Stakeholder Engagement Plan

Tonga Climate Resilience Transport Project

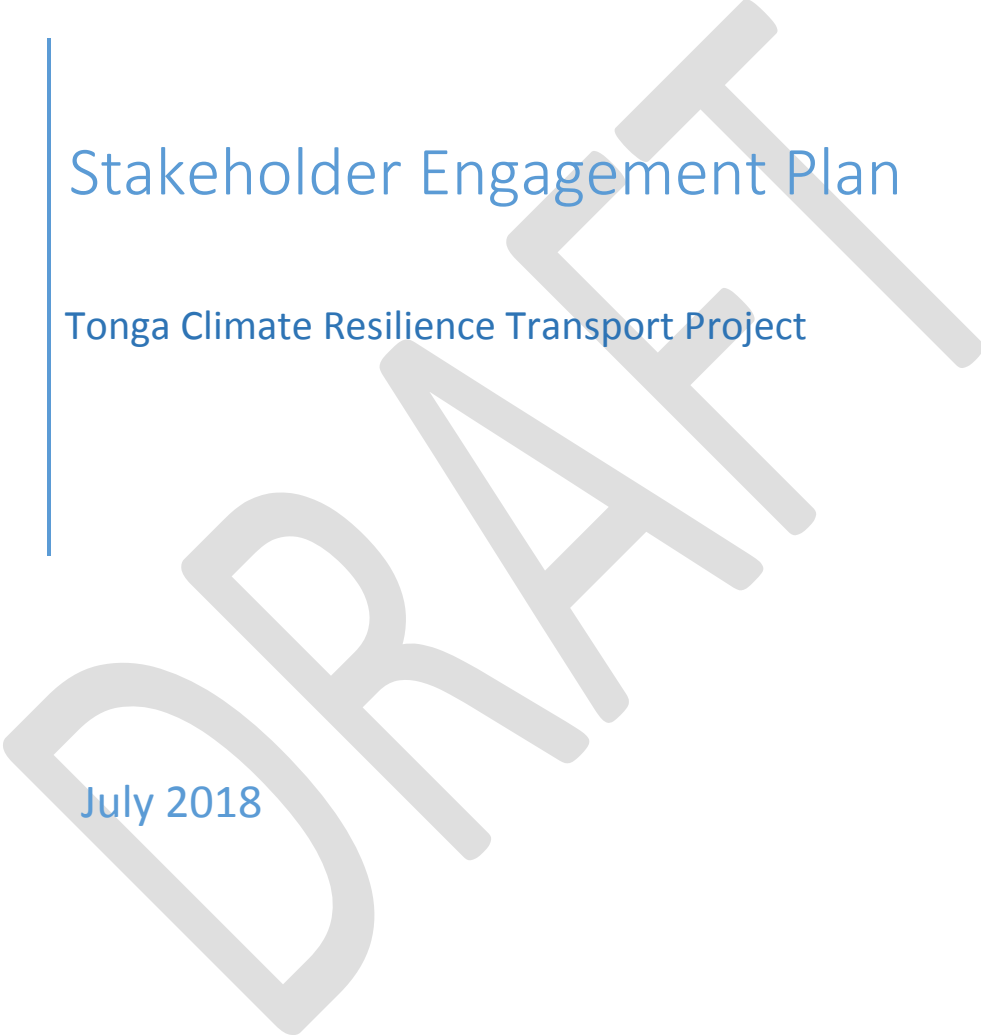July 2018

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1. INTRODUCTION

1.1. Overview

This document is the Stakeholder Engagement Plan (SEP) which forms part of the environmental and social impact assessment (ESIA) of the Tonga Climate Resilience Transport Project (the TCRTP, referred to hereinafter as "the Project").

Ministry of Infrastructure (MOI) has entered into an exclusive agreement with World Bank to develop the Project. The Bank will fund the Project. MOI is responsible for preparing the ESIA Report.

The Project focuses on rehabilitation of key infrastructures like roads (Tongatapu Island; 'Eua Island; Foa and Lifuka Islands (Ha'apai Group; Vava'u Island), maritime (ports at the islands of 'Eua, Lifuka, Vava'u, and Niuatoputapu) and aviation (Lifuka Island, Ha'apai Group).

1.2. Stakeholder Engagement Plan (SEP)

The SEP seeks to define a technically and culturally appropriate approach to consultation and disclosure. The goal of this SEP is to improve and facilitate decision making and create an atmosphere of understanding that actively involves project-affected people and other stakeholders in a timely manner, and that these groups are provided sufficient opportunity to voice their opinions and concerns that may influence Project decisions. The SEP is a useful tool for managing communications between MOI and its stakeholders.

The Key Objectives of the SEP can be summarised as follows:

- Understand the stakeholder engagement requirements of Tongan legislation;
- Provide guidance for stakeholder engagement such that it meets the standards of International Best Practice;
- Identify key stakeholders that are affected, and/or able to influence the Project and its activities;
- Identify the most effective methods, timing and structures through which to share project information, and to ensure regular, accessible, transparent and appropriate consultation;
- Develops a stakeholders engagement process that provides stakeholders with an opportunity to influence project planning and design;
- Establish formal grievance/resolution mechanisms;
- Define roles and responsibilities for the implementation of the SEP;
- Define reporting and monitoring measures to ensure the effectiveness of the SEP and periodical reviews of the SEP based on findings.

