

Appendix 1: Summary of Criticism Regarding Grievance Redress and Settlement Committee (GRSC)

1. Institutional and decision-making framework for the Committee is inadequate and against the interests of the Project affectees

- 6 Executing Agencies, and 2 affectees out of 11 members of the Committee (ToR, 2).
- “The committee would establish its own working method...taking decisions on recommendations based on majority views of the members under a one member-one vote rule...(ToR, 3)”.
- “Representatives of communities affected will be nominated by the respective district nazims in close consultation with district council members, and will belong to the affected area (ToR, 2)”.
 - Local communities and affectees are the primary and core stakeholders and thus must have a prominent role and direct voice in any negotiation and decision-making process with regard to the grievance redress.
 - Executing agencies, who are in fact beneficiaries, should not be given de facto veto power.
 - Vulnerability or risk analysis should be conducted to identify those at risk as core stakeholders, and various project affected groups¹ should be represented.
 - Various EAs should be considered a single stakeholder representing the project organization. If the differentiation of the EA is functionally required, it could be done through a separate inter-governmental agencies coordination committee.
 - Affectees should have free and direct selection process of representatives, ensuring the effective and legitimate representation of all interest.

2. Policy and legal framework for the GRSC is arbitrary and inadequate with regard to the compliance conditions

- “Pakistan’s policies and legal framework, including but not limited to the Land Acquisition Act [1894], will provide the fundamental basis for the Committee’s recommendations, which will be supplemented by ADB’s relevant policies, including ADB’s Policy on Involuntary Resettlement (1995) and ADB’s Policy on Indigenous People (1998), together with relevant guidelines including on the Incorporation of Social Dimensions into Bank Operations, where legally possible (ToR,3)”. [Emphasis added]
- “In regard to land acquisition, the Committee’s role would be to see that all matters relating to assessment and payment of land compensation are handled fairly, transparently, and in compliance with the Land Acquisition Act (ToR, 3)”. [Emphasis added]
 - The very notion of “supplemental by ADB’s relevant policies” is very arbitrary and can make the compliance review process ambiguous.
 - Conditions of compliance with the ADB’s policies, including the policy on Involuntary Resettlement and Indigenous Peoples, should be fulfilled
 - Pakistani national policy and legal policy framework is inconsistent with ADB policies. Land Acquisition Act, 1894, repressive and violate basic human rights, should not be used.

3. The GRSC does not address the specific and concrete demands made in the request.

- “Demands under the Request could delay the suggested effective remedial measures and hamper quick resolution to all pending issues (Management Response, para. 153)”.
- Seven demands in the Request is not addressed in the Management Response.
 - Meaningful grievance redress process is not possible unless full technical, social, environmental and cultural impact assessments of the Project are made through an independent participatory and consultative process.

¹ Categories should include: (1) those facing the threat of involuntary displacement in the non-command western region; (2) those facing the threat of project induced flooding in the non-command eastern riverine belt; (3) those affected by land acquisition; (4) tenants and small farmers; (5) rowed-kohi users in the Western side; and (6) ethnic minorities and indigenous groups; (7) female affectees.