, etc) run the risk of creating hostile environments for female staff members at both the skilled and unskilled levels. In those situations where female staff – skilled and unskilled – have less time available for traditional

¹⁷ <https://www.ifc.org/wps/wcm/connect/62316c4d-6518-4a7b-881d>

gender role related duties in the household such as child care, there is also a risk of increased Intimate Partner Violence (IPV) as household members push back.

- **Abuse of power, including sexual exploitation and abuse, in dissemination of accurate information on available services and avenues for grievance redress:** Misinformation or lack of information throughout the components of the project can lead to harm and violence towards different strata of communities, especially those with less agency and power. Information and education dissemination activities must engage and reach out to all within society; corresponding monitoring and safeguards, such as grievance redress mechanisms can mitigate some of this risk.
- **Community conflict resolution approaches can lead to more harm, including against survivors who report GBV/SEAH experiences:** Community or local governance resolution processes might reinforce gender inequality pushing for resolutions that widen inequalities, are not survivor- centered and may lead to impunity and more harm to a survivor (through marriage to a perpetrator, re-victimization or other consequences). Existing sociocultural dynamics that maintain male-dominance household decision-making, policies and laws that discriminate against women, cultural norms that condone violence as a form of conflict resolution or discipline and the wide acceptance of GBV among both male and female Somalis – including Somali staff and volunteers – and the stigma of experiencing GBV make it difficult to share those experiences attitudes of tolerance to violence against women and girls¹⁸.

3.3 Key Mitigation Measures to Address GB/SEAH Risks

The project will adopt below discussed approach to address potential GBV/SEAH risks are as follows;

- **Strengthen co-ordination and collaboration of institutions** at national and sub-national levels on the GBV response by involving the relevant Government units such as the Ministry of Women and Human Rights Development (MoWHRD) in the strengthening of the GBV package of services and referral system in project areas. To this end, the project will strengthen the reporting mechanism and procedures of local systems to ensure a survivor centred referral and response. Further the project will **hire a GBV/SEA specialist in the PCU** to supervise and provide technical support for the implementation of GBV/SEA Action Plan.
- **Mapping out GBV service providers:** The project will map out GBV service providers in each location for timely referral of GBV survivors to provide relevant services based on survivors' needs will be identified. The PCU staff will all be informed of the actors working in different project locations. The list of service providers will be mapped out before the commencement of any construction activities and will inform on key gaps where remedial measures may be required. Further, the project will leverage on existing GBV/SEAH risk management systems.

¹⁹ IASC (2002), Six Core Principles for Relating to Sexual Exploitation and Abuse, accessed at: <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>

- Establishment of GBV/SEAH channels and procedures for the Grievance Mechanism (GM).** The Project will have a GM aligned to the one provided in the SEP, the GM will handle complaints and feedback from all stakeholders involved in the project. Cases of GBV/SEAH will be reported through the main channels of the general Project GM. However, given the sensitive nature of issues related to GBV, the GM will include multiple channels to enable safe, confidential reporting of GBV-related complaints, particularly as linked to SEAH. Such channels will include identification of community focal points and SEA/AH focal points, relevant local partner organizations, phone, and/or email. Pending informed consent from survivors, complaints received through such mechanisms will be channeled into the main GM systems. SH channels and procedures for reporting will be developed and SH reports will be handled through project the project GM. The only information to be collected from the person reporting will be on: The only information to be collected from the person reporting will be on:
 - Demographic data, such as age and gender;
 - The nature of the complaint (what the complainant says in her/his own words);
 - Whether the complainant believes the perpetrator was related to the project; and whether they received or were offered referral to services
 - A survivor centered approach will be applied in handling GBV grievances and survivors.
- Communication to project affected communities about GBV/SEAH risks and mechanisms:** Community awareness on GBV/SEAH, education and raising of awareness for women, adolescents and children of SEA and their legal rights will be provided. Project beneficiaries should be made aware of the laws and services that can protect them and provide redress in case of an incident. CoCs will be made available to the public in the project areas, especially to identified project stakeholders, to raise awareness of expected behavior of any project- related worker and mechanisms for reporting should those workers be in breach of the CoC. To provide a full account of how GBV grievances will be handled, specific GRM protocol for SEAH/GBV Related Grievances is provided as Appendix 5.6, Appendix 5.3 provides Sample CoC for Project Workers and Appendix 5.7 provides available referral pathways presented as separate zipped folder
- Adoption of the Core Principles of the Inter Agency Standing Committee (IASC) Task Force and World Bank Action Plan on Principles of Sexual Exploitations and Abuse (PSEA)¹⁹.** All categories of workers will be inducted and will sign a Code of Conduct (CoC)²⁰, which includes expected standards of behavior regarding GBV/SEA according to the World Bank's 2017 Standard Procurement Documents (SPDs)²¹. IPs will further ensure that all contractors, suppliers, NGOs and other implementing partners' workers have been inducted and have signed a CoC.

¹⁹ IASC (2002), Six Core Principles for Relating to Sexual Exploitation and Abuse, accessed at: <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>

²⁰ Samples presented in appendices 5.2 and 5.3

²¹ The World Bank has not "endorsed" a template CoC for projects. The SPDs provide guidance on the minimum content of issues to be addressed in the CoC.