1.3. Regulations and requirements

Statute and Regulations

This SEP takes into account the existing institutional and regulatory framework within the context of the following Tongan legal instruments:

- Environment Impact Act
- Land Act

- Local Government Act

2. AN OVERVIEW OF STAKEHOLDER ENGAGEMENT

2.1. What is Stakeholder Engagement?

Stakeholder Engagement will be free of manipulation, interference, coercion, and intimidation, and conducted on the basis of timely, relevant, understandable and accessible information, in a culturally appropriate format. It involves interactions between identified groups of people and provides stakeholders with an opportunity to raise their concerns and opinions (e.g. by way of meetings, surveys, interviews and/or focus groups), and ensures that this information is taken into consideration when making project decisions.

Effective stakeholder engagement develops a "social licence" to operate and depends on mutual trust, respect and transparent communication between MOI and its stakeholders. It thereby improves its decision-making and performance by:

- **Managing costs:** Effective engagement can help project MOI avoid costs, in terms of money and reputation;
- **Managing risk:** Engagement helps project MOI and communities to identify, prevent, and mitigate environmental and social impacts that can threaten project viability;
- **Enhancing reputation:** By publicly recognising human rights and committing to environmental protection, MOI and financial institutions (World Bank) involved in financing the project can boost their credibility and minimise risks;
- **Avoiding conflict:** Understanding current and potential issues such as land rights and proposed project activities;
- **Improving corporate policy:** Obtaining perceptions about a project, which can act as a catalyst for changes and improvements in MOI corporate practices and policies;
- **Identifying, monitoring and reporting on impacts:** Understanding a project's impact on stakeholders, evaluating and reporting back on mechanisms to address these impacts; and
- **Managing stakeholder expectations:** Consultation also provides the opportunity for MOI to become aware of and manage stakeholder attitudes and expectations.

2.2. Principles for Effective Stakeholder Engagement

Stakeholder engagement is usually informed by a set of principles defining core values underpinning interactions with stakeholders. Common principles based on International Best Practice include the following:

- **Commitment** is demonstrated when the need to understand, engage and identify the community is recognised and acted upon early in the process;
- **Integrity** occurs when engagement is conducted in a manner that fosters mutual respect and trust;
- **Respect** is created when the rights, cultural beliefs, values and interests of stakeholders and affected communities are recognised;
- **Transparency** is demonstrated when community concerns are responded to in a timely, open and effective manner;

- **Inclusiveness** is achieved when broad participation is encouraged and supported by appropriate participation opportunities; and
- **Trust** is achieved through open and meaningful dialogue that respects and upholds a community's beliefs, values and opinions.

2.2.1. Stakeholder Engagement Considerations

The following considerations should be made when planning for stakeholder engagement:

Time and resources**:**

It takes time to develop and build trust based relationships with stakeholders. The consensus from practitioners is that from the outset relationships with stakeholders should develop and grow, and that these relationships should be nurtured and fostered not to fade.

Additional stakeholders might be identified that also want to be engaged. No willing stakeholder should be excluded from the process of engagement. Some stakeholders will need to be educated about the concept of engagement itself, as well as on the complex issues requiring specialised and technical knowledge. These demands can increase the cost of consultation required to meet external expectations, and often this occurs at a time when a project lacks the internal capacity and resources to implement a broad engagement strategy.

It raises expectations**:**

Stakeholders can have unrealistically high expectations of benefits that may accrue to them from a project. As such MOI from the outset must be clear on what they can and cannot do, establishing a clear understanding of their roles and responsibilities.

In Tonga, the engagement processes should provide MOI with an opportunity to develop relationships with stakeholders and potential project partners who can assist with implementing corporate social responsibility projects.

Securing stakeholder participation**:**

Cultural norms and values can prevent stakeholders from freely participating in meetings. Often there are conflicting demands within a community, and it can be challenging for a project to identify stakeholders who are representative of common interests. This might be avoided by employing local consultants who are sensitive to local power dynamics, which requires project proponents developing an awareness of the local context and implementing structures to support and foster effective stakeholder engagement.

Consultation fatigue**:**

Moreover there is evidence to suggest that stakeholders can easily tire of consultation processes especially when promises are unfulfilled, and their opinions and concerns are not taken into consideration. Often stakeholders feel their lives are not improving as a result of a project and this can lead to consultation meetings being used as an area to voice complaints and grievances about the lack of development. This might be avoided by coordinating stakeholder engagement during the ESIA process, and by ensuring practitioners do not make promises to stakeholders, but rather use the public consultation process as an opportunity to manage expectations, challenge misconceptions, disseminate accurate project information, and gather stakeholder opinions which are feedback to the client and other project specialists.

2.3. Stakeholder Identification

In order to develop an effective SEP, it is necessary to determine who the stakeholders are and understand their needs and expectations for engagement, and their priorities and objectives in relation to the Project. This information is then used to tailor engagement to each type of stakeholder. As part of this process it is particularly important to identify individuals and groups who may find it more difficult to participate and those who may be differentially or disproportionately affected by the project because of their marginalised or vulnerable status.

It is also important to understand how each stakeholder may be affected – or perceives they may be affected – so that engagement can be tailored to inform them and understand their views and concerns in an appropriate manner.

