

GRIEVANCE MECHANISM (PROCEDURE) FOR THE KAIHA 2 MINI HYDROPOWER PROJECT CONSTRUCTION

1 PURPOSE AND SCOPE

1.1 INTRODUCTION

The Kaiha 2 Mini Hydropower Project is 2.5 megawatt (MW) hydropower project that will be built on the Kaiha River in northern Liberia (the *Project*). The Project is intended to provide affordable electricity supply to rural and urban communities in Lofa County in northern Liberia.

The development of the Project has associated environmental and social impacts and risks. These need to be mitigated and managed, and effects on the public need to be carefully managed to avoid tensions and conflicts. This Grievance Mechanism is intended to ensure that public grievances are identified and resolved.

1.2 PURPOSE

This Grievance Mechanism is a project-specific procedure that outlines the actions to be taken to solicit and respond to grievances during the Project construction phase. It also defines the protocols and procedures for identifying, categorising, and responding to grievances and documenting the process and outcome.

The objectives of the Grievance Mechanism are as follows:

- Provide affected people and the public a means for making a complaint or resolving any dispute that may arise during the course of the implementation of the Project;
- Ensure that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoid the need for legal redress.

1.3 SCOPE AND APPLICABILITY

This Grievance Mechanism is intended to cover environmental and social issues affecting public stakeholders especially affected communities.

It is not intended to cover the following category of grievances which are covered by other processes:

- Worker grievances are covered by the Project's human resources policies and procedures as well as national labour laws.

- Land-related grievances are covered by the Project's land acquisition procedures (including where applicable the Project's Resettlement Action Plan or Livelihood Restoration Plan) as well as national land rights laws.

This procedure is mandatory and applies to all of the Project's sites and activities and to all new and existing employees and contractor employees. It is also applicable to all of the Project's Contractors and needs to be communicated as such.

The procedure is applicable to the Project's construction phase.

The Grievance Mechanism is not intended to replace legal processes available to affected parties, and will not infringe on complainants' right to access existing legal procedures.

1.4 *LEGAL AND POLICY REQUIREMENTS*

1.4.1 *National Requirements*

In practice, the Liberia Environmental Protection Agency (EPA) is responsible for the monitoring, coordination and supervision of the sustainable management of Liberia's environment. It is mandated to oversee the implementation of environmental impact assessment for projects and activities that are likely to have significant adverse effects on the environment.

EPA is also required to monitor and audit a Project following implementation which would include verification that the Project is addressing public complaints related to environmental and social issues.

1.4.2 *Other Requirements*

The development of the Project is being funded under the Liberia Renewable Energy Access Project (LIRENAP), a World Bank-sponsored programme. The Project is required to adhere to the World Bank's environmental and social policies and procedures. These requirements specify the need for a Grievance Mechanism.

2.1

DEFINITIONS

Terms used in this document are defined in Table 1.

Table 1 *Definition of Terms*

Term	Definition
Project	<p>The Project involves the construction and operation of a new hydropower plant, back-up diesel-fuelled power plant, and transmission grid.</p> <ul style="list-style-type: none"> • The hydropower plant will be located on the Kaiha River, approximately 45 km south of Kolahun Town (Kolba City) in Lofa County, in the northern part of Liberia. • The diesel-fuelled power plant will be necessary to provide power as back-up (alternative) to the hydropower plant during the dry season when river flow is not enough for hydropower generation. This plant will be located in Balawatta Town, about 3 km from the town of Voinjama on the road to Kolahun City. • The transmission mini-grid (approximately 115 km in length) will extend into Kolahun District (including the proposed new Wanhassa District) and further to Foya District and Voinjama District.
Project Activities	A location or activity that is undertaken by the Project or the Project's Contractors. Locations would include the sites of the hydropower plant, diesel-fuelled power plant, transmission lines, offices including corporate head offices, and research and development facilities. Activities would include those done as part of construction and of operations.
Contractor	Any third party organisation which is engaged or commissioned by the Project to undertake work or provide services.
Contractor Employee	An employee of a contracted company engaged or commissioned by the Project to undertake work or provide services, but who are not directly employed by the Project. For example, contractor employees working on Project construction or operations, persons working for the Project through employment agencies, contracted cleaners.
Employee	An individual who is engaged to work directly for the Project on either a part-time (including hourly paid) or full-time basis and for a fixed period or on permanent basis and is salaried. By virtue of the individual's contract of employment, the employee is obliged to adhere to the Project's terms and conditions of employment and is protected by national and international laws concerning labour and working conditions.
IFC (International Finance Corporation)	Member of the World Bank that finances and provides advice to private sector ventures and projects in developing countries.

