



# Technical Assistance Consultant's Report

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Project Number: 44140  
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## TA 7566-REG: Strengthening and Use of Country Safeguard Systems

Subproject: Training and Knowledge Sharing for  
CSS Strengthening in the Pacific (Regional)

### ACCESSING LAND FOR DEVELOPMENT: INTERNATIONAL BEST PRACTICES AND COUNTRY SYSTEMS TRAINING PROJECT READING MATERIAL IX

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Asian Development Bank

**Accessing Land for Development**  
**International Best Practices and Country Systems**  
**Grievance Redress Mechanism (ix)**

It is a good practice and a safeguard requirement to establish a grievance redress mechanism with well established process or procedure to receive and facilitate resolution of stakeholders' concerns and grievances arising from project planning and implementation. The grievance redress mechanism (GRM) will be scaled to the risks and impacts of the project. The scope, scale and type of grievance redress mechanism, process or procedure required will be proportional to the nature and scale of the project's risks and potential adverse impacts.

In projects with relatively minor and uncomplicated land acquisition, complaints may arise. In some cases, complaints may relate to implementation of planning provisions such as late or insufficient compensation. In other cases, complaint may arise from unanticipated issues such as property damage during project construction. A GRM provides a venue for raising complaints and procedures for dealing with them. If effective, the GRM serves to mitigate harm to affected persons while increasing the likelihood that complaints can be addressed relatively quickly and quietly without resort to other remedies such as legal procedures or media attention external to the project.

In the Pacific region, the first and best recourse available to persons with complaints may be the informal or traditional means by which intra-community conflicts are managed. As may be necessary these informal processes may be supplemented with formal, project-specific procedures.

Resettlement plans include measures to assure that affected persons are aware of GRM arrangements available to them, that the GRM arrangements are affordable and accessible, and that records are kept regarding complaints received through formal GRM channels, and the disposition of complaints. The Borrower will inform the project-affected communities about the grievance process in the course of its community engagement activities, and will make publicly available a record documenting the responses to all grievances received

**Characteristics of a Grievance Redress Mechanism**

- Accessible to all community members
- Local customary arrangements for conflict resolution
- Multi-stage review procedures for complaints
- Defined and disclosed performance standards
- Recourse to legal system, if GRM fails to resolve
- Impartiality and promptness in resolving disputes

The grievance mechanism may utilize existing formal or informal grievance mechanisms, provided they are properly designed and implemented, and deemed suitable for project purposes; these may be supplemented as needed with project-specific arrangements.

Project-affected communities and individuals may submit complaints regarding ADB-financed project to the project grievance redress mechanism. The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns.

The Borrower will ensure that a grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.

The grievance redress mechanism is expected to address concerns promptly and effectively, in a transparent manner that is culturally appropriate and readily accessible to all segments of the project-affected communities, at no cost and without retribution.

#### **GRM Procedure**

- ✓ Clear statement on how APs can submit their complaints;
- ✓ A log where complaints are registered in writing, maintained as a database;
- ✓ Publicly advertised service standards outlining the length of time users can expect to wait for acknowledgement, response and resolution of their complaints;
- ✓ Transparency about the grievance procedure, governing structure and decision makers;
- ✓ An option for moving to mediation in cases where complainants are not satisfied with the proposed resolution and as appropriate; and
- ✓ An appeals process (including the national judiciary) to which unsatisfied complainants may be referred when an agreed resolution by other means has not been reached.