Stakeholders have been and will continue to be identified on a continuing basis by identifying:

- Various stakeholder categories that may be affected by, or be interested in, the Project; and
- Specific individuals, groups, and organizations within each of these categories taking into account:
- The expected Project area of impact, that is the geographical area over which it may cause impacts (both positive and negative) over its lifetime, and therefore the localities within which people and businesses could be affected;
  The nature of the impacts that could arise and therefore the types of national/local government entities, NGOs, academic and research institutions and other bodies who may have an interest in these issues.

In general, engagement is directly proportional to impact and influence, and as the extent of impact of a project on a stakeholder group increases, or the extent of influence of a particular stakeholder on a project increases, engagement with that particular stakeholder group should intensify and deepen in terms of the frequency and the intensity of the engagement method used. All engagement should proceed on the basis of what are culturally acceptable and appropriate methods for each of the different stakeholder groups targeted.

2.4. Stakeholder identification and consultation methods

There are a variety of engagement techniques used to build relationships with stakeholders, gather information from stakeholders, consult with stakeholders, and disseminate project information to stakeholders.

When selecting an appropriate consultation technique, culturally appropriate consultation methods, and the purpose for engaging with a stakeholder group should be considered. The technique mostly used in Tonga are:

Engagement Technique	Appropriate application of the technique

Correspondences (Phone, Emails)	Distribute information to Government officials, NGOs, Local Government, and organisations/agencies Invite stakeholders to meetings and follow-up
One-on-one meetings	Seeking views and opinions Enable stakeholder to speak freely about sensitive issues Build personal relationships Record meetings
Formal meetings	Present the Project information to a group of stakeholders Allow group to comment – opinions and views Build impersonal relation with high level stakeholders Disseminate technical information Record discussions
Public meetings	Present Project information to a large group of stakeholders, especially communities Allow the group to provide their views and opinions Build relationship with the communities, especially those impacted Distribute non-technical information Facilitate meetings with presentations, PowerPoint, posters etc. Record discussions, comments, questions.
Focus group meetings	Present Project information to a group of stakeholders Allow stakeholders to provide their views on targeted baseline information Build relationships with communities Record responses
Project website	Present project information and progress updates Disclose ESIA, ESMP and other relevant project documentation
Direct communication with affected crops/asset owners (Road component only)	Share information on timing of road clearance Agree options for removing crops and relocation of fences.
Road signs	Share information on project activities Reminders of potential impacts (eg for road clearance activities; remind crop owners to harvest crops and replant outside the road reservation)
Project leaflet	Brief project information to provide regular update Site specific project information.

2.5. Stakeholders identified

2.5.1. Stakeholder Communities

A provisional list of affected communities (villages) has already been compiled based on the selected sites and area of impact. Villages are listed as follows:

Villages in Tongatapu:

1. Kolovai
2. Ha'avakatolo
3. Fo'ui
4. Matahau
5. Ha'alalo
6. Houma
7. Veitongo
8. Vaini
9. Ha'ateiho
10. Fua'amotu
11. Haveluliku
12. Lapaha
13. Hoi
14. Talafo'ou
15. Makaunga
16. Navutoka
17. Kolonga

Villages in 'Eua:

18. Houma
19. Ta'anga
20. 'Ohonua
21. Tufuvai
22. Angaha
23. Mata'aho
24. Mu'a

Villages in Vava'u

25. Neiafu
26. Toula
27. Pangaimotu
28. Longomapu
29. Tefisi
30. Leimatu'a
31. Mangia
32. Mataika
33. Houma
34. Ha'akio

Villages in Ha'apai

35. Faleloa
36. Loto Foa

37. Fotua
38. Fangale'ounga
39. Ha'ateiho Si'i
40. Pangai
41. Koulo
42. Holopeka
43. Hihifo

Villages in Niuatoputapu

44. Falehau
45. Vaipoa
46. Hihifo

For the roads component only, there will be a need to communicate directly with owners of crops and fences who will be affected by clearance of the road reservation. It is it not possible to identify these individuals at this stage, but the Contractor will be responsible for preparing a communication plan to discuss potential impacts and agree timing for road clearance activities. However, communication on the timing of works is a crucial component of minimizing impact to crop/fence owners.

2.5.2. Identification of Non-community stakeholders

Non-community stakeholders include:

o   Ministries at national level:

o   Ministry of Infrastructure;

o   Ministry of Lands and Natural Resources;

o   Ministry of Internal Affairs;

o   Planning and Urban Management Agency (MLNR) ;

o   Ministry of Meteorology, Energy, Information, Disaster Management, Environment, Climate Change, and Communication;

Public enterprises:

- o   Tonga Airport Limited
- o   Tonga Power Limited
- o   Ports Authority Limited
- o   Waste Authority Limited
- o   Tonga Communications Corporation
- o   Tonga Water Board

Coordination among authorities and departments over environmental matters is facilitated by the Department of the Environment (MEIDECCC).

The non-community stakeholders can be divided into the following groups for engagement at selected ESIA stages:

o   National and local government authorities;

o   International and national NGOs;

o   Research/academic community;

o   Media;

o   Developers/project operators.

2.6. STAKEHOLDER ENGAGEMENT OBJECTIVES AND PRINCIPLES

The SEP has three corporate objectives, a number of project-specific operational objectives, and key principles. The stakeholder engagement programme will aim to achieve the objectives and comply with the principles.

2.6.1. Communal objectives

The corporate objectives of stakeholder engagement are

o   A co-ordinated approach to all engagement actions;

o   Consistency of messaging;

o   Management of stakeholder expectations; and

o   Reduction in the potential for delays in future project-related decision-making for issue of project approvals and permits or the need for costly redesign of operations/facilities.