2.1.1 *Acronyms and Abbreviations*

Acronyms and abbreviations used in this document are defined in Table 2.

Table 2 *Definition of Acronyms and Abbreviations*

Acronym or Abbreviation	Definition
EPC	Engineering, Procurement and Construction
IFC	International Finance Corporation
PAPs	Project Affected Persons or people with grievance
GRM	Grievance Redress Mechanism
RREA	Rural and Renewable Energy Agency

3 *RESPONSIBILITIES*

It is the overall responsibility of the Project to ensure that the grievance mechanism is fully implemented and followed by all Project staff and Contractors.

With respect to this Grievance Mechanism, the Project has the responsibility to structure and coordinate the procedures for the proposed construction phase of the Project.

Furthermore, the Project has the responsibility for ensuring that specific responsibilities are organised and implemented. The Project has the responsibility to ensure that Project employees and Contractors are trained and aware of all required procedures. The roles and responsibilities for the implementation of the Grievance Mechanism are described in Table 3.

Table 3 *Roles and Responsibilities*

Responsible Parties	Roles and Responsibilities
Project Manager	Responsible for assuring that the Project has the resources, information, and authority to implement the management measures described in this Grievance Mechanism.
Environmental Compliance Office (ECO)	Responsible for enforcing the management measures described in the Grievance Mechanism. Responsible for the provision related training to Project staff and sub-contractors. As needed, will develop and propose staff plans and contractual terms to ensure that these measures are implemented by Project staff and Contractors throughout the construction phase of the Project.
Construction Contractor Project Manager	Responsible for assuring that the Contractor implements the management measures described in this Grievance Mechanism.
Project Staff and Contractor Workers	Responsible for following the procedures and requirements indicated in the Grievance Mechanism.

Responsible Parties	Roles and Responsibilities
Community Liaison Office (CLO)	Acts as the interface with affected and indirectly affected communities. Supports the implementation of the Grievance Mechanism.

4 **PROCEDURE**

4.1 **PLANNING**

The Project Proponents will ensure that this Grievance Mechanism is fully disclosed to the public and affected communities. This includes disclosure of the location of the procedure documentation and where grievances can be lodged. In general, communities will have a community-based system for grievance redress. It is therefore proposed that, wherever possible, the project related grievances should be resolved through the existing community-based systems for grievance resolution. However, not all cases will be resolved within the traditional system, so other higher authorities may need to be engaged to follow up on the unresolved cases. The judicial system will be used as a last resort.

People with grievances will be expected to submit their grievances via the following grievance uptake channels formally, either in writing (preferable in a standard format) to the Project or other channels (local government, traditional authority). The process will also allow PAPs to make anonymous complaints using any of the grievance uptake channel as necessary. While it may be possible to resolve some grievances verbally, these must still be documented and recorded for record-keeping purposes.

The above grievance redress system will only target cases involving the project and the community. The guiding principles to be followed during grievance resolution will include but not be limited to the following: fairness, respect of human rights, compliance with national regulations, consistency with standards, equality, transparency honesty and respect for each other among others. Specific attention will be paid to gender dynamics as women and men have different access to information, legal standing, land tenure, marital status, income and literacy rates at the project site which influences how they interact with the grievance resolution mechanism.

