



# Technical Assistance Consultant's Report

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

Subproject: Strengthening Community Consultation  
and Grievance Redress Mechanism in the  
Committee on Roads (Kazakhstan)

### INFORMATION BROCHURE ON GRIEVANCE REDRESS MECHANISM ON ENVIRONMENT AND SOCIAL SAFEGUARDS FOR ROAD SECTOR PROJECTS

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Asian Development Bank

**ADB TA-7566 REG  
STRENGTHENING AND USE OF COUNTRY SAFEGUARD SYSTEMS -  
COMMUNITY CONSULTATION AND GRIEVANCE REDRESS MECHANISM**

**INFORMATION BROCHURE ON  
GRIEVANCE REDRESS MECHANISM ON  
ENVIRONMENT AND SOCIAL SAFEGUARDS  
FOR ROAD SECTOR PROJECTS**

**Committee of Roads  
Ministry of Investments  
and Development  
Republic of Kazakhstan**

**NC Kazautozhol JSC**

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## **IDEA AND OBJECTIVES OF GRIEVANCE REDRESS MECHANISM**

Grievance redress mechanisms are increasingly important for infrastructure development projects where ongoing risks or adverse impacts are anticipated. They serve as a way to meet requirements, engage communities, reduce risks, and contribute to processes that create positive social change. Grievance redress mechanisms are an effective tool for early identification, assessment, and resolution of complaints on projects.

A grievance redress mechanism (GRM), aims to: (i) reduce conflict, risk of undue delay and complication in project implementation; (ii) improve quality of project activities and outputs; (iii) ensure that the rights of affected parties are respected; (iv) identify and respond to unintended impacts of projects on individuals; and, (v) maximize participation, support and benefit to local communities.

The Guideline on Grievance Redress Mechanism (GRM Guideline) on Environment and Social Safeguards for Road Sector Projects was developed under the ADB funded TA-7566 REG: Strengthening and Use of Country Safeguard Systems - Community Consultation and GRM. The GRM Guideline is designed as an umbrella document addressing the grievance redress approaches to be applied for transport sector projects.

The overall objective of the GRM Guideline is to establish an effective communication channel among the stakeholders for providing a timely and efficient two-way feedback mechanism to address any complaints made about the project, including those from members of the communities, local businesses and other stakeholders, as well as raising public awareness on the projects and on the availability of a GRM mechanism. The Grievance redress procedure suggests resolution of grievances in the spirit of mediation between the parties, and should comply with the spirit of International Financial Institutions standards and practices.

It is expected that a properly designed and implemented grievance management process can provide benefits to both the project implementers and the communities by increasing the likelihood of resolving minor disputes quickly and fairly - with solutions that reasonably satisfy both sides. GRM can also help identify and resolve issues before they are elevated to formal dispute resolution methods, including the courts.



## **LEVELS FOR GRIEVANCE REDRESS AND RESPONSIBILITIES OF PARTIES INVOLVED**

The GRM is available to people living or working in the areas impacted by the project activities. Any person impacted by or concerned about the project activities has the right to participate in the GRM, should have the easy access to it, and be encouraged to use it. The proposed GRM does not replace the public mechanisms of complaint and conflict resolution envisaged by the legal system of the Republic of Kazakhstan, but attempts to minimize use of it to the extent possible.

Overall responsibility for timely implementation of GRM lies with the Committee of Roads (CoR) and Kazautozhol supported by teams of consultants, such as Project Management Consultants (PMC), Construction Supervision Consultants (CSC) involved in managing and supervising the civil works and other activities under the investment program, while Construction Contractors (CC) undertake the actual civil works. Relevant oblast, rayon and community akimats, who are mandated by law to perform grievance redress related tasks, and mediators / non-governmental organizations (NGO), who are involved in facilitating amicable resolution of grievances are also included in GRM.