2.6.2. Operational objectives

The operational objectives of stakeholder engagement are:

o   Acquisition of information from certain stakeholders to assist preparation of the ESIA report;

o   Provision of information on TCRTP and the ESIA to stakeholders;

o   Ensuring that stakeholders have an understanding of how they might be affected and their potential role in TCRTP implementation and impact management;

o   Provision of opportunities for stakeholders to express their opinions and concerns in relation to the ESIA and TCRTP and for these opinions and concerns to be taken into account in the ESIA and TCRTP -related management decisions; and

Ensuring that stakeholders understand MOI's corporate and operational aims and requirements, with respects to TCRTP, and have confidence in MOI's ability to manage environmental/social risks in a responsible and transparent manner

2.6.3. Key principles

The SEP will ensure that the following key principles are applied to all engagement activities:

o   Timing and number of engagement events designed to maximise stakeholder involvement and to avoid disruption to the 'daily business' of local stakeholders and also stakeholder 'fatigue';

o   A senior MOI staff member to be present and participate actively at all engagement events;

o   Engagement events to occur in line with the SEP schedule so that there is clear linkage between engagement activities and the key stages in the ESIA assessment process;

o   Ensure that engagement is managed so that it is culturally appropriate, adequate and timely information and opportunities are provided to all stakeholders to be involved/contribute; and

o   Ensure that engagement is free from coercion, undertaken prior to key decisions and informed by provision of objective and meaningful information, and that feedback is provided to stakeholders after engagement has concluded.

MOI employs a protocol governing all stakeholder engagement activities. No interaction with any stakeholder related to the ESIA and TCRTP can be undertaken without the MOI's permission.

2.7. Culturally appropriate engagement

It is critical that engagement is culturally appropriate, especially, but not exclusively, in terms of impacted communities. MOI plus the lead ESIA consultants are all familiar with the ethnic and cultural complexity of Tonga. Most stakeholder engagement will be with rural village inhabitants and it is known from previous engagement activities with such communities that traditional social and cultural norms are respected by almost all inhabitants. Local people have expectations that 'outsiders' will proceed through the 'correct' customary channels involving an appropriate local leader(s) before beginning work or initiating consultations with village residents. It is the intention that the ESIA local consultant will manage and, as appropriate, lead engagement events. Also, it is expected that all engagements will be in Tongan.

Prior to any engagement event the following actions will occur:

o   Preparation of standard 'question and answer' sheets tailored for specific stakeholder types (based on 'lessons learnt' analysis and common issues raised in previous engagement);

o   Planning/design of engagement action(s) with PM, consultants and then key 'traditional' and 'formal' authorities;

o   Reaching an internal ESIA team agreement on the role of local and international consultants during stakeholder events and whether the presence of a MOI staff is appropriate;

o   Selection of individual stakeholders with whom engagement will occur;

o   Selection of methods for disclosure of information (including such topics as format, language, and timing);

o   Selection of location and timing for engagement event(s) (avoiding busy work times, which may be seasonal, and days/times when special events may be occurring);

o Agreeing mechanisms for ensuring stakeholder attendance at engagement event(s) (if required);

o Identification and implementation of feedback mechanisms to be employed.

3. ESIA IMPLEMENTATION

The Ministry of Finance and National Planning is the Executing Agency and the MOI is the Implementing Agency. The MOI is responsible for the management of all activities, including procurement, financial management, and reporting.

During ESIA implementation, EIA law requires adequate public consultation. This requirement is incorporated into the stakeholder engagement programme for this stage. The main purpose for consultations at this stage is to provide feedback to stakeholder as to ESIA progress and preliminary results (which may include early identification of key risks/impact issues and mitigation measures). This is also a stage when it may be clear that certain risk/impact issues are more, or less, important than first thought and, indeed, that new risk/impact issues are identified that need investigation.

4. STAKEHOLDER ENGAGEMENT: PROJECT LIFE-CYCLE

This SEP needs to be updated and refined throughout the lifecycle of the Project. During this process the focus and scope of the SEP will change to ensure that the MOI addresses external changes and adheres to its strategy (which itself may change over time).

The key life-cycle phases to be considered when implementing stakeholder engagement are briefly discussed below.

- Design/Plan: the process of assuring that systems and components of the Project are designed, installed, and maintained to prescribed / agreed requirements;

- Implementation: the process and activities are implemented as planned

4.1. Stakeholder Engagement and Project Cycle

4.1.1. Engagement Phases

Stakeholder engagement within the ESIA process is critical for supporting the project's risk management process, specifically the early identification and avoidance/management of potential impacts (negative and positive) and cost effective project design.

Stakeholder engagement is an on-going process throughout the life of the project:

- Planning/design (including disclosure);
- Construction

- Operation.

4.1.2. ESIA Disclosure

This is the second phase of engagement and it focuses on disclosing and consulting on the draft results of the ESIA process. Within the overarching ESIA engagement objectives, the specific objectives for the ESIA phase are to:

- Provide feedback to the stakeholders on the draft impact assessment and associated management/mitigation measures
- Gather stakeholder input on the impact assessment and outlined mitigation and enhancement measures

The disclosure and consultation activities will be designed along with some guiding principles:

- Consultations must be widely publicised particularly among the project affected stakeholders/communities, preferably 2 weeks prior to any meeting engagements
- Allow non-technical information summary to be accessible prior to any event to ensure that people are informed of the assessment and conclusions before scheduled meetings
- Location and timing of meetings must be designed to maximise stakeholder participation and availability
- Information presented must be clear, and non-technical, and presented in both local language and mannerism
- Facilitate in a way that allow stakeholders to raise their views and concerns
- Issues raised must be answered, at the meeting or at a later time

Targeted stakeholders may comment on the ESIA within the time indicated.

