



**STRATEGY AND CORPORATE SERVICES DIRECTORATE**  
**GRIEVANCE REDRESS MECHANISM FOR THE LUSAKA TRANSMISSION AND**  
**DISTRIBUTION REHABILITATION PROJECT**



Prepared by

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## **EXECUTIVE SUMMARY**

ZESCO is currently undertaking an electricity transmission and distribution system rehabilitation program to improve the efficiency and reliability of power supply. This will be carried out country wide, throughout ZESCO's four Divisions namely Lusaka, Copperbelt, Northern, and Southern. Of critical importance under this program is the urgency to address the rehabilitation needs of Lusaka, considering that 40% of the non-mining loads are concentrated in this area. These rehabilitation works in Lusaka will be implemented through the Lusaka Transmission and Distribution Rehabilitation Project (LTDRP) which will have two sub components which are:

- (i) Component 1: Reinforcement of the 132kV Transmission Network; and
- (ii) Component 2: Rehabilitation of the 33kV and 11kV Distribution Network.

ZESCO carried out the Environmental and Social Impact Assessment (ESIA) and obtained relevant approvals from the Zambia Environmental Management Agency (GRZ), World Bank Group (through the International Development Association (IDA)) and the European Investment Bank (EIB). Additionally, a Resettlement and Compensation Action Plan (RCAP) has been developed to manage all issues related to resettlement and/or displacement and loss of livelihood associated to the project.

The implementation of this project will among other issues raise negative socio-economic issues such as land conflicts, social divisions, safety, security, health and pollution. A project of this magnitude has the potential to raise the aforementioned grievances requiring adequate mechanism for resolving them. ZESCO recognizes that it has a wide range of stakeholders in its operations and has established this Grievance Redress Mechanism (GRM) to sustain a good working relationship. This GRM goes beyond environmental and social issues as per our ESIA and RCAP reports in order to be more inclusive.

ZESCO shall also ensure that principles of responsiveness, confidentiality, objectivity, independence, simplicity, timeliness, participatory and fairness are adhered to in project implementation. Every stakeholder has a part to play in dealing with grievances relating to Environmental, Health, and Safety (EHS), Labour, Power interruptions and quality of service. Grievance redress shall be carried out at regular intervals to mitigate potential risks with the utmost responsibility on all parties involved.

**VICTOR M. MUNDEDE**

**MANAGING DIRECTOR – ZESCO LIMITED**

## Table of Contents

EXECUTIVE SUMMARY .....	i
ACROWNYMS AND SYMBOLS .....	iii
LIST OF TABLES.....	iii
1 DESCRIPTION OF COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS.....	1
1.1 GRIEVANCE REDRESS MECHANISM GUIDING PRINCIPLES .....	2
1.1.1 Responsiveness and Confidentiality .....	2
1.1.2 Objectivity and Independence .....	2
1.1.3 Simplicity .....	3
1.1.4 Fairness .....	3
1.1.5 Timeliness .....	3
1.1.6 Participation .....	3
2 GRIEVANCE REDRESS MECHANISM PROCEDURE.....	3
2.1 Grievance Redress Mechanism Hierarchy.....	5
2.2 GRIEVANCE REDRESS COMMITTEES COMPOSITION.....	7
2.2.1 Project Steering Committee Composition .....	7
2.2.2 Grievance Redress Mechanism Committee Composition .....	7
2.2.3 Grievance Redress Sub-Committee: Environmental and Social Safeguards.....	8
2.2.4 Grievance Redress Sub-Committee: Technical.....	8
2.3 GRIEVANCE REDRESS COMMITTEES ROLES AND RESPONSIBILITIES .....	8
2.3.1 Project Steering Committee .....	8
2.3.2 Grievance Redress Mechanism Committee .....	9
2.3.3 Grievance Redress Sub-Committee: Environmental and Social Safeguards.....	9
2.3.4 Grievance Redress Sub-Committee: Technical.....	9
2.3.5 Approach and Attitude in Grievance Redress .....	12