This GRM Guideline envisages two levels of grievance resolution for the road sector projects implemented under the supervision of the CoR: Grievance Redress Committees (GRC) at regional (oblast) and central (Astana) levels.



### **GRM: Regional Level**

At the first stage, the resolution of grievance will be attempted through GRC at regional level. The GRC at regional level is established for each project and is composed of the following parties:

- Representatives of regional branch of Kazautozhol;
- Representatives of PMC;
- Representatives from oblast and rayon akimat;
- Representatives of CSC;
- Representatives from CC.

Akims of all the communities located in the project area will be informed on the GRM process and will be involved in considering the grievances and can attend the GRC meeting in case the issue is related to their



community. In addition, professional mediators or representatives of NGOs may be involved in resolution of grievance cases, as needed.

A representative from the regional branch of Kazautozhol will chair the GRC at the regional level and be responsible for the overall operation of GRM and its efficient and timely implementation. Coordinator of the GRC at regional level will be nominated by the management of the regional branch of Kazautozhol, and be responsible for involving the relevant parties and coordinating the works of GRC at regional level.

The role of GRC at regional level covers the following tasks:

- Record grievance;
- Consider its appropriateness for resolution under GRM Guideline;
- Sort and coordinate all project-related grievances;
- Consider grievance, investigate the issue, facilitate and mediate resolution of grievance;
- Document status of the complaint and its resolution;
- If the complaint cannot be resolved pass it to the GRC at central level (Astana), for resolution, including appropriate documentation and justification why it was not resolved at the regional level;
- Provide feedback to the complaining party and ensure reporting;
- Promote awareness and facilitate communication between communities and the project parties, including Kazautozhol regional branch, akimats, PMCs, CSCs, CCs, NGOs / mediators;
- Disseminate project related information to the local community.



### **GRM: Central Level**

Following unsuccessful consideration of grievance by GRC at the regional level, complaint resolution will be attempted at a central level. The GRC at central level is composed of the following parties:

- Representatives of Kazautozhol;
- Representative of CoR;
- Representatives of regional branch of Kazautozhol.

For grievances related to each project the representatives of the PMC for the particular project will be invited to take part in the meeting of the GRC at central level. The complaining party, as well as representatives of relevant state stakeholders, oblast / rayon / community akimats, CSCs, CCs (as needed) will also be invited to attend the GRC meeting.



In addition, professional mediators (representatives of NGOs or individuals experienced in mediation and facilitation of grievance resolution) may be involved in resolution of grievance case, as needed.

A representative of Kazautozhol will be the chair of the GRC at central level and will be responsible for overall operation of GRM and its efficient and timely work. Safeguard specialist of Kazautozhol will act as the GRC coordinator at central level responsible for receiving grievance cases from the GRCs at the regional level, ensuring appropriate recording and data collection, involving the relevant parties, coordinating the work of the GRC at the central level, and informing the parties on the outcomes of grievance consideration.

The role of the GRC at central level includes the following tasks:

- Review grievance details and appropriate background information, including notes / minutes of meeting of GRC at regional level with respect to the specific grievance case;
- Consider grievance, investigate the issue, facilitate and mediate resolution of grievance;
- Coordinate with and involve relevant state entities and project parties (PMC and others) to facilitate resolution of grievances;
- Document status of the grievance and its resolution;
- Provide feedback to complaining party;
- If the complaint cannot be resolved by GRC at central level, recommend its resolution providing references to normative-legal acts of Kazakhstan, including justification why the grievance cannot be resolved through an informal process;
- Promote awareness and facilitate communication between various project parties, including, CoR, Kazautozhol central office and regional branches, akimats, PMCs, NGOs / mediators, International Financial Institutions (IFI);
- Disseminate project related information (brochures, leaflets, etc.) to the state and local stakeholders.



### **GRM: Legal System**

If after the intervention and assistance from the GRCs at both regional and central levels, no solution has been reached, and if the grievances redress system fails to satisfy the complaining parties, the case will be referred to the court for resolution in accordance with the Kazakhstan legislation.



