

EPIU

PROJECT LEVEL GRIEVANCE MECHANISM

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LIST OF ABBREVIATIONS

EPIU- Environmental project implementation unit

ESP – Environmental and Social Policy

GP – Gender Policy

GRM - Grievance redresses mechanism

GRC - Grievance redress committee

OPM - Operations and Procedures Manual

PURPOSE

The given document regulates the relations between public feedback and grievance redress mechanisms in the framework of the projects funded by international organizations and executed by “Environmental project implementation unit” State Agency (hereinafter EPIU).

The grievance redress mechanism (hereinafter GRM) established within each project implemented by EPIU will be duplicated and maintained throughout the implementation of the project while taking into account the donor requirements and the specifics of the project.

GRM is a system that enables project-affected individuals to present their project-related questions, suggestions, and concerns and receive timely response.

The GRM should be read in conjunction with EPIU’s other related Policy Documents such as the Anti-Fraud and Anti-Corruption Policy, Operations and Procedures Manual (hereinafter OPM), Environmental and Social policy (hereinafter ESP), Gender policy (hereinafter GP), Manual on Environmental, Social and Gender Mainstreaming, Monitoring and Evaluation and Public Disclosure Policy.

GRM would actively and rapidly solve concerns and complaints of project affected people using comprehensive, interactive and transparent process which would rapidly address environmental, social and gender related issues, as well as fraud and corruption practices perpetrated by and against the EPIU personnel and would be available for project affected persons for free.

Grievances or complaints received by the GRM will be processed if they fall in to any one or more of the following categories:

- a. grievances or complaints regarding the EPIU’s implemented projects or programmes, which include environmental, social and gender related concerns,
- b. grievances or complaints regarding the EPIU’s implemented projects or programmes, which include monitoring related concerns

- c. grievances or complaints representing fraudulent practice (any act or omission, including any misrepresentation, that knowingly misleads, or attempts to mislead, a party to obtain any financial or other advantage, or to avoid any obligation, to benefit the perpetrator or a related party)
- d. grievances or complaints representing corrupt practice (the offering, giving, receiving or soliciting, directly or indirectly, or attempt to do so, of anything of value to influence improperly the actions of another party)
- e. grievances or complaints representing collusive practice (the arrangement among two or more parties designed to achieve an improper purpose, including but not limited to, influencing improperly the actions of another party)
- f. . grievances or complaints representing coercive practice (the impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party)
- g. grievances or complaints representing obstructive practice (the act of deliberately destroying, falsifying, altering or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede an investigation into allegations of a corrupt, fraudulent, coercive or collusive practice and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation)

* the practices described in the above-mentioned points (*from c to g*) are collectively referred as “fraud and corruption”.

The GRM created by EPIU establishes a Grievance redress committee to carry out its functions (hereinafter GRC). GRC independently reviews and solves issues raised by individuals or organizations concerning EPIU projects which are believed to have caused or to be likely to cause, harm.

In addition, the EPIU is required to disclose certain Project information to the public in accordance with its Public Disclosure Policy, to enhance transparency and accountability, improve discourse with affected stakeholders, and foster good governance.

GRIEVANCE REDRESS MECHANISM

1. GRC case management procedure includes the following stages:

1) **Registration (file stage) file stage** begins after the submission of a complaint. The purpose of the registration phase is to study the Requests to find out whether they meet GLC requirements to be registered as such.

2) **Assessment (current stage)**- after the registration of the request, the assessment of the issue raised in the request is being done. In this stage the GRC takes actions to solve the issue raised in the complaint during which it clarifies the verity and the parity of factual circumstances.

3) **Decision making (final stage)** GRC makes a decision as a result of comprehensive, full, objective and impartial investigation of the factual circumstances mentioned in the request.

REGISTRATION OF COMPLAINTS

2. GRC accepts and investigates complaints, issues and suggestions received from public.

3. The requests are addressed to the president of a GRC of a given project

Email: grm@epiu.am

<http://www.epiu.am/>,

Tel.: +37410 651631, **Fax** +37410650089,

Postal address: 129 A. Armenakyan str., Yerevan, Armenia

“Environmental project implementation unit” SA, postal code: 0047:

4. The request may be submitted:

1) by hand (request template available in Form 1) ,

2) electronically (by email or by filling out the online Request in the website),

3) by post

5. The request should contain the following information:

1) the name, surname of the requester, in case of a legal personality its full name

2) The address of the requester, (the location of the legal personality)

3) contact information (email or telephone number).