## **ACRONYMS AND SYMBOLS**

AIDS	Acquired Immune Deficiency Syndrome
°C	Degrees Celsius
CBD	Central Business District
CITES	Convention on international trade in Endangered Species
CSO	Central Statistics Office
EBP	Environmental Project Brief
ECO	Environmental Coordinator
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
GRM	Grievance Redress Mechanism
GRZ	Government of the Republic of Zambia
HIV	Human Immunodeficiency Virus
PAPs	Project Affected Parties
PIU	Project Implementation Unit
STIs	Sexually Transmitted Infections
ZEMA	Zambia Environmental Management Agency
ZESCO	Zambian Electricity Supply Corporation

## **LIST OF FIGURES**

Figure 1: Grievance Redress Mechanism Process.....	6
Figure 2: Grievance Redress Committees.....	12

## **LIST OF TABLES**

Table 1: Suggested Timeframes for Grievance Redress.....	6
Table 2: Complaint Levels and Response Process.....	10

## **1 DESCRIPTION OF COMPLAINTS AND GRIEVANCE REDRESS MECHANISMS**

This Grievance Redress Mechanism (GRM) will be made available to all stakeholders to ensure that grievances that may arise from activities carried out during the projects construction and operation phases, including any grievances related to the resettlement and compensation process are addressed. These grievances could relate to issues concerning construction, environmental, health, and safety issues and nuisances caused by construction, as well as any issues that may arise due to interactions between the labour workforce and communities. Resettlement-related grievances, such as the valuation of assets, amount of compensation paid, level of consultation, non-fulfilment of contracts, and timing of compensation, amongst others, will also be handled through this process. Grievances will be handled through negotiation aimed at achieving consensus.

ZESCO Lusaka Transmission and Distribution rehabilitation Project (LTDRP) Project Implementation Unit (PIU) will work closely with all stakeholders in the determination of project alignments/siting, and will consider all locally preferred alternatives from a technical, environmental, economic and social perspective.

The GRM will be set up at Project Implementation Unit (PIU) level, which will be responsible to maintain records of all complaints and their responses.

Potential grievances and disputes may arise during the course of implementation of the projects sub-components. These may include, but not limited to, the following:

- i. Inventory mistakes made during census survey as well as inadequate valuation of properties;
- ii. Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development;
- iii. Disagreements on plot/ asset valuation;
- iv. Divorces, successor and family issues resulting into ownership disputes or disputes shared between heirs or family;
- v. Disputed ownership of a given asset (two or more affected individual(s) claim the same);
- vi. Where affected individual(s) opt for a settlement-based option and there is disagreement on the resettlement package (the location of the resettlement site does not suit them);
- vii. Dispute of alleged voluntary donation of land;
- viii. Unfair award of contracts;
- ix. Delayed payments to contractors;
- x. Delayed disbursement of Project funds;
- xi. Long procurement procedures;
- xii. Delayed commencement of sub-project activities

- xiii. Construction phase-related grievances: traffic safety, restricted access to homes and farms, dust, noise, other pollution, worker-community interactions, etc.; and
- xiv. Operations phase-related grievances: system operator interactions with community, traffic, safety around electrical facilities, etc.

Grievance procedures for projects such as this, in the Zambian context, differ depending on the nature of the project being implemented. However, in general terms, it is recommended that any matter decided upon by an authority needs to be taken to the immediate superior authority as an appellant authority. Aggrieved parties also have access to the Arbitration system and when all else fails, have recourse to the court system for settlement of grievances.

To this effect the grievance procedure will be simple, administered as far as possible at the local level to facilitate access, flexibility and openness to various proofs taking cognizance of the fact that people require a speedy, just and fair resolution of their grievances.

## **1.1 GRIEVANCE REDRESS MECHANISM GUIDING PRINCIPLES**

The GRM is based on the following guiding principles:

### **1.1.1 Responsiveness and Confidentiality**

Adopting the doctrine that there is always room for improvement, the GRM will entertain all types of complaints, comments and suggestions, with a view to improve the project's efficacy and efficiency. Comments and suggestions received for improvement of the mechanism will be given due consideration and the providers will be kept informed of the response to their inputs. In order to ensure transparency in handling and processing of grievances, all project stakeholders, especially complainants will be kept informed of the handling process and the outcome of the redress process in a timely manner. As confidentiality is an integral part of fairness, the identity and personal details of complainants will only be disclosed to those involved in the resolution of the grievance.