- **Sensitization and training all project staff** on expectations around SEAH. PCU and IPs will ensure that their direct workers, partners, sub-contractors, suppliers and those appointed as SEA focal points are trained in CoCs and GBV/SEA and child protection risk issues as part of their induction as well as throughout course of employment. All categories of workers will be induced and will sign a Code of Conduct (CoC), which includes expected standards of behaviours regarding GBV/SEA according to the World Bank’s 2017 Standard Procurement Documents (SPDs)²². IPs will further ensure that all contractors, suppliers, NGOs and other implementing partners’ workers have been induced and have signed a CoC PSEA²³. PIU and IPs will roll out direct training activities for all contracted as well as community workers deployed for their activities – prior to the start of such.
- **Conduct GBV risks assessments at project sites.** GBV risk assessments will be done using the safety audits methodology before commencement of the project. The scope of the audit will form part of GBV risk assessment presented under **Annex 5.5**, the assessment will include;
 - ✓ Conducting requisite Sexual and Gender Based Violence (SGBV) trainings to the target Units / Groups
 - ✓ Reviewing the adequacy of existing Contractor’s SGBV policies
 - ✓ Developing SGBV Framework including Reporting and Investigation procedures
 - ✓ Implementing the measures outlined in the SGBV action plan
- The Safety audits are particularly important to improve safety in the project sites, monitor and promote equal and meaningful access to resources, services and facilities and ensure that do not harm principle is respected. Results of the safety audits will be incorporated in all project sub components involving construction activities, cash for work activities as well as women participation in employment opportunities. Examples of these activities would be adequate lighting, flexible work-schedules and provision of adequate hygiene and sanitation services in project sites especially for component 3.1 that entitles construction of office blocks and IT labs.
- **Establishment of a Reporting Protocol.** A strong SEAH reporting Protocol will ensure timely and safe reporting of SEAH incidences. Beneficiaries and communities should be informed of the availability of varying channels of reporting for allegations related to GBV/SEA. This will be made explicit in all community awareness sessions, as well as be part of the publicly disclosed information. Appointment of GBV/SEA Focal points at community and project level. PCU and IPs will ensure that an Sexual Exploitation and Abuse (SEA) focal point is designated in all project areas in the field as well as at the country level. The SEA Focal points will be the designated person to handle GBV complaints. The PCU GBV specialist will identify specific responsibilities and train on SEA Focal Points GBV/SEA mechanisms.
- **Monitoring and Supervision Action Plan.** The PCU will contract Independent Verification Agent (IVA) who will provide an oversight support related to the project as well as have

²² The World Bank has not “endorsed” a template CoC for projects. The SPDs provide guidance on the minimum content of issues to be addressed in the CoC.

²³ IASC (2002), Six Core Principles for Relating to Sexual Exploitation and Abuse, accessed at: <https://interagencystandingcommittee.org/principals/documents-public/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2002>

dedicated GBV staff to monitor the implementation of the SEAH prevention and response action plan and ensure all parties are meeting their responsibilities including the contracted IPs to provide support to GBV survivors. The IVA, SEA focal point persons will monitor the implementation of this Action Plan on a quarterly basis as summarized below box below.

IVA will focus on below listed,

- Ensuring that all activities (as listed above) have been undertaken and/or are on track
- Reviewing case log of reported complaints
- Monitoring and reporting on the effectiveness of the implementation of the GBV/SEAH Action Plan.
- Reporting on progress on all activities and re-assessment of risks, monitoring of the situation as appropriate.
- Ensuring that all actors involved in the project play their role in ensuring that requirements for addressing SEAH are met e.g this can be achieved through monitoring and supervising consultant

SEA Focal points will focus on below listed,

- Communities, including children, are aware of the risks of GBV, their rights and the mechanisms available to them to report GBV cases;
- Referral pathways in place and functional;
- Appropriate GBV services and referral pathways are provided to survivors and accountability processes are followed;

GBV minimum indicators will include:

- Successful implementation of agreed GBV Prevention and Response Action Plan;
- Number of training courses related to GBV delivered;
- Percentage of workers that have signed a CoC; and/or,
- Percentage of workers that have attended the CoC training.
-
- Percentage (%) Of GBV/SEAH cases closed within the delays defined in the project GBV Action Plan (disaggregated by outcome of the verification process)
- Percentage (%) Of survivors reporting project-related incidents who were referred to case management services (disaggregated by type of service)

4 GBV/SEAH MATRIX

	Objective:	TO INCREASE AWARENESS AND ENHANCE RESPONSE SYSTEMS FOR GBV, SEA AND SH INCIDENTS					
	Activity to Address SEAH risk	Steps to be taken	Time Lines	Institutional Focal Point	Collaborating actors/relevant ministries	Output indicators	Budget (USD)
1	INCORPORATE GBV/SEAH REQUIREMENTS AND EXPECTATIONS IN THE CONTRACTOR AND CONSULTANTS' CONTRACTS.						
	Incorporate GBV/SEAH Requirements and expectations in the contractor and consultants' contracts.	Ensure that GBV/SEAH issues are incorporated in all contracts signed by contractors and consultants	Before project activities begin	MoF PCU	MoF/ World Bank	GBV/SEASH standards in procurement/contract document	<i>N/A (activity to be done by the Procurement /GBV Specialists)</i>
	Allocation of funds for GBV/SEAH related costs in procurement documents.	Clearly define SEAH requirements and expectations in the bidding documents Evaluate the contractor's SEAH Accountability and Response Framework in the C-ESMP and confirm prior to finalizing the contract the contractor's ability to meet the project's GBV/SEAH prevention and response requirements.	During preparation of bid and Contract documents Monitoring on a quarterly basis	MoF PCU	MoF/ World Bank	Bid documents with clearly defined SEAH requirements Contract documents with clearly defined SEAH clauses/requirements	total budget presented as 304,000USD items 2 to 11 below present a breakdown of this budget
2	RECRUIT GBV ADVISOR, CODES OF CONDUCT SIGNING AND GBV/SEAH ORIENTATION TRAININGS						
	Recruit GBV Advisor with GBV/SEAH specific skills to support implementation and supervision of GBV/SEAH risk management requirements	TOR developed Recruit GBV Specialist with GBV/SEAH skills	Quarter 1 prior to disbursement for activities under Component 1.	MoF PCU	MoF/ World Bank	A qualified and competent GBV staff recruited	264,000

	Codes of Conduct signed and understood.	Define the requirements to be included in the CoC which addresses GBV/SEAH Review CoC for provisions/clauses that guard against GBV/SEAH Have CoCs signed by all those with a physical presence at the project site. Train project-related staff on the behavior obligations under the CoCs.	During Project implementation	GBV Specialist/ Social /GBV safeguard Specialist	MoF/ World Bank	Percentage of workers that have signed a CoC Percentage of workers that have attended CoC training.	Cost of training of the CoC. Included in the SEAH orientation training and for contractors it will be included in the C-ESMP
	Conduct GBV/SEAH orientation training for all workers. (Project staffs), contractors and consultants	Develop a training plan Develop training materials Conduct training on GBV/SEA risks, responsibilities, and legal/policy requirements Conduct training for project staffs Develop reporting and accountability protocol for managing reported cases	Quarter 1 and 2 after contract signing Retraining during Project implementation.	PCU GBV Specialist/ PIU Social /GBV safeguard Specialist	PCU GBV Specialist / World Bank	Number of trainings conducted	20,000
3	STRENGTHEN INSTITUTIONAL CAPACITY FOR GBV/SEAH RISK MITIGATION AND RESPONSE;						
	Strengthen co-ordination and collaboration at national and sub-national levels on the GBV response	Involving the relevant Government units such as the MoWHRD in the strengthening of the GBV package of services and referral system in project areas.	Quarter 1	GBV specialist at PCU	MoWHRD,	Government GBV coordination unit created	To be done by GBV specialist to be hired under PCU