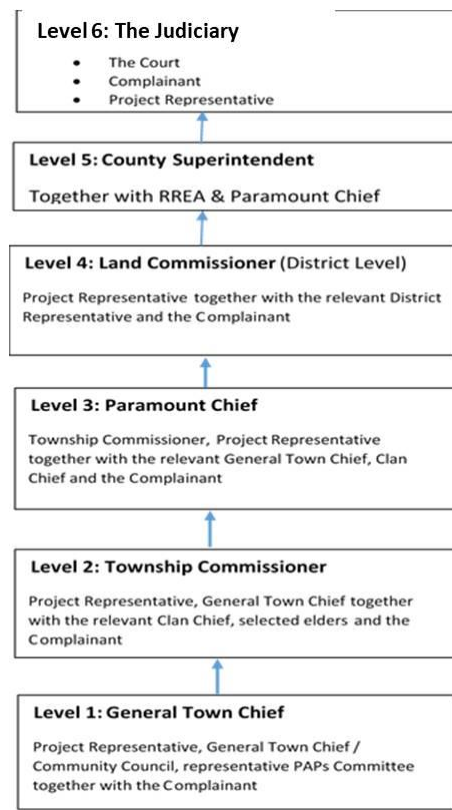
4.2 **GRIEVANCE PROCEDURE**

A grievance for the purposes of this Grievance Procedure is any:

Concern or complaint that is related to an environmental or social impact or risk directly related to the physical construction of the Project.

A five level procedure has been proposed for Grievance Resolution, as illustrated in the below figure.

Figure 1 *Grievance Resolution Procedure*



Level 1: Village Level -- PAPs will be expected to submit their complaints via multiple channels to the Community Liaison Unit directly or through their village leader (General Town Chief) or their representative on the Grievance Committee. Grievance uptake channels will include phone hotline, email, mail or in writing, SMS, webpage, or face-to-face. The process will also allow PAPs to make anonymous complaints using any of the grievance uptake channel as necessary. At this level, received complaints will be registered in record-book as well as standard Grievance Registration Form, and later inputted in a designated database by the GRC. Complaints will be further investigated and resolved by the project team, together with the village council and the complainant. A final decision on the way forward will be communicated to the complainant directly. In situations where both parties agree to the results of the review of the PAPs' grievance, the case will be closed at this level. Complaints at this level will be resolved within two weeks from the date of receipt, otherwise, it will be forwarded to the next level for resolution.

Level 2: Township Level -- Any case that cannot be resolved at the first level will be referred to the Township level, to be handled by the Township Commissioner. The Township Commissioner and his Council will listen to the case and try to find an amicable resolution within five working days from the date of receipt of the complaint by the Township Commissioner. The case will be handled in the presence of the relevant village leader, the complainant, the Chairperson or designated Authorized Representative of the Grievance Committee and the project representatives. In situations where both parties agree, the case will be closed at this level, otherwise it will be forwarded to the

Paramount Chief for resolution.

Level 3: Paramount Chief -- At this level, the case will be handled by the Paramount Chief, in the presence of the Township Commissioner, the complainant, Chairperson or Authorized Representative of the Grievance Committee and the relevant Community Chief and Clan Chief, if necessary. The Paramount Chief will amicably resolve the complaint within one week from the day the complaint was received.

Level 4: District Level (Land Commission) -- In situations where the customary authorities are not able to resolve the dispute, the case will be forwarded to the land commission of the county. The Land Commissioner will resolve all cases involving customary land disputes between entire communities. The Land Commissioner will resolve complaint within one week from the time the complaint was received.

Level 5: County Superintendent -- RREA will always organize information sharing sessions with the County Superintendent in regard to all cases that have not been resolved through the community based systems and prior to referral to the Judicial system. The County Superintendent will resolve matters not resolved by the previous fora. The County Superintendent will resolve matters not resolved by the previous level, and within two weeks from date of receipt at this level.

Level 6: The Judiciary -- All cases that will not be satisfactorily resolved by the County Superintendent will be referred to the Judiciary for determination.