### **1.1.2 Objectivity and Independence**

The mechanism empowers the various committees in the grievance redress hierarchy to operate independently and objectively while handling grievances and to ensure that all information, stakeholders and records required for inquiry and analysis are easily accessible. To avoid any conflicts of interest, the selection of Complaint Handling Officers will be made from the project / community members identified at different tiers of the project structure and community groups.

### **1.1.3 Simplicity**

Simple procedures will be adopted for lodging complaint and/or submitting suggestions or comments, to ensure the GRM is accessible and understandable to all project stakeholders' especially the vulnerable groups.

### **1.1.4 Fairness**

The GRM will equally consider all complaints irrespective of their nature, size and complexity. All complaints, comments and suggestions received will be registered and the person or entity making the request for redress will be acknowledged by appropriate means, such as email, verbatim or letter. The project staff implementing the GRM will be specially trained for grievance handling and resolution.

### **1.1.5 Timeliness**

All grievances, irrespective of their nature and size shall be considered and corrective actions taken within reasonable time. All possible efforts will be made to complete the process within the shortest possible time.

### **1.1.6 Participation**

The GRM encourages any stakeholders to lodge complaints, make suggestions, including for improvement of the GRM. The GRM will ensure that project beneficiaries are included in the process of redressing grievances and incorporating suggestions where required. Matters concerning environmental and social management and involuntary resettlement will be an integral part of the process.

## **2 GRIEVANCE REDRESS MECHANISM PROCEDURE**

In the Lusaka Transmission and Distribution Rehabilitation Project (LTDRP) and with particular reference to resettlement, once the RCAP is approved and individual compensation contracts are signed, affected parties would have been informed of the process for expressing dissatisfaction and to seek redress. It is however, anticipated that land acquisition would be avoided or at least minimized, thereby reducing complaints arising from loss of land or resources as a result of implementing any sub-component activities.

Despite best efforts with regard to the public consultation and community relations, there will be times when the Project developer and stakeholders disagree. All project affected parties (PAPs) will be informed of their rights to raise grievances and their responsibilities pertaining to the LTDRP.

Mechanisms will be put in place to ensure that grievances are recorded and considered fairly and appropriately. These will include:

- i. A register of grievances which will be held by the Complaints Handling Officer from ZESCO LTDRP PIU as well as the Local grievance committee Head or any other appointed person by the Grievance Committee
- ii. Receipt of grievances will be acknowledged in the quickest possible, by any means convenient such as written letter, verbal and email;
- iii. The grievance will be reviewed by the appropriate committee and corrective action will be implemented. The preferred course of action will be discussed with the affected party to ensure consensus in the resolution of the grievance.
- iv. Relevant details of grievances, with outcomes, will be made available to the affected parties including an explanation of the approach and methodology used to resolve the grievance.

ZESCO will institute a multi-level process for resolving disputes arising from project development, implementation and operation. Firstly, on the premise that disputes are most amicably resolved informally at the local level, through its Environmental and Social GRM and Technical GRM Sub-Committees, whereas unresolved disputes are escalated to the GRM Committee, and finally to the Project Steering Committee (PSC).

The complaints shall be forwarded to the Complaints Handling Officer for LTDRP. Once received, the Complaints Handling Officer shall determine whether the complaint can be resolved without the involvement of the committees. If it requires the involvement of the committees, it shall first be forwarded to the appropriate Committee. If the Committee fails to resolve the issue, then the issue shall be tabled before the next level Committee in the hierarchy as depicted in Figure 2 below. If it is resolved at that level, then the affected party shall be informed of the outcome, through appropriate means, such as email, verbatim or letter, with a copy to the Chairperson of the Committee.

Unresolved grievances by the PSC shall be referred to arbitration/courts of law.

### **Arbitration**

In the event that there is dissatisfaction from affected parties that cannot be resolved within the project's proposed grievance resolution process, the committee shall refer the dispute or difference to arbitration within 30 days. This is pursuant to the Arbitration Act No. 19 of 2000 and in accordance with arbitration procedures published by the Chartered Institute of Arbitrators (CIA) Zambia Branch.

1. The arbitration shall be chaired by one arbitrator who shall be appointed by written agreement of both parties. Where the parties fail to agree on an arbitrator, each party shall in writing appoint one arbitrator, and the third arbitrator who shall be the



chairman of the arbitration tribunal shall be appointed by written agreement of both parties, and in default of agreement, by the President of the CIA Zambia Branch.