	Engage a GBV/SEAH specialist in the PCU	Hire a GBV/SEAH specialist	Month 1 after project signature Maintained throughout Project implementation.	PCU	PCU, WB	GBV specialist is hired and in place	Indicated under (2) above
	Review existing regulations to include GBV/SEAH prevention and response – IPs and Partners: Existing GBV/SEAH Policies and procedures.	Define the requirements to be included in the CoC which addresses GBV/SEAH Conduct capacity building activities on GBV/SEAH	Quarter 1 To continue during Project Implementation	GBV specialist at PCU	WB	GBV/SEAH prevention and mitigation measures included in policy documents CoC requirements elaborated:	N/A to be done by GBV specialist to be hired under
4	GBV/SEA SENSITIVE CHANNELS FOR REPORTING IN GM						
	Develop/Review GM for specific GBV/SEAH procedures	Undertake internal review of GM for GBV/SEAH reporting channels Identify and Integrate GBV/SEAH entry points within the GM with clear procedures and tools for management of related complaints	Quarter 1			GBV/SEAH procedures integrated in the GM Variety of reporting channels for GBV/SEAH identified	N/A to be done by GBV specialist to be hired under
	Train GM Operators on key protocols: referral, reporting and confidentiality	Develop training materials on GBV/SEAH reporting for GM Operators Conduct training of GM operators on GBV/SEAH	Quarter 1	GBV specialist PCU	GBV specialist, WB	GM Operators trained on GBV/SEAH protocols	Reported under (2) above
5	ESTABLISHMENT OF A GBV/SEA REPORTING PROTOCOL AND REFERRAL PATHWAY						

	Develop key protocols for GBV/SEAH reporting and management	Develop and update disclosure and reporting guidelines / protocol for GBV/ SEAH with provisions for confidentiality, informed consent and survivor protection and assistance. Create reporting pathways that include support systems and accountability mechanisms including how to handle SEAH allegations properly Develop simple, anonymous and confidential tracking system that PSEA focal points can use to document GBV incidents to service providers. Review logs for GBV/SEAH documentation to ensure it follows standards for documenting GBV/SEAH cases	Quarter 1 and review periodically	GBV specialist PCU	GBV specialist, WB,	Percentage (%) Of survivors reporting project-related incidents who were referred to case management services (disaggregated by type of service)	A to be done by GBV specialist to be hired under
6	COMMUNICATION TO PROJECT AFFECTED COMMUNITIES ABOUT GBV/SEAH RISKS AND MECHANISMS						

	Community awareness on GBV/SEA and disclosure of CoC	Create IEC materials on GBV/SEA Identification of child friendly and women safety areas for disclosure of information IEC available to communities in the local language	Quarter 1 And during project implementation	GBV specialist PCU	GBV specialist, WB,	IEC materials created and disseminated with a gender perspective CoC available and translated	10,000
	Communicate GBV/SEA risks and options for reporting at the community level to create GBV awareness and enable project affected people to file complaints	Community awareness campaign on GBV/SEA and GM reporting mechanism	Quarter 1	GBV specialist PCU	GBV specialist, WB	Community awareness campaign developed in all project sites	To be expensed from similar communication item above
5	SENSITIZATION AND CAPACITY BUILDING OF PIU, GM, WORKERS, SERVICE PROVIDERS AND PARTNERS ON SEAH IN THE PROJECT						
	Codes of Conduct signed and understood. samples presented in appendices 5.2 and 5.3	Review CoC for provisions/clauses that guard against GBV/SEAH Save CoCs signed by all personnel Train all project-related staff on the behavior obligations under the CoCs.	In Quarter 1	GBV specialist	PIU, IPs,	Number of workers that have signed a CoC	A to be done by GBV specialist to be hired under

	Conduct trainings for all direct workers, partners, sub- contractors, supplier and SEA focal points trained on GBV/SEAH	Develop training session and materials Training should include explanation of GBV/SEAH, expectations for behavior and conduct, sanctions for violations, roles and responsibilities of actors involved, GBV incident report mechanism, and accountability and referral procedures.	In quarter 1	GBV specialist	PIU, WB,	Number of workers who have attended GBV/SEAH training	expensed similar training budget above
7	CONDUCT GBV RISKS ASSESSMENTS AT PROJECT SITES						
	Assess GBV risks in project sites	Develop/adaptation of safety audit tools Conduct periodic safety audits Include safety audit recommendations in project sub-components	Before commencement of the project Reviewed and updated Every quarter	GBV specialist, PCU	PIU, IPs	Safety audit reports developed in all project sites Safety audit recommendations in project sub components	10,000
8	STRENGTHENING GBV SERVICES PROVIDERS						
	Assessment of capacity of GBV service providers in project sites	Classification of existing Service Providers according to their technical capacity on GBV (according to global standards) to update existing referral pathways. Provision of funding for Implementation Agency (PCU), to recruit GBV Service Providers in project areas to facilitate access to timely, safe and confidential services for survivors.	1 Quarter	GBV specialist	PIU, WB	Report with classification of GBV providers Number of GBV service providers contracted	expensed from item above
9	APPOINT PSEA FOCAL POINTS						

	Identify, train and establish project focal points for GBV/SEA	Development of ToRs for GBV/SEAH focal point Establish a trained, dedicated and committed network of project GBV focal persons	Quarter 1 Maintained throughout Project implementation.	PCU, GBV specialist	PCU	Focal Point ToR developed No. of focal points and persons identified and trained	expensed similar training budget above
10	ESTABLISH A GBV/SEA ACCOUNTABILITY FRAMEWORK						
	Develop and accountability framework	Develop protocol with specific roles and responsibilities for parties on verification, investigation and management of cases within Government and IPs Develop specific sanctions as per type of GBV violation	1 Quarter	GBV specialist, PCU, IPs	PIU, WB, IPs	Accountability framework developed	A to be done by GBV specialist to be hired under?
11	ESTABLISH AN M&E SYSTEM OF THE GBV/SEAH PLAN						
	Develop a Supervision Plan of GBV plan	Hire a Third Party monitoring Agent/IVA to track implementation of GBV/SEAH risk management measures monitoring system to IPs, GBV/SEAH focal Points and PIU PIU should report on GBV/SEAH/SH in regular progress reports	1 Quarter Maintained throughout Project implementation.	GBV specialist, PCU	PCU, WB,	M&E Plan developed M&E Plan implemented GBV/SEAH	A to be done by GBV specialist to be hired under
Total							304,000USD