4.2. Operation Phase

4.2.1. Community Forum

To facilitate effective consultation with the communities during implementation and operation of the project, the Project Manager (PM), established community forum (local community established leadership). The aim is to disseminate project information to community members.

4.2.2. Local Government

Government representatives (Government Representatives on respective Island groups, District/Town Officers, MOI OIC) as a channel to disseminate information on the project.

4.2.3. Information Boards

Notice boards are effective mechanisms to inform the communities and wider audiences about the project. These can be installed on specific areas of impact (communities).

5. SEP RESOURCES AND RESPONSIBILITIES

The management, coordination and implementation of the SEP and its integral tasks will be the responsibility of dedicated team members within MOI PMU and its local sub-contractors. The roles and responsibilities of the organizations are presented below.

5.1. MOI

MOI has a social performance team under the management of the PM. The key tasks are *inter alia* to:

o   Approve the content of the draft SEP (and any further revisions);

o   Approve prior to release, all materials used to provide information associated with the TCRTP ESIA (such as introductory letters, question and answer sheets, PowerPoint materials, posters, leaflets and brochures explaining TCRTP and ESIA process);

o   Approve and facilitate all stakeholder engagement events and disclosure of material to support stakeholder engagement events;

o   Participate either themselves, or identify a suitable MOI representative, during all face-to-face stakeholder meetings

o   Review and sign-off minutes of all engagement events; and

o   Maintain the stakeholder database.

6. GRIEVANCE MECHANISM

6.1. Definitions and Grievance Procedure

A grievance mechanism has been developed for potential use by external stakeholders. The aim of the grievance mechanism is to achieve mutually agreed resolution of grievances raised by such stakeholders. The grievance mechanism described in this section is distinct from the grievance mechanism to be used by the Project's workforce.

This grievance mechanism ensures that complaints and grievances (see 'definitions' below) are addressed in good faith and through a transparent and impartial process, but one which is culturally acceptable. It does not deal with 'concerns' which are defined as questions, requests for information, or perceptions not necessarily related to a specific impact or incident caused by a project activity. If not addressed to the satisfaction of the person or group raising the concern, then a concern may become a complaint. Concerns are not registered as a grievance but will be managed via the MOI external communications plan.

Key definitions are as follows:

o   Complaint: an expression of dissatisfaction that is related to an impact caused by a project activity, which has affected an individual or group. Adversely, the interests of an individual or group and the individual or group wants a proponent or operator (or contractor) to address and resolve it (e. g. problems related to dust deposition, noise or vibration). A complaint is normally of a less serious nature than a grievance; and

o Grievance: a claim raised by an individual or group whose livelihood, health and safety, cultural norms and heritage are considered to have been adversely affected (harmed) by a project activity which, if not addressed effectively, may pose a risk to MOI operations (through stakeholder actions such as access road blockages) and the livelihood, well-being or quality of life of the claimant(s).

The grievance mechanism described in this section includes both complaints and grievances (hereinafter referred to only as 'grievances').

Grievances raised by stakeholders need to be managed through a transparent process, readily acceptable to all segments of affected communities and other stakeholders, at no cost and without retribution. The grievance mechanism should be appropriate to the scale of impacts and risks presented by a project and beneficial for both a proponent/operator and external stakeholders. The mechanism must not impede access to other judicial or administrative remedies.

This grievance mechanism sets out the following steps to be taken to resolve grievances, the role of different staff members involved and timeframes to reach a decision on grievances. The types of grievances stakeholders may raise include, but are not limited to:

o Negative impacts on communities, which may include, but not be limited to financial loss, physical harm and nuisance from construction or operational activities;

o Health and safety risks;

o Negative impacts on the environment; and

o Unacceptable behaviour by staff or employees.

It is critical that stakeholders understand that all grievances lodged, regardless of the project phase or activity being implemented, will follow one single mechanism.

6.2. Grievance Redress Process

A grievance redress mechanism (GRM) is presented below to uphold the project's social and environmental safeguards performance. The purpose of the GRM is to record and address any complaints that may arise during the implementation phase of the project and/or any future operational issues that have the potential to be designed out during implementation phase. The GRM is designed to address concerns and complaints promptly and transparently with no impacts (cost, discrimination) for any reports made by project affected people (PAPs). The GRM works within existing legal and cultural frameworks, providing an additional opportunity to resolve grievances at the local, project level.

The key objectives of the GRM are:

- Record, categorize and prioritize the grievances;

- Settle the grievances via consultation with all stakeholders (and inform those stakeholders of the solutions)

- Forward any unresolved cases to the relevant authority.

As the GRM works within existing legal and cultural frameworks, it is recognized that the GRM will comprise community level, project level and Tonga judiciary level redress mechanisms. The details of each of those components are described as follows.