If a grievance is received, take the following steps as in Table 4

Table 4 ***Basic Steps for Grievance Procedure***

1. Lodge the Grievance
<p>A formal grievance can be lodged directly to the Project at the construction site or by making contact with the Project through other means. The complainant will be required to complete a grievance form with the assistance of the CLO who will record the grievance in a grievance log according to the category of the grievances.</p> <p>A grievance can also be lodged by sending a grievance form or written complaint directly to the Project management.</p> <p>All grievances will be logged in a grievance log.</p>
2. Acknowledge the Grievance
<p>The CLO will acknowledge receipt of the grievance in writing within five working days. The acknowledgement will specify the name of the Project person and process that will be followed in addressing the complaint. The letter will also provide a reference number and a projected date for resolving the grievance.</p>
3. Investigate the Grievance
<p>The CLO will consider and prioritise the grievance received. Where applicable, the CLO will take photographs and/or interview any bona fide witnesses. If the CLO is</p>

<p>unable to resolve the grievance, he/she will forward the grievance to the Project management based on the actions required.</p> <p>Where possible, grievances will be finalised within 30 days of receipt. The complainant might be contacted during this time to clarify issues.</p>
<p>4. Resolve Grievance</p> <p>Once a complaint has been investigated, a letter will be sent to the complainant, explaining the outcome of the investigation and the proposed course of action to resolve the grievance. The CLO will contact the complainant in person if this is required and explain the results of the investigation and the proposed course of action. If the complainant is satisfied that the complaint has been resolved, he/she will be required to sign a statement confirming that the complaint has been resolved.</p> <p>If the complaint has not been resolved by mutual agreement, a re-assessment may be undertaken if new information becomes available in support of the claim/complaint.</p> <p>If the complainant is still not satisfied with the resolution, the grievance will then go into mediation.</p>
<p>5. Mediation</p> <p>Unresolved grievances will be investigated by a grievance committee, which will include members of the Project's senior management. This committee will only meet to resolve problems which cannot be resolved. The Project may provide for an independent arbitrator if grievances cannot be resolved internally.</p>

4.3

GRIEVANCE SORTING

Upon receipt of grievances, grievance will be sorted according to the following categories. All grievances, regardless of type will be registered in the logbook and the grievance database.

- *Type A: queries, comments, and suggestions.* This type is non-contentious and merely requires clarification or a response. This may be answered at the point of intake by the GRC after concurrence.
- *Type B: allegation of violation of rights or non-performance/poor performance of obligations against consultants, contractors, or dispute.* Depending on the complexity of the complaint, this may require further data collection/investigation, facilitation or mediation. Cases will be referred to GRC to attempt resolution.
- *Type C: allegation of fraud or corruption.* This type of complaint cannot be handled under the project's grievance redress mechanism. For such cases, the complainant will be referred to the RREA or World Bank to get information and support in lodging the grievance.

In case the grievance is not relevant to the project activities and/or impacts caused by project implementation, it will not be considered under this GRM Guideline and not included in the logbook and grievance database, and will be forwarded to community, as relevant. Feedback will be provided to the complaining party with explanation on why the issue cannot be considered under this GRM Guideline and

to which entity that has been forwarded.

4.4 COMPLAINTS HANDLING PROCESS

All dissatisfied PAPs will be expected to submit their complaints to either the General Town Chief or Community Liaison Unit (corresponding to Level 1 above).

All received grievances will be registered in the project developer's database. After registration, the grievance will be assessed and forwarded to the relevant office. The concerned officers will then investigate the validity of the grievance and plan the way forward. A fact-finding mission will be conducted together with the complainant, sub-village leader. Proposals on how the grievance can be resolved will be discussed and the complainant will be advised accordingly.

Upon acceptance by the complainant and the actual implementation of the remedy actions, the complaint will be signed off as resolved. In situations where it will be difficult to reach a consensus the case will be forwarded to higher levels or authorities for further mediation.