5 APPENDICES

5.1 GBV/SEAH Reporting Format

GBV/SEAH Reporting Format

INCIDENT DETAILS	Remark	Guiding Notes
Type of Violation		SEAH (IP staff)
		GBV (by third party)
Nature of the incident reported		Basic facts of the incident. What was reported by the complainant (in his or her own words). Is the incident related to the project?
Source of information		Community Focal Point, GM Operator, email, other (specify)
Where did the incident occur		District
		Region
When did the incident occur		Date
Additional information (if available)		Sex, Age
The identity and safety of a survivor must be protected at all times. No personal data or identifying information about a survivor or their experience can be shared through this document. Personal/identifying information includes the survivor's name, perpetrator(s) name, date of birth, home address, the exact time and place the incident took place, visible disability, residence status e.g. minority		

5.2 Harassment & Violence at Workplace Policy

Mission

XXXXXXX Company is committed to providing a safe, healthy and supportive work environment by treating our employees and clients with respect, fairness and sensitivity.

Violence and harassment in the workplace can have devastating effects on employees' quality of life and organizational productivity.

Workplace violence is:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- a statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Workplace harassment is engaging in a course of troublesome comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or workplace sexual harassment.

Workplace Sexual Harassment

- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome or
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Purpose of the Policy

XXXXXXX is committed to preventing workplace violence and harassment. This policy defines behavior that constitutes workplace violence and harassment, and explains procedures for reporting and resolving such incidents.

XXXXXXX is committed to providing a working environment free of violence and harassment by familiarizing all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action.

Policy Statement

The management of **XXXXXXX** recognizes the potential for violence and harassment in the workplace. The Company will not tolerate any type of violence or harassment within the workplace or during work-related activities. The Company is committed to allotting whatever time, attention, authority and resources necessary to ensure a safe and healthy working environment for all employees and clients to whom we provide care.

XXXXXX will take every reasonable precaution to protect an employee from physical injury if we become aware, or believe, that domestic violence is a risk.

Definitions Associated with Workplace Violence and Harassment

Physical assault: is any physical force or threat of physical force to create fear and control another person. Some examples include: hitting, blocking, shoving, choking, slapping or biting, or pulling hair; “caring” for the victim in an abusive way, threats of violence, and using a weapon or other objects to threaten, hurt or kill.

Sexual assault: is any unwanted sexual act done by one person to another. Examples include: kissing or forcing/coercing the person into kissing; touching the person’s body with or without clothes on; forcing/coercing the person to masturbate; sexual intercourse (anal or vaginal), penetrating with an object; causing bodily harm; removing or attempting to remove clothing; taking advantage of a position, trust or authority to get sex; and threatening to harm someone else if the person does not agree to do any of these things.

Threat (verbal or written): is a communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, “I am going to make you pay for what you did to me.” A conditional threat involves a condition, for example, “If you don’t leave me alone you will regret it.” Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.

Verbal/Emotional/Psychological abuse: is a pattern of behaviour that makes someone feel worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control. Examples include: swearing, put-downs/name calling over a period of time, labelling the victim in a derogatory way such stupid, crazy or irrational, acts of humiliation, extreme jealous behaviour, attacking the victim’s self-esteem in other ways. It can also include harming pets and damaging property.

Workplace Bullying: repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.

Roles and Responsibilities of Workplace Parties

Employer:

- ✓ Ensure that measures and procedures in the violence and harassment prevention program are carried out. Hold management accountable for responding to and resolving complaints of violence.
- ✓ Ensure compliance by all who have a relationship with the organization, such as physicians, contractors, volunteers, etc.
- ✓ Post a copy of this policy in the workplace.
- ✓ Integrate safe behaviour into day-to-day operations.
- ✓ Develop a reporting process for incidents of workplace violence and harassment.
- ✓ Investigate all reports or threats of violence/harassment in a prompt, objective and sensitive way.
- ✓ Report incidents of workplace violence to the DOSH Director as per the OSHA, 2007; if an employee is disabled from performing their own work or receives medical attention as a result of an incident.
- ✓ Take corrective action.

- ✓ Provide response measures.
- ✓ Facilitate medical attention and support for those involved directly or indirectly.

Managers/supervisors:

- ✓ Enforce policy and procedures and monitor worker compliance.
- ✓ Identify and alert staff to violent persons and hazardous situations.
- ✓ Investigate all workplace violence using the organization's accident investigation procedure and form, and contact the police as required.
- ✓ Facilitate medical attention for employee(s) as required.
- ✓ Debrief those involved in the incident either directly or indirectly.
- ✓ Contact human resources to ensure the employee receives further counselling about her/his legal rights.
- ✓ Track and analyze incidents for trending and prevention initiatives.
- ✓ Issue a report to the employer on all lost-time accidents where a worker requires healthcare, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days.
- ✓ Ensure the workplace violence and harassment prevention program is reviewed at least once a year.

Employees:

- ✓ Participate in education and training programs so you can respond suitably to any incident of workplace violence or harassment.
- ✓ Understand and comply with the violence and harassment prevention policies and related procedures.
- ✓ Report all incidents or injuries of violence/harassment or threats of violence/harassment to your supervisor immediately. Complete the Workplace Violence Incident Report.
- ✓ Contribute to risk assessments.
- ✓ Seek support when confronted with violence/harassment or threats of violence.
- ✓ Get medical attention.
- ✓ At least once a year, participate in a review of the workplace violence and harassment prevention program.