In the meantime, it should also be emphasized that the GRM Guideline does not limit the right of the complaining party to submit the case to the court of law in the first stage of grievance process.



## **GRIEVANCE REDRESS PROCESS**

The grievance redress process includes the following four major steps:

- (a) Grievance registration;
- (b) Grievance sorting;
- (c) Grievance processing; and
- (d) Provision of feedback/reporting.



### **(a) Grievance Registration**

Complainants or concerned individuals can visit, call or send a letter or e-mail or fax to community akimat, grievance focal point at CCs and CSCs, GRC Coordinator at Kazautozhol regional branch.

Receipt of grievances lodged in person or via phone will be acknowledged immediately.

Receipt of grievances received through a letter or e-mail or acknowledged through a letter / e-mail / fax within 3 working days upon receipt by GRC coordinator at regional level.

Whichever channel is used for receiving the grievance registration will be made by the GRC coordinator at the regional level, who will acknowledge receipt and follow up with the grievance investigation and consideration by the GRC at regional level. Grievances will be recorded in a standard format (attached at the end).

GRC at the regional level considers the anonymous complaints, in case if the complainant refuses to provide contact details or no contact information is available in the grievance received by e-mail / mail / fax. In case of anonymous complaints, the printed response will be posted at the information board of the Kazautozhol's respective regional branch, as well as at the information board of the relevant akimat, so as the complaining party can approach and review the feedback.



### **(b) Sorting of Grievances**



Upon receipt of grievances, the GRC coordinator at regional level shall sort the grievance according to the following categories.

*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 staff of CC, CSC, community / rayon / oblast akimat, or by mediators / NGOs after Kazautozhol and PMC concurrence.

*Type B: allegation of violation of rights or non-performance / poor performance of obligations against consultants, contractors, Kazautozhol, 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 at regional level 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 should be referred to the appropriate state entity of IFI's project team 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 the GRM Guideline.



### **(c) Grievance Processing**

Queries and complaints that are clarified and resolved at the intake point are closed immediately.

Cases requiring further assessment and action considered by the GRC at regional level.

**The GRC at regional level:**

- holds meetings on bi-monthly basis, however special ad hoc meetings can be arranged, as needed;
- discusses the grievance case within ten working days and recommend its settlement to parties.





GRC coordinator at regional level circulates relevant information among the members of GRC, and ensures actions and decisions are properly documented.

If grievance cannot be resolved by the GRC at the regional level forwarded for consideration by the GRC at the central level, including all relevant documents.

The **GRC at central level:**

- holds meetings on monthly basis, however special ad hoc meetings can be arranged, as needed;
- discusses the grievance case within twenty working days and recommend its settlement to parties.

GRC coordinator at central level circulates relevant information among the members of GRC, and ensures actions and decisions are properly documented.

If grievance cannot be resolved to the satisfaction of the parties, the recommendation will be made to seek resolution through the courts.



#### **(d) Feedback Provision**

At the **regional level:**

- for grievances lodged in the office or via phone to the GRC coordinator at regional level the acknowledgement of grievance receipt will be confirmed immediately;
- for mailed, e-mailed or faxed grievances acknowledgement of receipt will be provided by GRC coordinator at regional level not later than 3 working days.
- in case the grievance is not related to project activities or impacts generated due to the project implementation and cannot be considered under this GRM Guideline feedback will be provided to the complaining party to which entity (community / rayon / oblast level akimat, as relevant) it has been forwarded.

Grievance receipt will be acknowledged, as well as response / recommendation will be provided to complaining party through preferred mode of communication mentioned in grievance registration form.

If grievance was resolved at regional level, the complaining party will be informed of the outcome. If grievance was not resolved at



the regional level and was passed to the GRC at the central level for consideration and resolution, appropriate information will be provided to the complaining party, including the date when the case was passed to GRC at the central level and the date by which the outcome at the central level is expected.