6.3. Community Level Grievance Redress Mechanism

Local communities have existing traditional and cultural grievance redress mechanisms. It is expected that some disputes at the community level may be resolved using these mechanisms, without the involvement of the contractor(s), and or Government representatives at local and national level. This is primarily concerned with the extended family members.

However, regarding disputes that include differences between households over land, or boundaries, even on issues triggered indirectly by the Project, the mechanism will involve the Town Officer, landowner(s) concerned, and if required, the representative from the Ministry of Lands and Natural Resources and Ministry of Infrastructure.

It is expected that any land dispute issues pertaining to the Project would be resolved at this level given the nature of land ownership and the significant authority vested under the Minister of Lands.

Where issues caused by the project are raised and resolved through these existing community level grievance redress mechanisms, it is important that a mechanism for reporting them to the MOI is established. Hence, the MOI records all complaints/outcomes, and if it is land disputes, then the MLNR will lead and record all complaints/outcomes.

The option of using existing community mechanisms for resolving and reporting project related grievance is recommended.

6.4. Project Level Grievance Redress Mechanism

Many project related grievances are minor and site-specific. Often, they revolve around nuisances generated during construction such as noise, dust, vibration, workers disputes etc. Often, they can be resolved easily on site. Other grievances are more difficult especially when it's about land boundaries, or misunderstandings between affected households and the Contractor regarding access arrangements. Most of these cannot be resolved immediately and on site.

For the road components activities expected to be in Tongatapu, 'Eua, Ha'apai, and Vava'u, the Project Contact Person (PCP) within PMU MoI, to receive, review, record and address project related complaints.

In practice - and this is particularly more relevant to the road component because of the expected larger scale of its activities – not many complaints are expected. This is on the assumption that all proposed works are within the road reserve areas across the islands. However, some complaints are likely to be associated with construction impacts. Most are received directly on site by the Contractor's Site Supervisor (CSS) who will endeavour to resolve them satisfactorily on site. The CSS will inform the MOI Contact Person and eventually relay to the PCP at MOI/PMU of these complaints and their outcomes, and of others not satisfactorily resolved that the Project Contact Person should take over. The PCP will log these in the Complaints Register.

For all three components, namely road, wharf and airport, the PCPs will, on receipt of each complaint, note the date, time, name and contact details of the complainant, and the nature of the complaint in the Complaints Register. The PCP will inform the complainant of when to expect a response. He/She will then endeavour to address it to the best of his/her abilities, as soon as possible. Should the PCP not be able to

resolve the complaint to the satisfaction of the affected persons, he/she will then refer the complaint directly to the MoI Project Manager (PM).

Complaints referred to the MoI PM will require him/her to take earnest action to resolve them at the earliest time possible. It would be desirable that the aggrieved party is consulted and be informed of the course of action being taken, and when a result may be expected. Reporting back to the complainant will be undertaken within a period of two weeks from the date that the complaint was received. If it's a land related issue, the MOI PM will inform the MOI Secretary who will consult the CEO MLNR on how best to resolve it.

If the complaint is not resolved to the satisfaction of the aggrieved party, it will then be referred by the MOI Secretary to the National Steering Committee (NSC). The NSC will be required to address the concern within 1 month.

Should measures taken by the National Steering Committee fail to satisfy the complainant, the aggrieved party is free to take his/her grievance to the Ombudsman's Office, and the Ombudsman's decision will be final. It is possible that for land issues, it would be advisable for the complainant to take his/her issue to the Minister of Lands for a final pronouncement.

It is rare for a complaint to be unresolved after the Ombudsman's decision or for MLNR's resolution to be taken further. However, on both cases, the very last resort will be at the Courts, or Land Court for land disputes.

It is vital that appropriate signage is erected at the sites of all works providing the public with updated project information and summarising the GRM process, including contact details of the relevant Project Contact Person. Anyone shall be able to lodge a complaint and the methods (forms, in person, telephone, forms written in Tongan) should not inhibit the lodgement of any complaint.

The Complaints Register will be maintained by the PCP, who will log the: i) details and nature of the complaint; ii) the complainant name and their contact details; iii) date; iv) corrective actions taken in response to the complaint. This information will be included in MOI's progress reports to the Bank.

The project level process can only act within its appropriate level of authority and where appropriate, complaints will be referred on to the relevant authority such as those indicated.