Health and Safety Committee (HSC):

- ✓ Ensure you are consulted about the development, establishment and implementation of violence prevention measures and procedures (the violence and harassment prevention program).
- ✓ Make recommendations to the employer for developing, establishing and providing training in violence prevention measures and procedures.
- ✓ At least once a year, take part in a review of the workplace violence and harassment prevention program.
- ✓ The worker-designate should investigate all critical violence-related injuries.
- ✓ Immediately review reports of critical injury or death. Outline in writing the circumstances and particulars within 48 hours of the occurrence.
- ✓ Within four days, review written notices lesser injuries where any person is disabled from performing his or her usual work or requires medical attention.

Reporting and Investigation

- ✓ Workers are to report all violence-related incidents or hazards to their manager or supervisor. This report can be made confidentially at the employee's request. However, sharing information to ensure the safety of others and prevent recurrence may be necessary (e.g., contents of a police report).
- ✓ The reporting worker may make the report confidentially without leaving a copy in the log, indicating the need for confidentiality to her/his direct manager or supervisor (or in that person's absence, to another manager or supervisor).
- ✓ The manager or supervisor receiving the report investigates it and ensures that measures are taken to safeguard employees and curtail the violence or harassment. No report of workplace violence/harassment or risks of violence may be the basis of reprisal against the reporting employee.
- ✓ The employer reports all injuries to the Ministry of Labour as required by the *Occupational Health and Safety Act, 2007*.

Response Procedures

- ✓ Using the incident investigation form, the manager or supervisor documents all reports of workplace violence/harassment, hazards and measures taken to address them.
- ✓ If the resolution of the incident is beyond the authority of a manager or supervisor, she/he must make the MD or equivalent aware of the report. The MD or equivalent involves other managers or supervisors in the investigation as appropriate (e.g., when the incident involves clients or employees under another manager's or supervisor's area of responsibility).
- ✓ Management reviews all incident reports, monitors trends and makes recommendations to the MD or equivalent for prevention and enhancements to the workplace violence and harassment prevention program.
- ✓ These findings are shared with the HSC, which is consulted about any revision to the violence and harassment prevention and training program.
- ✓ The MD or equivalent reviews reports of workplace violence/harassment and ensures that actions are taken.
- ✓ The managers or supervisors who investigate the reported incident warn all staff who might be affected about dangerous situations. They also tell the reporting employee about the outcome of the investigation to help minimize the chance of similar incidents.

Support for employees affected by workplace violence

- ✓ Management will respond promptly, assess the situation and ensure that these interventions are followed:
 - ✓ facilitation of medical attention;
 - ✓ debriefing (by skilled professional);
 - ✓ referrals to community agencies, treating practitioner and employee assistance program;
 - ✓ completion of incident reports,
 - ✓ reporting to police (as required); and
 - ✓ team debriefing.

Risk assessment

Management (with worker involvement) assesses workplace violence hazards in all jobs, and in the

workplace as a whole. It reviews risk assessments annually, as well as when new jobs are created or job descriptions are changed substantially.

Education

New employees will receive both general and site-specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive an annual review of the program's general and site-specific components.

Any training developed, established and provided will be done in consultation with, and in consideration of, the recommendations of the HSC.

Program Evaluation

The effectiveness of the workplace violence and harassment prevention program is evaluated annually by management and reviewed by the HSC.

Workers, and supervisors are accountable for establishing and implementing the policy and procedures related to workplace violence and harassment. Responsibility for complying with the health and safety policy is part of a manager's, supervisor's and worker's job description. Included in the health and safety components of job descriptions are management responsibilities for enforcing policy and procedures, investigating and responding to workplace violence and harassment.

Accountability

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

Records

All records of reports and investigations of workplace violence and harassment are kept for the three years.

Policy Review

This workplace violence and harassment prevention policy and program will be reviewed annually.

MANAGING DIRECTOR:

SIGNATURE:

STAMP:

5.3 Individual Code of Conduct (CoC) for Project Workers

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) and violence against children (VAC) is important. All forms of GBV or VAC are unacceptable in the workplace or when interacting with communities.

The organization considers that failure to follow ESHS and OHS standards, or partake in GBV or VAC activities, constitutes acts of gross misconduct and is therefore grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Comply with applicable National and Company laws, policies, rules, and regulations (including policy on sexual harassment).
- Comply with applicable health and safety requirements to protect the Local Community (including vulnerable and disadvantaged groups), the Employer's Personnel, and the Contractor's Personnel (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment).
- Not discriminate in dealing with the local community and all co-workers. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinions, national, ethnic or social origin, property, disability, birth or other status
- Not participate in sexual contact or activity with children (anyone age 18 or under)– including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Not indulge in Sexual Harassment (for example prohibition of the use of language or behavior, in particular towards women, children or men, that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate).
- No Violence, including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberties).
- Not engage in any form of sexual exploitation or abuse including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliation, degrading behavior exploitative behavior, and abuse of power). This includes any project-related assistance due to community members. Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;

- Refrain from Sex with anyone under the age of 18 and that the breach of this code will incur sanctions that could impact employment.
- Will not mix/ interact with children including sexual activity or abuse, or otherwise unacceptable behavior towards children (anyone under the age of 18) and ensure their safety in the project areas.
- Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their employer).
- Avoid conflict of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favours, are not provided to any person with whom there is a financial, family, or personal connection).
- Respect reasonable work instructions (including environmental and social norms).
- Protection and proper use of property (for example, to prohibit theft, carelessness or waste).
- Attend and actively partake in training courses related to ESHS, OHS, GBV and the code of conduct as requested by my employer.
- Will report violations of this Code. All staff must report suspected or actual violations by a fellow worker, whether in the same contracting firm or not. Reports must be made through the GM setup for this purpose.
- Non- retaliate against workers who report violations of the Code, if that report is made in good faith.

Sanctions

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

- Oral warning;
- Written warning;
- Additional training;
- 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; and
- Report to the police if warranted.

I hereby acknowledge that I have read the foregoing Individual Code of Conduct, agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to ESHS, OHS, GBV and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my on-going employment.

Signature

.....Name.....
.....

Title

.....Date.....
.....

FOR CONTRACTOR’S PERSONNEL

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [enter name of Contractor’s contact person with relevant experience in handling gender-based violence] requesting an explanation.