**At the central level:**

- if the grievance was resolved, the complaining party will be informed on the outcome of grievance resolution;
- if grievance was not resolved by the GRC at central level, appropriate information will be provided to the complaining party, including details why the case was not resolved, as well as recommendation to seek for resolution through the legal system of the republic of Kazakhstan.

For anonymous grievances or in cases when the complainant refused to provide contact details, the information on status of grievance redress and outcomes resolution process, will be posted on the information boards of relevant regional branch of Kazautozhol and relevant community / rayon / oblast akimats. Outcomes of the grievance resolution process will also be documented in the grievance database and reflected in the project periodic progress reports.



## **MONITORING AND REPORTING**

Grievances shall be captured for monitoring and reporting using the Grievance Registration Form and logbooks of the parties of GRM at regional level. The GRC coordinator at regional level will monitor the grievance resolution process, and prepare a summary report on GRM, which will be included in its quarterly progress report. The GRC coordinator at central level will collect data from the GRC coordinators at regional level, undertake monitoring of the overall GRM process, track timelines of grievance resolution, recommend corrective actions to GRC coordinators at regional level (as needed), and prepare a summary report on GRM, which will be shared with CoR (and IFIs, as needed) on quarterly basis. In addition, the GRC coordinator at central level will maintain a centralized grievance database for all road sector projects funded by IFIs and will update that on monthly basis.



## **DISCLOSURE OF GRIEVANCE REDRESS PROCEDURE**



Community consultations shall be carried out by CCs and CSCs at the beginning of each project (commencement of construction at each section of the road). These consultations shall be carried out under the coordination and supervision of the GRC coordinator at regional level to ensure people's awareness of the availability of the GRM, steps of grievance resolution as well as contacts and locations of focal points to be approached in case of grievance.

The GRC coordinator at the regional level shall coordinate information dissemination activities on GRM, and ensure that information providing details on GRM and contacts of grievance focal points at CCs and CSCs, GRC coordinator at regional level are posted in publicly accessible and visible places at every construction site and in every affected community. In addition, the information on GRM, including contact details grievance focal points at CCs and CSCs, GRC coordinator at regional level, should be available at the offices of CCS, CSCs, PMCs, akimats, Kazautozhol regional branches.



## MEMBERS OF REGIONAL GRCs – CONTACT DETAILS

### Zhambyl Oblast

- Tuganova A., Deputy Director of the Branch of JSC NC Kazautozhol
- Sheraliev B., Lawyer of the Branch of JSC NC Kazautozhol
- Lee Sang Koo, Resident Engineer of DOHWA
- Isakova M., PMC, SAI Consulting
- Ibraev B., PMC, SAI Consulting
- Tazhieva S., Specialist on Social Issues, Lavalin
- Bashanov B., Head of the Department of Land Relations of Ryskulov rayon
- Bekezhanov N., Chief Specialist of Department on Land Relations of Zhambyl rayon

#### GRC Contact Details:

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### Mangystau Oblast

- Krykbaev N., Deputy Director of the Branch of JSC NC Kazautozhol
- Osin K., Local Expert on Public Relations, PMC, Zhol Sapa
- Novossadova N., Local Expert on Environmental Protection
- Spanov T., Deputy Head of the Department of Passenger Transport and Automobile Roads of Mangystau oblast



- Kaliev A., Acting Head of the Department of Passenger Transport and Automobile Roads of SE "Mangystau Rayon Department of Housing and Communal Services"
- Santay R., Chief Specialist of Department on Department of Passenger Transport and Automobile Roads of SE "Karakia Rayon Department of Housing and Communal Services"
- Abdikhalyk B., Chief Specialist of Department on Department of Passenger Transport and Automobile Roads of SE "Munaily Rayon Department of Housing and Communal Services"
- Zeynabilov M., Director of Branch of the JSC "Cengiz Insaat Sanayi ve Ticaret Anonim Shirketi"