4) the request (subject of the request)

- 5) the list of documents attached (if available)
 - 6) the year, month, and date of the request
 - 7) the signature of the requester, in case of legal personality- the signature of its authorized official,
 - 8) ID details.
6. Failure to submit the information set forth in paragraphs 2, 3 and 8 of part 3 of this Regulation shall not constitute grounds for leaving the request without effect. GRC takes steps to obtain information from the requester on his address or contact details, as well as information on the identity document.
 7. If the request has formal errors or omissions that can be corrected, then the GRC within one business day points them to the requester, enabling them to correct those errors and omissions within three days.
 8. The request shall be processed within three days about which the requester is informed.
 9. Requests can be filed either by the requester personally or by their representatives or together with them.
 10. Representatives of the requester may be authorized persons, including lawyers:
 11. Disabled persons submit the request file their complaint through their legal representatives
 12. Authorized persons or legal representatives shall, at the request of the GRC, submit a power of attorney or a document certifying their legal representation.
 13. Power of attorney does not require notarization
 14. Request submitted to GRC are reviewed according to their content.
 15. GRC will maintain a Case Registry about request received and will submit a report to the Project Management Board within twenty days after the end of each quarter.
 16. All the reports produced as part of a Case under this Policy will be published on the Case Registry in EPIU's website.
 17. The request may contain inadmissibility of publishing personal data indicating reasons and justifications.
 18. GRC will implement all necessary measures for privacy protection.

ASSESSMENT OF REQUESTS

19. During the investigation of the request, measures are taken exclusively on the issues raised in the request.
20. To ensure the process of request received from public, GRC studies the content of the request and within three days notifies the requester about receiving the request and its investigation.
21. The notice also states that the requester is invited to a hearing, indicating the place, day and time of the hearing.
22. More than one hearing may be conducted if necessary.
23. Hearings shall be recorded.
24. Based on the results of the study, the GRC responds to the requester within 30 days of receiving the request and makes a decision to resolve the issue raised in the request.

ADOPTION OF THE DECISION

25. The decision should contain:
 - 1) the full name of the GRC in charge of investigation of the case.
 - 2) name, surname of the person the decision should be addressed to, in case of legal personality the full name
 - 3) the full name of the decision, the year, month and date of its adoption
 - 6) description of the request to be resolved (descriptive part)
 - 7) a decision rationale (reasons for a decision)
 - 8) the wording of the decision (final part)
 - 9) validity of the decision if the act is adopted for a specified period
 - 10) the name, surname and signature of the official making the decision
 - 11) The requester is free to apply to court regardless of the outcome of the request.

GRIEVANCE REDRESS COMMITTEE

26. GRC of each project is comprised of the following specialists:
 - 1) Environmental and social specialist,
 - 2) Gender specialist,
 - 3) Monitoring specialist,

4) Public Relations specialist,

4) Lawyer

27. The representatives from the following bodies could be included in the Committee:

1) state, territorial and local self-government bodies,

2) non-governmental organizations

28. Chair of the Committee shall be chosen by the drawing of lots.

29. The Chair

1) organizes the full, objective, comprehensive and impartial investigation of a given request,

2) signs the decisions made as a result of case investigation.

The GRC must be sufficiently independent governance structure to ensure that no party to a particular grievance process can interfere with the fair conduct of the process.

THE RULES OF PROCEDURE OF CASE REGISTRY

30. The case registry for complaints is designed and filled out for each project separately.

31. The full name of a given GRC, the name of structural or separate division for designing and completing the Case registry, the date during which the information on cases filed are registered in the given registry, the total number of cases.

32. The following note should on the cover of the Case Registry: "Case registry for requests".

33. It is advisable to draw up the Case Registry and input the information in accordance with the template of drawing up a Case Registry of requests in Form N 1.

Cases are registered separately defining two tables for Case registry:

a) The information on the case filed based on the request received by GRC should be indicated in N1 table.

b) Table 2 provides information on the lawsuit filed, the consideration of the appeal filed, and the substantive decision on the case.