2. The decision of the arbitration panel shall be final and binding on the parties.
3. The seat of arbitration shall be Lusaka, Zambia.
4. Nothing shall prevent or delay a party from making claims or seeking injunctive or interlocutory relief in any court of competent jurisdiction in Zambia.

## **Courts of Law**

It should be noted that arbitration only works where the parties to a dispute agree to resolve a difference through arbitration. Where there is no consent, then a court of jurisdiction may be used to resolve a dispute.

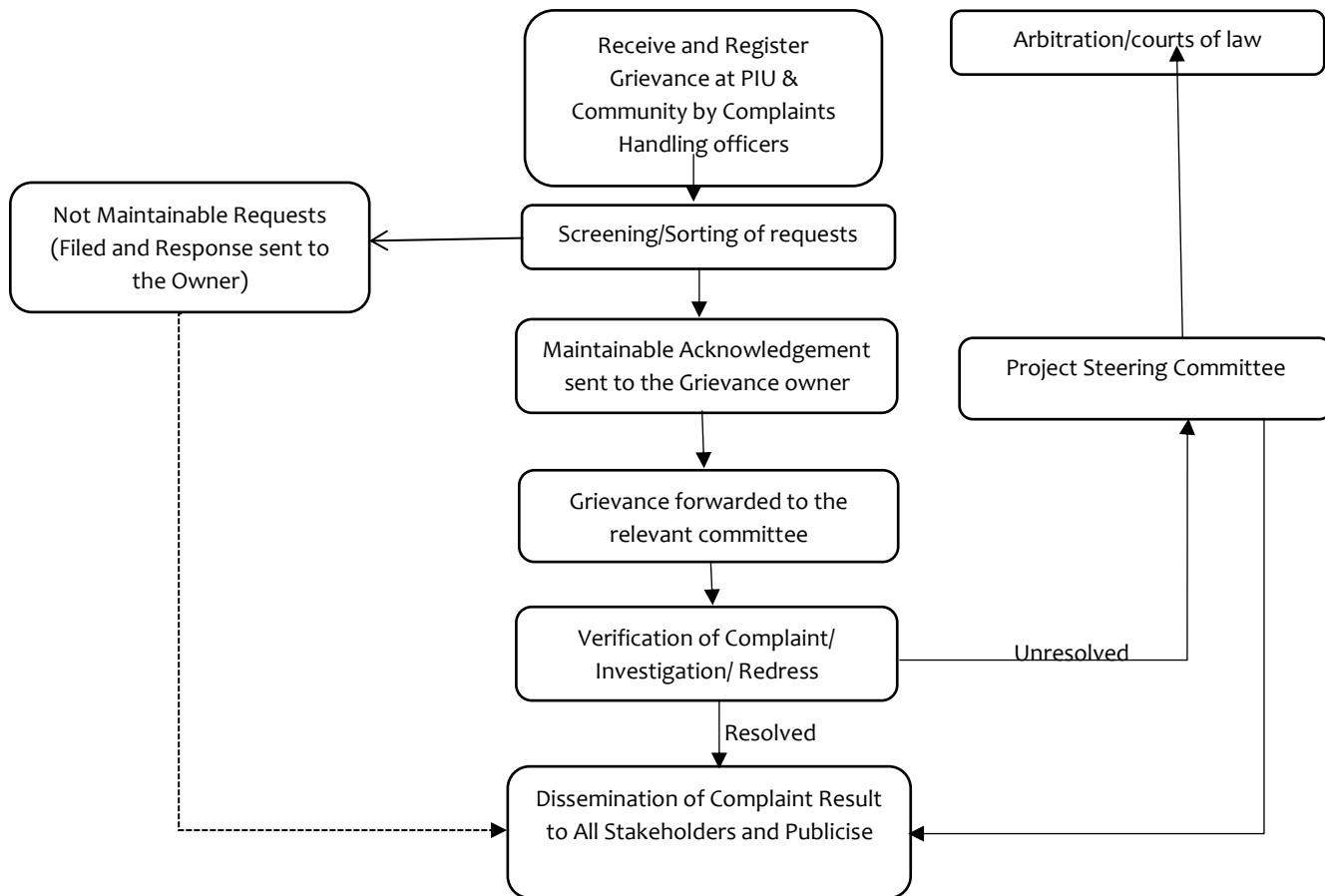
### **2.1 Grievance Redress Mechanism Hierarchy**

The Project will set up a GRM process on both traditional conflict-resolution flows as well as administrative and Project based steps to ensure community members or any stakeholders have an opportunity and means to raise their concerns or to provide suggestions regarding Project-related activities. From the community to the PSC level, there will be focal persons to receive record and address grievances, queries and suggestions.