Name of Contractors personnel:

Signature:

Date: [Day Month year]

Countersignature of authorized representative of the Contractor:

Signature:

Date: [Day Month Year]

5.4 GBV TRAINING MODULE

To properly address GBV, the training and sensitizing of workers is essential. These workers include civil works contractors (including sub-contractors and suppliers), supervision consultants, other consultants who may have a presence in the project adjoining communities - as well as the Implementing Agency (IAs). Projects can seek to embed training modules that incorporate GBV into the regular Occupational Health and Safety (OHS) ‘toolbox’ meetings with workers, official training and/or standalone training efforts. Linking the curriculum to actors outside the project such as health and education sector professionals may also be beneficial. Training on GBV should be thorough and proportional to the GBV risk. The modality, frequency and content of the training are outlined in the table below.

At a minimum, training shall include:

- What GBV, particularly SEA and SH, is and how the project can exacerbate GBV risks;
- Roles and responsibilities of actors involved in the project (the standards of conduct for project-related staff captured in CoCs);
- GBV incident reporting mechanism including information about SH for project workers, accountability structures, and referral procedures within agencies and for community members to report cases related to project staff;
- Services available for survivors of GBV; and, adoption of survivor centred approach
- Follow-up activities to reinforce training content.

As projects are implemented, training/awareness on GBV should be made available to the project-affected communities so they can learn about the roles and responsibilities of actors involved in the project, CoC, services available, processes for reporting incidents of project-related GBV, and the corresponding accountability structures. Training of both project-affected communities and project implementers allows all stakeholders to understand the risks of GBV, as well as appropriate mitigation and response measures, putting everyone on the same page.²⁰

Modality, frequency and content of training's

Group	Modality	Frequency	Topic
MoF	2-day virtual workshop including Power point presentations, Discussions, case studies and group work.	1-2 days orientation virtual workshops and FGDs every 6 months	● Introduction on GBV, SEA and SH and the code of conduct, identified GBV risks in the project. ● National and state policies on SH and roles and responsibilities of GBV focal points. ● Management and coordination role of the PIU in the implementation of the GBV/SEAH Action Plan ● Potential GBV risks and hotspots in the project. ● Understanding of the roles and responsibilities in accordance with the Accountability and Results Framework. ● Mitigation strategies and effective implementation of the action plan. ● Survivor centred approaches ● Monitoring and reporting on GBV and GBV GM.
PCU Staff	1 day orientation programme on GBV. Power point virtual presentation, Discussions, sharing of best practices and group activities	Every 6 months (1 month after the PMC has been engaged)	● Introduction on GBV, SEA and SH, identified GBV risks in the project. ● Working with contractors to prevent SH in the workplace (as well as within the agency and the contracting firms) and other forms of GBV in the project-affected communities (for example, through CoCs). ● Strengthening GMs and other monitoring mechanisms to provide safe and ethical reporting systems for project staff wishing to report cases of GBV, and their linkage
Workers /labors	One day orientation using virtual Power point presentations, discussions and group activities.	Every 6 months and daily discussion in tool box talks and during safety inductions	● Explaining GBV, SEA and SH and key GBV risks identified. ● Key elements of the CoC. ● And zero tolerance policy on GBV. ● Available services/referral pathway ● SEAH reporting mechanism/GM
Community members/ vulnerable groups/leaders	One day orientation. Virtual Power point presentations Discussion and group activities	Every 3 months	● Explaining GBV, SEA and SH in the context of the project, including identified GBV risks and hotspots. ● Survivor centred approaches ● Available services/referral pathway ● Awareness about the key mitigation strategies and GM mechanisms for GBV incidents and response. ● Their roles as GM focal points for continuous dialogue and feedback from the community for GBV prevention and mitigation and in safe referrals of survivors.

5.5 Terms of Reference for Sexual and Gender Based Violence Risk Assessment (SGBV) and GBV specialist

BACKGROUND

Brief project background

OBJECTIVES

The engagement of the SGBV Expert aims to achieve the following objectives:

- Conduct requisite SGBV trainings to the target Units / Groups
- Review the adequacy of existing Contractor's SGBV policies
- Develop SGBV Framework including Reporting and Investigation procedures
- Implement the measures outlined in the SGBV action plan
- Any other requirement as may be deemed required.

TARGET UNITS / GROUPS

The SGBV will target the following target groups:

- Contractor's Management Team
- Supervisors / Foremen
- Client's and Consultant's Representatives
- Environment, Social, Health and Safety (ESHS) Officers
- Workers' Representatives
- Safety Committee Members
- Community Representatives and Local Administration

Assessing GBV Risks and response measure and Capacity of safeguard team to Respond- This will be achieved through

- GBV Risk Assessment: assessment of the risk of exacerbation of GBV at the community level; and,
- Capacity Assessment: assessment of the local capacity to prevent and respond to GBV, including the availability of safe and ethical service provision for survivors
- Clear outcome of these risk assessments should be the classification of the project as at Low, Medium, Substantial or High risk of GBV
- Develop a GBV Action Plan that will properly GBV risk identified in the assessment and recommend a series of mitigation measures to address and monitor these risks throughout the life of the project

GBV Training for Contractors, Consultants and Clients

The SGBV Expert will be tasked with developing the scope and offering requisite trainings related to Sexual Harassment and Gender-Based Violence, including: -

- Training on the nature of sexual harassment and Gender Based Violence- Training will include to the minimal the following elements.

- ✓ What GBV, particularly SEA and SH, is and how the project can exacerbate GBV risks;
 - ✓ Roles and responsibilities of actors involved in the project (the standards of conduct for project-related staff captured in CoCs)
 - ✓ GBV incident reporting mechanism, accountability structures, and referral procedures within agencies and for community members to report cases related to project staff;
 - ✓ Services available for survivors of GBV; and
 - ✓ Follow-up activities to reinforce training content.
- Policies on respectful and safe workplaces, and the consequences of violating these policies.
 - Establishing and training the grievance committee that will receive complaints / grievances of sexual harassment and Gender Based Violence.
 - Training the SGBV investigators on how to discretely, thoroughly, and neutrally investigate SGBV grievances.
 - Training the Project Management Team who will be responsible for evaluating investigation results and determining consequences of SGBV claims.
 - Developing a complaints and investigation mechanism, to create a formal system by which staff, community members will be able to register complaints, and by which the company will investigate allegations. This system should be covered in all trainings, so that all staff understand how to report incidents, and how the investigations process is to be carried out.