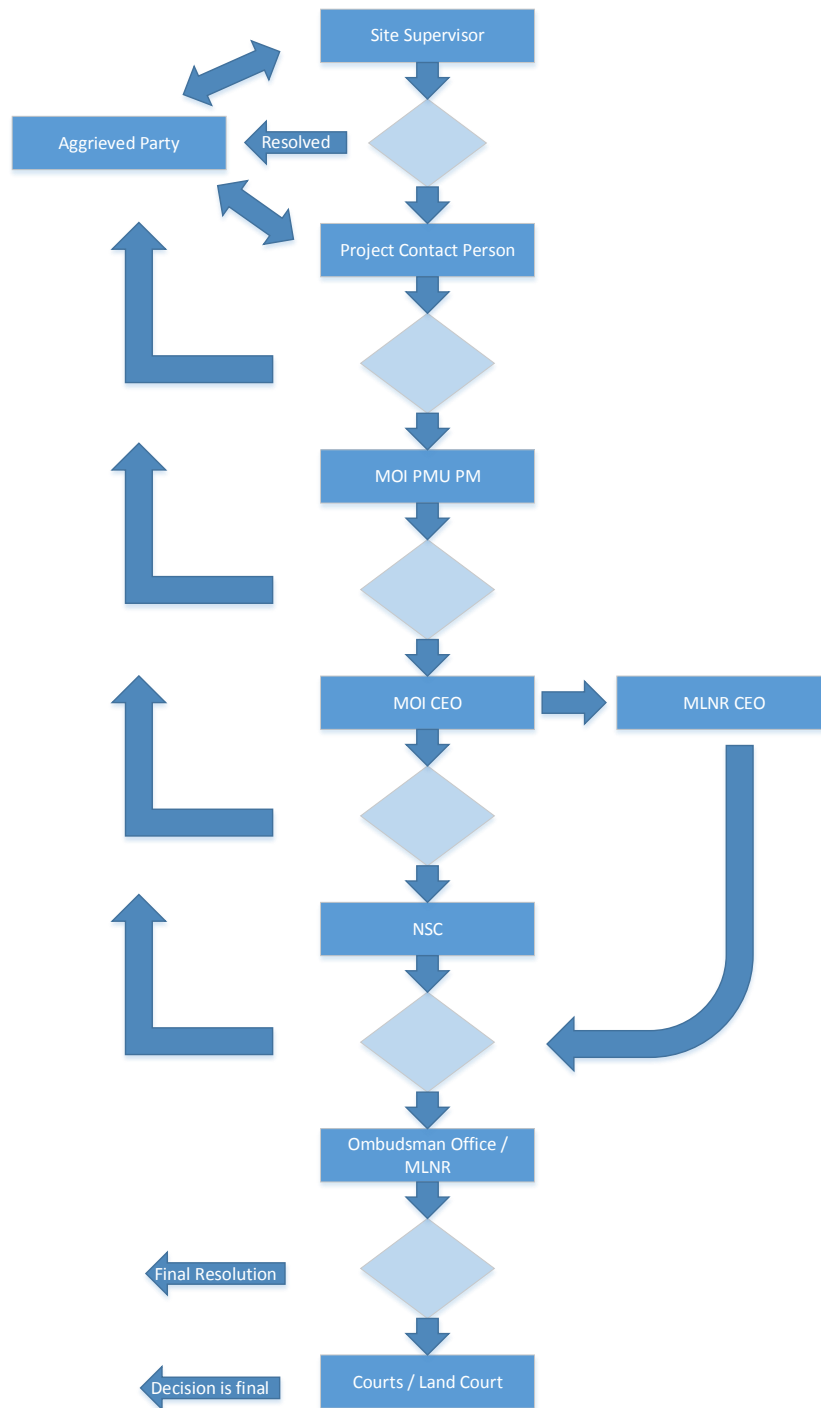## 6.5. Judiciary Level Grievance Redress Mechanism

The project level process will not impede affected persons access to the legal system. At any time, the complainant may take the matter to the appropriate legal or judicial authority as per the laws of Tonga.

Table 1: Grievance Redress Process at Project Level

Stage	Process	Duration
1	The Aggrieved Party (AP) will take his/her grievance to Construction Site Supervisor (CSS) who will endeavour to resolve it immediately. Where AP is not satisfied, the CSS will refer the AP to the Project's Contact Person (PCP). For complaints that were satisfactorily resolved by the CSS, he/she will inform the PCP and the PCP will log the grievance and the actions that were taken.	Anytime

2	On receipt of the complaint, the Project PCP will endeavour to resolve it immediately. If unsuccessful, he/she then notifies PMU Project Manager	Immediately after logging grievance
3	The PMU Project Manager will endeavour to address and resolve the complaint and inform the aggrieved party. If it's a land issue, the Project Manager will advise the MOI CEO, to engage the MLNR. The Project Manager will also refer to the MOI Project Manager other unresolved grievances for his/her action.	
4	If the matter remains unresolved, or complainant is not satisfied with the outcome at the project level, the MOI Project Manager, will then refer to matter to the National Steering Committee (NSC) for a resolution.	1 month
5	If it remains unresolved or the complainant is dissatisfied with the outcome proposed by the NSC, he/she is free to refer the matter to the Ombudsman's Office or MLNR if it is land matters.	Anytime
6	Land related issue, MOI CEO may seek the assistance of the MLNR CEO.	Immediately after stage 3
7	If the issue remains unresolved through the Ombudsman's decision or the Minister of Lands decision, then the ultimate step will be for the Courts or Land Court respectively to deliberate. Any such decisions are final.	Anytime

Diagram 1: Grievance Process

Site Supervisor

Aggrieved Party ← Resolved

Project Contact Person

MOI PMU PM

MOI CEO → MLNR CEO

NSC

Ombudsman Office / MLNR

Final Resolution

Courts / Land Court ← Decision is final

7. MONITORING AND REPORTING

Monitoring and evaluation of the stakeholder process is considered vital to ensure MOI is able to respond to identified issues and alter the schedule and nature of engagement activities to make them more effective. Adherence to the following characteristics/commitments/activities will assist in achieving successful engagement:

o   Sufficient resources to undertake the engagement;

o   Inclusivity (inclusion of key groups) of interactions with stakeholders;

o   Promotion of stakeholder involvement;

o   Sense of trust in MOI shown by all stakeholders;

o   Clearly defined approaches; and

o   Transparency in all activities.

Monitoring of the stakeholder engagement process allows the efficacy of the process to be evaluated. Specifically, by identifying key performance indicators that reflect the objectives of the SEP and the specific actions and timings, it is possible to both monitor and evaluate the process undertaken.