A reporting line of received (and addressed) grievances will also be clearly defined, so that the PIU will have a full set of data. Complaints will be categorized and recorded at each level of the structure, and consolidated periodically in a project grievance database. The database will also be an effective management tool to monitor progress and detect potential obstacles in the Project implementation.

During the participatory assessment process for sub-component preparation and sensitization sessions, the Project's GRM ("communication steps" for beneficiaries) will be explained so that all stakeholders are aware and encouraged to use the mechanism for transparency and better Project implementation. To better inform stakeholders, the Project will prepare materials (e.g. posters, leaflets) in a widely spoken local language and displayed in public accessed areas as part of the communication activities.

The illustration in Figure 1 below summarizes the procedure and key steps for grievances redress mechanism and Table 1 stipulated the timeframes for the process.



**Figure 1: Grievance Redress Mechanism Process**

**Table 1: Suggested Timeframes for Grievance Redress**

PROCESS	TIMEFRAME
Receive and register grievance	within 1 Days
Acknowledge	within 2 Days
Assess grievance and assign responsibility	Within 2 days
Development of response	within 14 Days
Implementation of response if agreement is reached	within 14 Days
Close grievance	within 7 Days of implementation
Initiate grievance review process if no agreement is reached at the first instance	within 1 Month
Implement review recommendation and close grievance	within 1 Months
Grievance taken to court by complainant	This will depend on the type of grievance

## **2.2 GRIEVANCE REDRESS COMMITTEES COMPOSITION**

The various GRM Committees shall be composed as stated below.

### **2.2.1 Project Steering Committee Composition**

The Project Steering Committee shall be composed of:

- Managing Director, ZESCO;
- Director Legal/Company Secretary, ZESCO;
- Director Strategy and Corporate Services/Director Distribution, ZESCO;
- Project Manager LTDRP;
- Project Site Manager, LTDRP/Manager ESU (Committee Secretary); and
- The affected party and/or representative.

The Chairperson for the committee shall be the Managing Director, ZESCO.

The Committee shall decide on the number of times to sit but shall not be less than three sittings per year during the planning and implementation life of the project. However, sittings may be called upon when need arises.

### **2.2.2 Grievance Redress Mechanism Committee Composition**

This Committee shall be composed as follows:

- Director Strategy and Corporate Services/Director Distribution, ZESCO;
- Senior Legal/Assistant Company Secretary, ZESCO;
- Project Manager LTDRP;
- Project Site Manager, LTDRP/Manager ESU
- The affected party and/or representative;
- Appointed Complaints Handling Officer who shall be an ex-officio of the committee with its Secretary.

The Director Strategy and Corporate Services/Director Distribution shall chair the committee at this level.

### **2.2.3 Grievance Redress Sub-Committee: Environmental and Social Safeguards**

The Committee shall be composed of:

- Senior Manager SHEQ, ZESCO;
- Project Site Manager, LTDRP
- Manager ESU
- The affected party and/or representative
- The Complaints Handling Officer shall be the ex-officio member of the committee and its Secretary.

### **2.2.4 Grievance Redress Sub-Committee: Technical**

The Committee shall be composed of:

- Project Manager LTDRP ZESCO;
- Project Site Manager, LTDRP;
- Project Engineer LTDRP;
- The affected party and/or representative;
- The Complaints Handling Officer shall be the ex-officio member of the committee and its Secretary.

The grievance procedure should be simple, accessible, flexible, just, fair and capable of being administered with minimum delay. In this regard, ZESCO LTDRP PIU shall keep updated records of grievances and their resolutions in the sub-component project areas, which records shall be consulted to validate claims.