Review of Grievance Mechanisms with regards to GBV – The consultant will review existing GMto ensure that in addition to addressing compensation matters related to the Project, the mechanism should also address GBV related grievances

- For GBV—and particularly SEA and SH—complaints, there are risks of stigmatization, rejection and reprisals against survivors. This creates and reinforces a culture of silence so survivors may be reticent to approach the project directly.
- The consultant will upgrade the existing GMto have multiple channels through which complaints can be registered in a safe

Monitoring and Reporting of GBV

- The consultant will provide a mechanism of ensuring that the Project monitors GBV activities.

Specific Tasks

- Develop a Grievance reporting and investigation mechanism, by which staff, community representatives can confidentially report incidents and can confidentially and impartially review and investigate complaints.
- Roll out the SGBV referral pathway.
- Under GBV Risk Assessment for the Project
- Develop a GBV Action Plan that address identified GBV risks
- Develop training manual on GBV and train Contractors, Consultants and Clients
- Review of Grievance Mechanisms with regards to GBV
- Develop Monitoring and Reporting tool for GBV tracking

- Develop a guide on how to respond to GBV Incidents, the guide should include notes on; A Survivor-Centered Approach, GBV Services Providers, Handling GBV Complaints. Ensuring Appropriate Support for Survivors and Resolving and Closing a Case

Key Principles for the Training Program

- What: Training should cover definitions of sexual harassment and GBV, company policies on sexual harassment and GBV, how to respond, how to file a complaint, and the expected process after a complaint is lodged.
- Who: The GBV training program should be aimed at the target groups aforementioned. Participation in the training should be mandatory for all the target units.
- When: The selected employees should attend the SGBV training course once the training is scheduled.
- How Often: The training should be conducted on a regular basis to reinforce the understanding of the project's SGBV goals.

Minimum Training Requirements

At a minimum, the SGBV training should include:

- Definition of SGBV, and how the project can deal with the SGBV related issues.
- Roles and responsibilities of actors in the project involved in the SGBV issues.
- SGBV grievance reporting mechanism, referral pathways within the project
- Services available for survivors of SGBV related issues.
- Follow-up activities to reinforce training content.

Training Outcomes

- Increased awareness and knowledge on the various types of SGBV
- Functional mechanisms (including GBV committees) at community level to support survivors of SGBV.
- Strengthened knowledge and awareness creation among project's staff and community members' representatives over SGBV issues.
- Improved relations and coordination among workers and community members.
- Enhanced and efficient reporting mechanisms for the SGBV related issues.
- Creation of an SGBV committee.

Minimum Qualifications for the SGBV Firm

Interested firms should demonstrate availability of Experts with knowledge in developing and leading trainings on Gender Based Violence, ideally with background in Large Civil Engineering Construction Projects for at least 15 years.

Expert knowledge on sexual and reproductive health rights, legal frameworks, health and the law relevant to SGBV will be an added advantage.

Candidates should possess training certificate(s) from recognized training institutions. Additionally, evidence of previous training records may be considered.

PROCEDURE FOR APPLICATION

Interested SGBV Experts are required to submit the following:

- A brief methodology detailing how the requirements in this ToR achieved.
- Comments and Suggestions to the Terms of Reference
- A Quotation for carrying out the Works as defined in the ToR (To include estimated Time-Inputs)

GRM for SEAH Related Grievances

Step 1: Grievance Uptake:

The GBV survivor has the freedom and right to report an incident to anyone: community member, project staff, GBV case manager, local authorities. All recipients of the report should with the survivor's informed consent – report the case to one of the Project's formal GRM. Furthermore, a survivor can ask someone else to act as a survivor advocate and report on her/his behalf.

The grievance recipient will be responsible for the recording and registration of the complaint. A GRM operator cannot reject a SEAH complaint. At the same time, however, the project can only respond to a SEAH complaint if it is directed into the designated GRM channels.

Confidentiality: All grievance recipients and anyone handling the SEAH-related grievances must maintain absolute confidentiality in regard to the case. Maintaining confidentiality means not disclosing any information at any time to any party without the informed consent of the person concerned. There are exceptions under distinct circumstances, for example a) if the survivor is an adult who threatens his or her own life or who is directly threatening the safety of others, in which case referrals to lifesaving services should be sought; b) if the survivor is a child and there are concerns for the child's health and safety. The survivors need to be informed about these exceptions.

Informed Consent: The survivor can only give approval to the processing of a case when he or she has been fully informed about all relevant facts. The survivor must fully understand the consequences of actions when providing informed consent for a case to be taken up. Asking for consent means asking the permission of the survivor to share information about him/her with others (for instance, with referral services and/or IPs or PIU), and/or to undertake any action (for instance investigation of the case). Under no circumstances should the survivor be pressured to consent to any conversation, assessment, investigation or other intervention with which she does not feel comfortable. A survivor can also at any time decide to stop consent. If a survivor does not consent to sharing information, then only non-identifying information can be released or reported on. In the case of children, informed consent is normally requested from a parent or legal guardian and the children

Incident reporting: Severe incidents (defined as an incident *that caused significant adverse effect on the environment, the affected communities, the public or workers*, for example: serious injuries, fatality, GBV, forced or child labor, damage on Project infrastructure, as well as organized large scale robbery, looting etc., abuse and cases of mistreatment of communities and/ or workers by security forces (including SEAH, spread of communicable diseases among workforce, kidnapping, etc), will be reported within 48 hours to the PIU and onwards to the World Bank.

At all times, the PIU will provide feedback promptly to the aggrieved party, for example through the phone. Feedback is also communicated through stakeholder meetings and beneficiary meetings during project activities. For sensitive issues, feedback is given to the concerned persons bilaterally. Steps listed below provide clarity on of the process.

Step 2: Receipt of Grievances:

All reporting will limit information in accordance with the survivor's wishes regarding confidentiality and in case the survivor agrees on further reporting, information will be shared only on a need-to-know-base, avoiding all information which may lead to the identification of the survivor and any potential risk of retribution (see sample SEAH reporting form below)

Data on GBV cases recorded will only include the nature of the complaint (what the complainant says in her/his own words), whether the complainant believes the perpetrator was related to the project and additional demographic data, such as age and gender, will be collected and reported, with informed consent from the survivor. If the survivor does not wish to file a formal complaint, referral to available services will still be offered even if the complaint is not related to the project, that referrals will be made, the preference of the survivor will be recorded and the case will be considered closed.