Two distinct but related monitoring activities in terms of timing will be implemented:

o   During the engagement activities: short-term monitoring to allow for adjustments/improvements to be made during engagement; and

o   Following completion of all engagement activities: review of outputs at the end of engagement to evaluate the effectiveness of the SEP as implemented.

A series of key performance indicators for each stakeholder engagement stage have been developed. Table 6 shows the indicators, and performance against the indicators will show successful completion of engagement tasks.

Table 2: Key Performance Indicators by Project phase

Phase activities		
Planning for construction

ESIA Implementation | Share updates on project activities | Bill Boards displayed in allocated locations by time specified;

Affected community stakeholders, with at least 30% women, have received and understand the TCRTP/ESIA information disclosed and attended the public meetings;

Communities provided feedback;

No complaints about non-receipt of materials received. |

	Confirmation that the ESMP tasks are defined as specific individual or grouped environmental and social clauses in contract bid documents.	MOI/PMU (Contract Manager) to draw on ESIA/ESMP/SEP for bidding documents
	Confirmation that environmental management criteria are included as part of the contractor selection process, including their experience preparing and implementing ESMPs, etc	MOI/PMU (Contract Manager) to draw on ESIA/ESMP/SEP for Contractor selection process
	A safeguards advisor located and retained as an advisor by the PMU, providing assistance with ESMP implementation, contractor briefing on habitat protection, contractor ESMP supervision (including observations during construction), and participation in community consultation	MOI/PMU safeguard strengthening
	Compliance monitoring checklists prepared and being used by the contractor and safeguards consultant and due diligence notes, completed as defined in the ESMP, and making the notes available in an easily accessible file for the contractor, Technical Coordinator, PMU Project Manager and others to use.	ESIA/ESMP/SEP to guide management and monitoring processes

The identification of TCRTP-related impacts and concerns is a key element of stakeholder engagement that will occur over the complete TCRTP life-cycle. As such, the identification of new concerns and impacts as the ESIA and TCRTP progresses will serve as an overall indicator for the utility of the stakeholder engagement process.

In the ESIA Reports there will be a review of the engagement activities conducted; levels of stakeholder involvement (particularly for affected communities, women and vulnerable people/groups); the issues discussed and outcomes; and the extent to which stakeholder issues, priorities and concerns are reflected in the ESIA Report, particularly with respect to mitigation and monitoring strategies contained in the Environmental and Social Action Plan.

8. MANAGEMENT FUNCTIONS

In this section the proposed organizational structure and management functions for the stakeholder engagement function at MOI are described. While MOI may decide to adapt this structure according its needs, it is emphasised that the various components listed and then described below should be represented in the organizational structure in order to successfully implement the SEP:

o PM, who is responsible for overseeing and coordinating all activities associated with stakeholder engagement;

o Liaison Officer (LO) who will be responsible for implementing community engagement activities; and

o Administration, who will be responsible to manage all activities related to database, documents and logistics; and integration/support, which relates to the interaction with other departments, initiatives or projects.

8.1. Liaison Officer

The Liaison Officer will oversee all planned stakeholder engagement activities or in process of being implemented. Furthermore, this Liaison officer needs to ensure that all stakeholder engagement aspects are a permanent item on all high-level management agendas, within MOI, and that all actions arising from management decisions are implemented. Responsibilities of the LO include the following:

o Develop, implement and monitor all stakeholder engagement strategies/plans for the Project/ESIA;

o Oversee all stakeholder engagement related activities for the Project;

o Manage the grievance mechanism;

o Interact with related and complementary support activities that require *ad hoc* or intensive stakeholder engagement (community development and land acquisition/resettlement planning and implementation);

o Act as mediator between MOI and stakeholders;

o Liaise with other project managers to ensure that stakeholder engagement requirements/protocols are understood; and

o Proactively identify stakeholders, project risks and opportunities and inform the PM / senior management to ensure that the necessary planning can be done to either mitigate risk or exploit opportunities.

The LO plays a critical role as internal change agent for social and stakeholder-related matters in MOI. This becomes important if social and stakeholder risks identified need to be escalated for higher-level decision-making to identify a resolution. The LO needs to remain actively involved with the community development and land acquisition/resettlement planning and implementation in order to identify potential risks or opportunities and ensure that the needed administrative support is provided. Moreover, grievances submitted as part the community development and land acquisition/resettlement processes needs to be addressed under the GRM scheme.

8.2. Integration and support

Due to the fact that stakeholder engagement activities will influence other departments or require their inputs, the LO needs to ensure the various managers are included or kept informed on the stakeholder engagement process. Decisions taken by managers might have a direct or indirect impact on communities which would need to be communicated at the appropriate time. For example, the Project's Engineering or Site Manager might decide to drop part of the roads which could potentially have an impact on communities. Anticipated stakeholder engagement roles for the various decision-makers are outlined below:

o Project Manager: this manager will be responsible to sustain relationships and communicate with Government entities and the media. These engagements will be required throughout the Project's life

and decisions taken as a result of these engagements could potentially impact MOI's relationships with communities e.g. site selection or compensation agreements;

- o Contract Manager: opportunities for contractor/employment are a key concern for community members. They are also very sensitive about appointing people from local villages opposed to villages located further away from the project site. This requires that a defined process of employment be developed and clearly communicated to community leadership and members.

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