Community representatives and affected peoples' representatives will be part of the contracts to be signed by the affected persons, and all complaints of non-fulfilment of contracts, levels of compensation and seizure of assets should be addressed to the Local and District Authorities in the area either in person or in writing.

It is expected that all stakeholders will be availed the GRM and that ZESCO would sensitize the affected persons and communities on provisions of redress in the GRM.

## **2.3 GRIEVANCE REDRESS COMMITTEES ROLES AND RESPONSIBILITIES**

The different GR Committees and their roles and responsibilities are as stipulated below.

### **2.3.1 Project Steering Committee**

The Project Steering Committee (PSC) will act as the Apex Forum to hear and adjudicate on appeals against GRM Committee decisions. Pending cases shall be presented by the

Chairperson of the GRM Committee to the PSC. The PSC will review and resolve any appeals against the GRM Committee. Appeals must be lodged with the GRM Committee for submission and reporting to the PSC. Unresolved grievances by the PSC shall be referred to Arbitration and the courts of Law.

### **2.3.2 Grievance Redress Mechanism Committee**

The GRM Committee will have the following mandate:

- Resolving and addressing complaints categorized at Level 3 and 4, Table 2;
- Reviewing appeals lodged against the resolutions of GRM Sub-Committees;
- Considering and determining corrective measures in the light of comments and suggestions received by GRM Sub-Committees;
- Monitoring GRM handling by GRM Sub-Committees and reviewing resolutions suggested thereof;
- Reporting to PSC unresolved grievances at GRM Committee level; and
- Constituting special committees if required under unusual circumstances for redress of grievance of exigent nature and/or for resolutions of complaints requiring broader inquisitorial procedures.

The GRM Committee will hold the highest forum within the project for redressing grievances received from beneficiaries, stakeholders and other concerned parties. The committee, while handling a complaint may requisition any staff for its assistance and/or may constitute a special committee if required.

### **2.3.3 Grievance Redress Sub-Committee: Environmental and Social Safeguards**

This Committee will redress complaints and consider suggestions or comments relating to environmental and social safeguards issues, complaints categorised at Level 1, Table 2. The Committee will verify the complaint, investigate it and take action as appropriate if such action falls under its jurisdiction; otherwise the matter will be forwarded to the GRM Committee for action.

### **2.3.4 Grievance Redress Sub-Committee: Technical**

This Committee will redress complaints and consider suggestions or comments relating to technical aspects of the projects, complaints categorised at Level 2, Table 2. The Committee will verify the complaint, investigate it and take action as appropriate if such action falls under its jurisdiction; otherwise the matter will be forwarded to the GRM Committee for action.

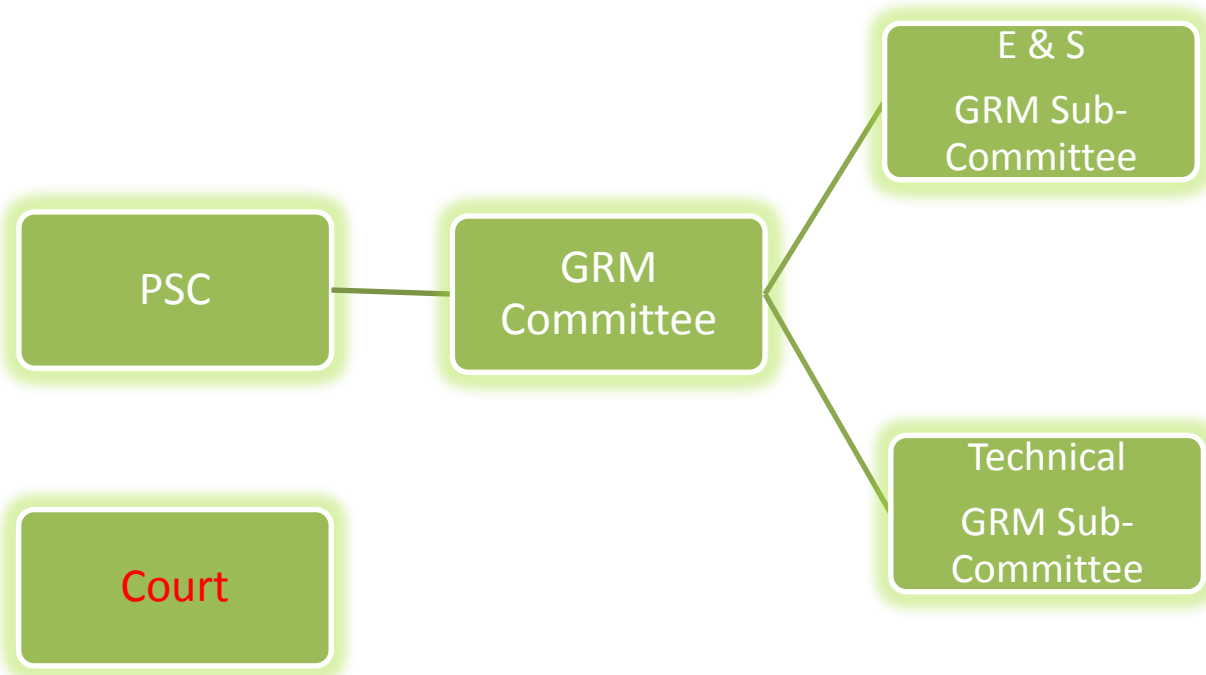
Table 2 below outlines the entry points and decision-making at respective levels. Figure 2 shows the hierarchy of the various committees.

