

GRIEVANCE REDRESS MECHANISM

The process of the Grievance Redress Mechanism

1. A Grievance Redress Mechanism will be put in place to ensure that potentially affected persons can (i) communicate their information needs concerning project activities and anticipated impacts; (ii) report any negative impacts; and, (iii) inform project implementers about any gaps in their inclusion in project benefits. The grievance process should be culturally sensitive and designed to work with existing practices of the ethnic community. Affected persons will be informed that they can always communicate with the project management and staff to air their complaints or report any negative project impacts which are not acted upon, per agreed mitigating measures affected persons will also be informed that access to the GRM is free of charge.

2. Acting on and resolving complaints and issues raised by project beneficiaries is a collective responsibility of the PIU head and the village and district authorities in Keo Oudom District, as well as Vientiane Provincial authorities. They are to act on and facilitate any resolution of complaints and grievances, confusion and any misunderstanding about project policies and implementation plans. To ensure that any grievances of those affected by resettlement or any project related actions are resolved timely and in a manner satisfactory to the aggrieved affected household or person, detailed procedures for receiving and redressing grievances, including appeal processes, are as follows.

- **Level 1: Village Grievance Committee.** The complainant will initially formally lodge his/her complaint to the village officials (Form 1). The complaint is registered in the record book of the village (Form 2). The Village Grievance Committee will deliberate and resolve the complaint within 15 days and consultations with the complainant are done within this time frame in a transparent and non-coercive manner (Form 3). If, and when the complaint is not acted upon within the set time frame or if complainant is dissatisfied with the decision of the village grievance committee, he or she elevates the complaints to the District grievance committee. The decision reached on the complaint is documented and kept in the village files (Form 4).
- **Level 2: District Grievance Committee.** Complainants formally elevate their complaints to the District Grievance Committee in writing (Form 1). If complainant cannot write, then any family member or concerned parties may prepare the written complaint on behalf of the APs. The District office formally receives and acknowledges receipt of the complaint and registers this in their record book (Form 2). The District Grievance Committee has 15 days to deliberate and resolve this in consultation with aggrieved parties (Form 3). If within 15 days, this is not responded to and no decision reached or when the APs are dissatisfied with the decision, they can elevate the complaint to the province level through the provincial grievance committee. The District will maintain a record of the proceedings in addressing the complaint (Form 4).
- **Level 3: Provincial Grievance Committee.** The complaint is formally lodged with the Provincial Grievance Committee (Form 1) which has 15 days to deliberate and act on it to resolve the complaint (Form 2). But if within 15 days, these remain not acted upon or if the complainants are dissatisfied with the decisions (Form 3), then the complaints will be forwarded to the DICT for formal transmittal to the MICT for action and resolution (form 4)
- **Level 4: MICT/PCU.** Again, the MICT must act within 15 days in response to the complaint aimed at its immediate resolution.
- **Court of Law:** As a last resort, the complaint will be lodged with the appropriate Court of Law for litigation and its decision will be final. The project will comply with the verdict

- of the Court. All legal and administrative costs incurred by complainants and their representatives are to be paid by MICT.
- **ADB Accountability Mechanism.** If all efforts to resolve complaints or disputes remain futile following the project's grievance redress mechanism, the APs have the right to directly send their concerns or problems to ADB's Southeast Asia Department (SERD) through ADB's Lao PDR Resident Mission. If SERD's response to their complaints is still not accepted or are dissatisfied with it, then they can directly contact the ADB's Office of the Special Project Facilitator as outlined in the Information Guide to the Consultation Phase of the ADB Accountability Mechanism.

3. Records of meetings to air grievances will be sent to the PIU Director, the Lao National Front, and the PCU for follow-up action. The CTGs will have the contact information of the PIU Director responsible for IPP implementation and PCU Director responsible for IPP oversight. Grievances related to project implementation activities will be handled through negotiation aimed at achieving consensus. MICT shall provide aggrieved household with assistance to lodge and resolve complaints free of charge.

4. It is expected that at any levels of the grievance redress mechanism, the project staff particularly the focal point staff on resettlement will regularly monitor updates on grievances issues. The Grievance Committees at district and province levels will gather data from the respective grievance committees at all levels and record these in the quarterly internal monitoring reports on grievances received, which are provided to the DICT (PIU) and the MICT (PCU), including names and pertinent information about the aggrieved individual, nature of complaint, dates the complaints are lodged, and resolutions. Grievances not resolved will also be recorded, detailing deliberations and proposals which could not be agreed upon, and the date in which these were acted and/or deliberated by the committees.

Figure 1: Grievance Redress Mechanism