34. The following information should be provided in N1 table:

a) the serial number of the case which should match the number on the cover of the given case,

b) year, month and date of receiving a request by GRC,

c) the name, surname and father's name, his/her address(location),

- d) the short description of the request
- e) the number of the decree adopted by the GRC as a result of discussion of the request, the year, month and date, a brief description of the decision made under that act.
- f) method of informing (by hand, by post etc.) the requester (its addressee) of the decision and information about the year, month and date.

35. Table N2 is completed only when a lawsuit and subsequently an appeal is filed with the court. At the same time, it should be borne in mind that the case on appeal may be examined in several judicial instances. For this reason it is appropriate to divide the Table N 2 into three equal parts, stating the following in it:

- a) the year, month and date of filing a lawsuit or complaint to the particular court, short description of the lawsuit or complaint
- b) the name, surname and fathers name (name for organizations) of the person who files a plea or brings a complaint
- c) the year, month, date of the judicial act on the lawsuit or appeal and a summary of that act.

36. For complete and summarised information on each case filed each page of Case registry may contain Tables N1 and N2. Each of these pages may contain information on a given case by completing Table N1(which is mandatory) and in the case of filing a lawsuit or appeal-Table N2. The information on cases is registered starting from date of the case is processed and completed as the case proceeds.

37. Case registry contains information on all the requests filed in a year on the last page of which the responsible official states: "The register is completed" and signs, indicating the year, month and date of signature. The case registry is sewn.

38. When making corrections to the register, the relevant official shall indicate in the right hand corner of the page parallel to the correction that he has made the corrections and shall sign.

FINAL PROVISIONS

39. Amendments and additions may be made to this mechanism from time to time as needed.



COMPLAINT FORM

“Environmental project implementation unit” SA

PROJECT COMPLAINT MECHANISM

Step 1: Details of the Complaint

1. Name of the Person(s) or Organisation(s) filing the Complaint (“the Complainant”).

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2. Contact information of the Complainant (Please include address and, if possible, phone number and email address).

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3. Is there a representative making this Complaint on behalf of the Complainant?

Yes *if yes, please provide the Name and Contact information of the Representative):*

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.....

Please attach proof that the Representative has been authorised by the Complainant to file the Complaint. For example, this can be in the form of a letter signed by the Complainant giving permission to the Representative to make the Complaint on his behalf.

No

Is proof of authorisation included with the Complaint?

Yes No

4. Are you requesting that this Complaint be kept **confidential**?

Yes *(if yes, please explain why you are requesting confidentiality)*

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.....
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No

5. Please provide the **name or a description of the EBRD Project** at issue.

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6. Please describe the **harm that has been caused or might be caused** by the Project *(please continue on a separate sheet if needed)*:

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.....

Please send your Complaint by fax, post, or email to:

Project Complaint Mechanism

Attn: GRC

**Environmental project implementation
unit**

Tel: +37410 65 16 31

Fax: +37410 65 00 89

E-mail: grm@epiu.com

Alternatively, a Complaint may be delivered by post or hand, at EPIU office. Please mark these "For the attention of the Grievance Redress Committee", indicating that it is for transmission to the PCM. Complaints may be sent using the Complaint online form available at:

<http://www.epiu.am/boxoqner-ev-arajarkutyunner/>

TABLE 1

TEMPLATE FOR CASE REGISTRY

NN	The year, month, date of receiving the request	Name, surname, of the Requester(company)	The short description of the request delivered	Decree adopted during the investigation of the case, date, month, number and brief summary of the decision made therein	Remark on the methods of informing the requester about the decree(by post, by hand and etc.) and year, month and date of informing
1	2	3	4	5	6

TABLE 2

INFORMATION ON THE PROCEEDINGS OF THE JUDICIAL PROCEDURE

Year, month and date of bringing the request	Name, surname, of the Requester(company), its status(requester, third person)	A brief description of the request	The name of the administrative body discussing the complaint and deciding on it substantially	Year, month, date on the adoption of the Act of Appeal, its number and a brief description of the decision made by that act	Remark on the methods of informing the requester about the administrative act (by post, by hand and etc.) and year, month and date of informing
7	8	9	10	11	12