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**South Kazakhstan Oblast**

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- Abitbekova A., Lawyer of JV "Dena Rakhsaz / Sargin"
- Abdukaparov K., Safety Engineer of JSC "Corporation Sinohydro"
- Sarmanov B., Environmental Engineer of JV "Todini / Impregilo / Accord"
- Moldakhmetov A., Sociologist of JV "Temelsu / Consult" (CSC)
- Isakova M., Assistant Sociologist of JV "Temelsu / Consult" (CSC)
- Rogera Kh., Environmental Engineer and Sociologist of JV «Smec / Zhol Sapa" (CSC)
- Kulzhabaev S., Deputy Head of the Department on of Housing and Communal Services, Passenger Transport and Automobile Roads of Tulkibas Rayon

**GRC Contact Details:**

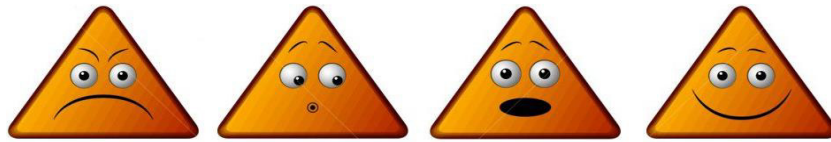
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- Sadvakassov N., Assistant Engineer of DongSung / Zhol Sapa CSC
- Stepura A., Project Manager of JV Todini / Impregilo / Kazakhdorstroy
- Cardiev T., Assistant Engineer of Shveroad / Kyupek CSC
- Fabio Folio, Project Manager of JV Todini / Impregilo / Kazakhdorstroy



- Balashova G., Assistant Engineer of Shveroad / Kyupek CSC
- Kenan Kose, Project Manager of JV Evrascon / MO-1
- Kerimkulov Zh., Assistant of DongSung / Zhol Sapa CSC
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## GRIEVANCE REGISTRATION FORM

### CONTACT INFORMATION

Name:	Gender: <input type="checkbox"/> Male / <input type="checkbox"/> Female
Address:	
Community:	Telephone:
Rayon and Oblast:	E-mail:
Anonymous grievance: <input type="checkbox"/> Yes / <input type="checkbox"/> No	Preferred mode of communication for feedback: <input type="checkbox"/> Mail / <input type="checkbox"/> Phone / <input type="checkbox"/> E-mail

### DESCRIPTION OF GRIEVANCE / SUGGESTION / QUESTION

Please provide details (who, what, where, when) of your grievance below:

In case any other actions were undertaken by the complainant with respect to the grievance case, please provide details on past actions (if any):

Please provide details on your suggested resolution for grievance:

### GRIEVANCE REGISTRATION DETAILS

Name of registrant:	
Organization:	Position:
How the grievance was lodged: <input type="checkbox"/> in person / <input type="checkbox"/> mail / <input type="checkbox"/> e-mail / <input type="checkbox"/> phone / <input type="checkbox"/> fax / <input type="checkbox"/> _____	Type of grievance: <input type="checkbox"/> type A / <input type="checkbox"/> type B / <input type="checkbox"/> type C
Documents attached:	Grievance is relevant to project: <input type="checkbox"/> Yes / <input type="checkbox"/> No if "No" it was forwarded to: _____
Remarks:	
Signature of registrant:	Date of grievance:

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GRIEVANCE REDRESS MECHANISM ON ENVIRONMENT AND SOCIAL  
SAFEGUARDS FOR ROAD SECTOR PROJECTS**

PREPARED AND DESIGNED BY INTERNATIONAL COMMUNITY CONSULTATION AND GRM SPECIALIST UNDER  
ADB TA-7566 REG: STRENGTHENING AND USE OF COUNTRY SAFEGUARD SYSTEMS - COMMUNITY CONSULTATION  
AND GRIEVANCE REDRESS MECHANISM