**Table 2: Complaint Levels and Response Process**

Level	Description	Type of Request	Authority for Redress	Authority for Appeal
Level - 1	1. Complaints regarding E&S matters	Complaint	E&S Sub Com	GRM Committee
	2. Complaints regarding resettlement and compensation issues	Complaint	E&S Sub Com	GRM Committee
	3. Suggestion/comments regarding implementation of ESMP & RCAP	Suggestion/comment	E&S Sub Com	-
	4. Complaints against staff involved in E&S and RCAP	Complaint	E&S Sub Com	GRM Committee
Level - 2	1. Compliant pertaining to site selection /technological designs	Complaint	Technical Sub Com	GRM Committee
	2. Complaint Regarding Technical Staff	Complaint	Technical Sub Com	GRM Committee
	3. Complaints regarding implementation of interventions pertaining to technical project scope	Complaint	Technical Sub Com	GRM Committee
	4. Complaints regarding contractor implementation interventions of technical project scope	Complaint	Technical Sub Com	GRM Committee
	5. Suggestions/Comments on Implementation of interventions of technical project scope	Suggestion/Comment	Technical Sub Com	-
Level - 3	1. Complaint against Contractors	Complaint	GRM Committee	PSC
	2. Complaint against PIU Staff	Complaint	GRM Committee	PSC
	3. General complaint regarding malpractices without documentation/detail	Complaint	GRM Committee	PSC

	4. Complaints submitted by PIU Staff pertaining to personal matters/ issues	Complaint	GRM Committee	PSC
	5. Complaints received from Government Representatives	Complaint	GRM Committee	PSC
Level - 4	1. Complaint regarding procurement of goods and services	Complaint	GRM Committee	PSC
	2. Complaint pertaining to malpractice by contractor/PIU and/or consultants	Complaint	GRM Committee	PSC
	3. Complaint against harassment	Complaint	GRM Committee	PSC
	4. Claims against Project	Complaint	GRM Committee	PSC
	5. Queries /complaints from Public Representatives	Complaint	GRM Committee	PSC
	6. Comments/suggestions on change in design and scope of Project interventions	Suggestion/ Comment	GRM Committee	PSC

Figure 2 below shows the structure for the implementation and addressing grievances related to the project.



**Figure 2: Grievance Redress Committees**

### 2.3.5 Approach and Attitude in Grievance Redress

In the quest to attend to grievances affecting any of the stakes on the LTDRP, the GRM Committee shall:

- Create a platform that is fair, friendly and inclusive in order to give a fair hearing.
- At the commencement of every Grievance Redress Meeting, request for Members to declaration that they are willing to make every effort to see that the grievance is addressed adequately.
- Acknowledge that Grievance Redress requires an attitude of "*give and take*" and NOT just the '*take*'.
- Take into consideration that Grievance Redress Committee are a platform for enhancing trust, confidence and respect towards each other.
- Accept to proceed with implementation of steps towards resolutions or resolutions made during the Grievance Redress Meetings.



- Agree timeline on implementation of resolution and communicate the outcomes to all the stakeholders.