If the survivor provides informed consent, the grievance recipient should inform the GRM Specialist. The GRM Specialist at the PCU will inform the World Bank. The report will be on the anonymized incident as soon as it becomes known to the PCU. Data shared will include the nature of the allegation; if the alleged perpetrator is associated with the Project; the survivor's age and sex' and whether the survivor was referred to other services. The Project's SEAH Action Plan has mapped all referral services in the different counties designated for interventions. The project team will keep an updated list available of these services.

Step 3: Acknowledgement and Follow-Up:

Referrals are a process through which the survivor gets in touch with professionals and institutions regarding her case. Services can include health, psycho-social, security and protection, legal/justice, and economic reintegration support. The grievance recipient will instantly provide the survivor with contacts of the available referral services in the respective area. If the survivor wishes for any assistance with transport or payment for services, the grievance recipient will provide allowances. Referral

services are provided even in cases where the survivor opts to not pursue the case through the GRM or through legal channels.

The grievance recipient explains to the survivor his or her right to control whether and how information about the case is shared with other entities as well as any implications of sharing information. The survivor will be informed about his or her right to place limitations on the type of information they want shared. The survivor's consent must be documented.

Step 4: Verify, Investigate and Act:

GRM Specialist will be the key focal point for management of such grievances and concerns and will work closely with respective GBV Specialist counterparts at the Ministry of Gender and Social Welfare. Once a case has been taken in by a GRM recipient, and informed consent of the survivor is obtained to proceed with the case, the case file will be submitted to the GRM Specialist. The GRM Specialist will first ensure that the survivor has been provided with all necessary GBV referral services, and will ensure that the survivor is in safety.

Where the SEAH grievance was allegedly committed by a project worker, the grievance will be reported to the respective employer. The GRM Specialist will follow up and determine the likelihood that the allegation is related to the project. The GRM Specialist will follow up and ensure that the violation of the Code of Conduct is handled appropriately, e.g., the worker is removed from his or her position and employment is ended. The responsibility to implement any disciplinary action lies with the employer of the alleged perpetrator, in accordance with local labor legislation, the employment contract, and the code of conduct. The GRM Specialist will report back to the survivor on any step undertaken and the results.

Where the survivor has opted to take a formal legal route, the GRM Specialist will ensure that the survivor has all the support required to file a case at court. The GRM process will still proceed with the survivors' consent. Ensuring due process is a matter of the formal justice system and not the grievance handlers. Unlike other types of issues, it is not part of the GRM's remit to conduct investigations, to make any announcements, or to judge the veracity of an allegation. The GRM should refer the case to the domestic regulatory framework to process the case if the consent of the survivor is received.

Since this project assumes a fully survivor-centered approach, no information can be passed on without the consent of the survivor. If the survivor does not wish for the case to be pursued, the survivor shall be offered access to referral services and the GRM Officer should note that the survivor did not wish for the case to be pursued, and the case is considered solved.

Case closure requires a) the case has been referred to GBV service providers (if the survivor consented) for support and appropriate actions; and appropriate actions have been taken against the perpetrator; b) the service provider has initiated accountability proceedings with the survivor's consent.

If the survivor does not want to launch a complaint with the employer, the case is closed. If the complaint proceeds, the case is reviewed by the GRM Specialist and a course of action is agreed on

with the respective employer. The alleged perpetrator's employer takes agreed-on disciplinary action. Once the action is deemed appropriate by the GRM Specialist, the case is recorded as closed.

Step 5: Monitor, Evaluate and Provide Feedback:

The GRM Officer will provide feedback to GRM users and the public at large about: results of investigations; actions taken; why GRM is important; enhance the visibility of the GRM among beneficiaries; and increase in users' trust in the GRM.

The PIU will undertake the following monitoring actions: develop indicators for monitoring the steps of GRM value chain; track grievances and assess the extent to which progress is being made to resolve them; conduct a stakeholder satisfaction survey for the GRM services; conduct analysis of the raw data on the following: average time to resolve grievances, percentage of complainants satisfied with action taken, and number of grievances resolved at first point of contact; provide a report on grievance redress actions pertaining to the steps of GRM value chain.

The PIU will evaluate the GRM by: analyzing grievance data to reveal trends and patterns; sharing GRM analysis in management meetings; and taking corrective action on project implementation approaches to address the grievance

WB's Grievance Redress Service (GRS)

Communities and individuals who believe that they are adversely affected by a World Bank supported project may submit complaints to existing project-level grievance redress mechanisms or the WB's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS),

<http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For service. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org

5.6 SEAH Case Registration Form

SEAH Case Registration Form	
Administrative Information	
1.	Grievance ID
2.	Code of Survivor (Employ a coding system to ensure that client names are not easily connected with case information)
3.	Date of grievance registration
4.	Date of Incident
5.	Reported by survivor or an escort of the survivor, in the presence of the survivor
6.	Reported by someone other than the survivor without survivor present
Survivor Information	
7.	Gender / age
8.	Location / Residence
9.	Current civil/marital status
10.	Occupation
11.	Is the survivor a person with mental or physical disabilities?
12.	Is the survivor an unaccompanied or separated child?
13.	Was the perpetrator related to the project?
14.	Has Informed Consent been provided? yes/no?
15.	Has the case been reported elsewhere (including police / lawyer/health services/psychosocial counseling, other)?
Sub-Section for Child Survivor	
16.	If the survivor is a child (less than 18 years), does he or she live alone?
17.	If the survivor lives with someone, what is the relation between her/him and the caretaker? (parent/guardian; elative; spouse; other)
18.	What is the caretaker's current marital status?
Details of the Incident (in survivor's words)	
19.	Details of the incident
20.	Incident location and time
21.	Were money, goods, benefits and/or services exchanged in relation to the incident?
Alleged Perpetrator Information	
22.	Number of alleged perpetrators
23.	Sex of alleged perpetrators
24.	Age group of alleged perpetrator(s)
25.	Indicate relationship between perpetrator(s) and survivor

26	Main occupation of the alleged perpetrator(s)	
26	Employer of the alleged perpetrator(s)	
Planned Actions / Actions Taken		
27	Was the survivor referred by anyone?	
28	Was the survivor referred to a safe house / shelter?	
29	Which services does the survivor wish to be referred to? • Psychosocial services • Legal services • Police • Health services • Livelihood program	
30	What actions were taken to ensure the survivor's safety?	
31	Describe the emotional state of the client at the beginning of the report	
32	Other relevant information	