4.5 COSTS OF THE GRIEVANCE REDRESS PROCESS

For purposes of fair play, aggrieved PAPs should be assisted to pursue justice, contingent to which the RREA will identify and commit resources to support activities of all the levels above. All PAPs pursuing grievances up to Level 5 will put up the costs such as transportation and accommodation, if necessary, but the costs will be reimbursed at specified rates not to be burden for all PAPs. Basically the grievance procedure will be free of charge. However, and towards fostering conflict resolution, PAPs opting for the Judiciary will do so at his/her own cost, unless the Court of Law rules otherwise. In order to avoid influx of speculative lawyers taking advantage of the resettlement to exploit ignorant PAPs, any PAP wanting to go to the Judiciary will bear his/her own expenses.

4.6 MONITORING AND REPORTING

Grievances shall be captured for monitoring and reporting using the Grievance Registration Form and logbooks. The Grievance Registration Form shall be filled for each grievance case (relevant to the project) by GRM parties at the level where the grievance was lodged, if necessary.

The ECO will coordinate GRM activities with members of GRC on a weekly basis to update GRC's consolidated database of complaints for the project. Each member of the GRC will have access to the grievance database and will be provided with an electronic copy of the grievance database file in MS Excel format, where applicable.

The ECO will monitor the grievance resolution process, and prepare a summary report on GRM, which will be included in its quarterly progress report. The ECO will submit the grievance monitoring forms (relevant parts completed), as well as grievance database for the project to the GRC Coordinator on a monthly basis. The Project Manager will collect data from the ECO, undertake monitoring of the overall GRM process (finalize the forms), track timelines of grievance resolution,

recommend corrective actions (as needed), and prepare a summary report on GRM. In addition, the Project Manager will maintain a centralized grievance database for the project and will update that on monthly basis.

RREA will provide regular quarterly reports to the public and the World Bank that track the number of complaints received, resolved, not resolved, and referred to a third party during the contract period of the access road works, and further for other project activities. In addition, RREA will report raw grievance data on a monthly basis to the World Bank in order to support the RREA in early identification of developing risks. GRM data will feed into the World Bank's reports (if necessary) to demonstrate responsiveness and early resolution of issues and help the project team identify outstanding complaints in need of attention.

To ensure timely and effective resolution of grievances, a tracking system and key performance indicators has been defined. This approach will enable the assessment of the overall effectiveness of the GRM and allow for corrective actions as needed. The following key performance indicators, as immediately below, are recommended for assessing efficiency of the GRM.

Table 5 Indicators to measure performance of the project's GRM

Indicator Name	Description	Target Value	Frequency	Data Source/ Methodology	Responsible Party
Participation: Percentage of grievances related to project activities and impacts channeled through the GRC	This indicator measures, the number of addressed grievances through the informal GRM (before the grievance is referred to the legal system of Liberia for resolution) over the number of registered grievances (in percentage)	100	Quarterly	Grievance database; GRM's progress report	RREA
Effectiveness: Percentage of complaints lodged that received effective and timely response through informal GRM	This indicator measures, the number of lodged complaints that received effective and timely response through informal GRM over the number of registered grievances (in percentage)	100	Quarterly	Grievance database; GRM's progress report	RREA
Resolution: Percentage of project-related grievances resolved through the informal GRM	This indicator measures, the number of addressed grievances via the informal GRM over the number of registered grievances (in percentage)	100	Quarterly	Grievance database; GRM's progress report	RREA
Recurrence Reduction: Number of recurrent complaints received <i>**The target is to gradually reduce the number of complaints of each type via better management and timely implementation of corrective actions designed based on the similar previous cases raised and resolved previously. The overall intention is to learn on previous experience and respond to grievances in a manner that, over time, reduces their rate of occurrence.</i>	The indicator measures the number of recurrent complaints per type over the number of registered grievances (in percentage)	50	Quarterly	Grievance database; GRM's progress report	RREA
RREA published reports on beneficiary feedback and how it has been incorporated in the Project (Yes/No)	This indicator measures whether RREA has taken into consideration beneficiary feedbacks related to proposed actions	Yes	Semi-annual	Project progress report	RREA