



# COMMUNITY GRIEVANCE PROCEDURE

May 2024

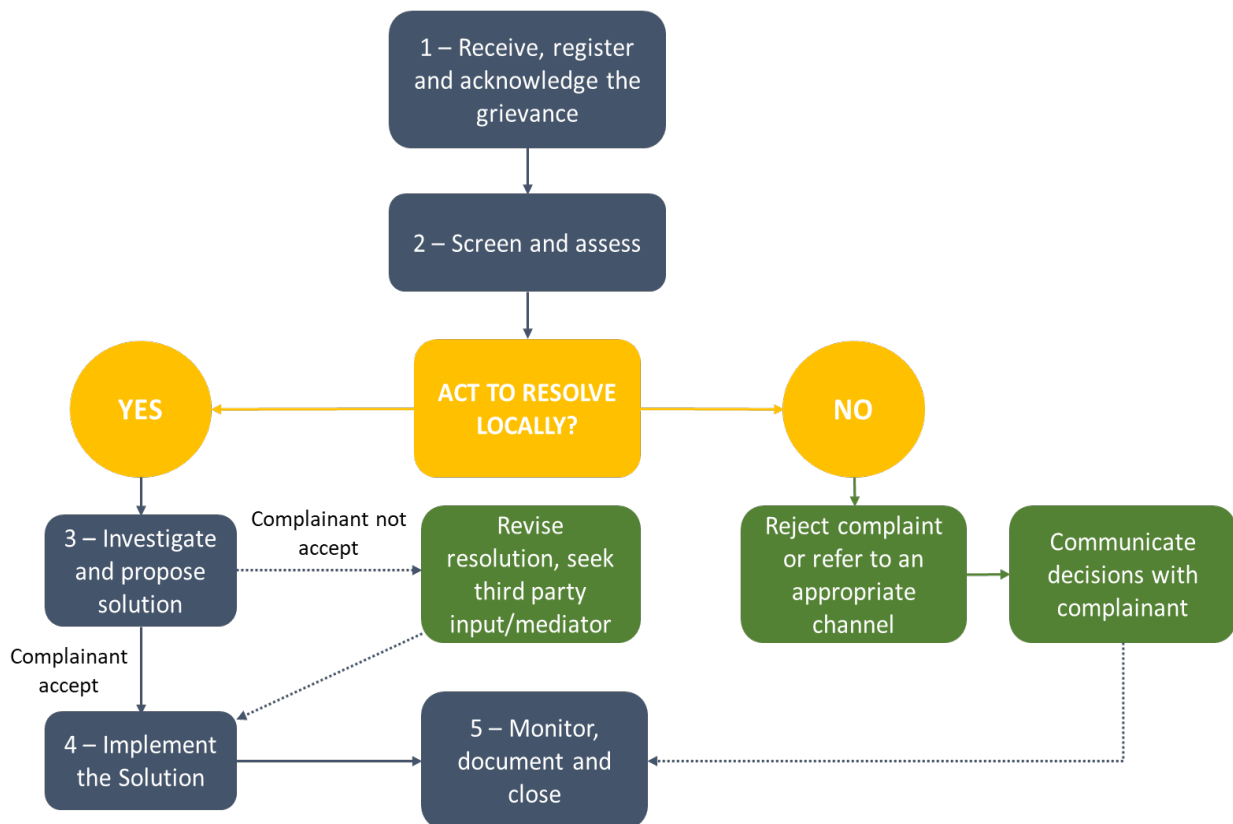
## 1. OVERVIEW

This Community Grievance Management Mechanism is established and implemented by Xekaman 1 Power Company Limited (“**XKM1**”) to comply with international standards of Environmental and Social performance. Through this mechanism, XKM1 expresses its desire to maintain a trusting and harmonious relationship with the community and people in the vicinity of the Project by receiving and resolving Grievances related to the Project in a **transparent, fair and timely** manner, and to reach a mutually satisfactory solution.

## 2. GRIEVANCE PROCEDURE

The Grievance procedure includes the following steps:

### COMMUNITY GRIEVANCE PROCEDURE





### **Step 1: Receive and Acknowledge Grievance (3 working day)**

- Grievants may meet with XKM1 Community Liaison Officer (CLO) or member of Project Grievance Redress Unit (PGRU) to report Grievances verbally or in writing through Grievance forms.
- Grievance forms are provided free of charge at the Project office or all affected village offices.
- XKM1 PGRU will register Grievances received in the Grievances Register.
- Within three business days of registering the Grievance, the PGRU will provide the complainant with a verbal acknowledgement of the receipt of the complaint (phone call, text message, or a meeting).

### **Step 2: Screen and Assess Grievance**

Grievance is screened and assessed within three (3) working days of receipt by the PGRU as follows:

- If it is decided that a grievance is not valid, the grievance will be dismissed and advice of the decision and the reasons for dismissal will be provided to the complainant in writing (and in person if required). Where applicable, the Project will refer the complainant to a government department, organisations, or judicial committee within the local government.
- If the grievance is valid, it will be classified in to one of the following categories
  - Level 1 Complaint: A complaint where potential impacts and/or consequences are low that can be resolved quickly (e.g. a Project vehicle damaging other's property)
  - Level 2 Complaint: A complaint which is widespread and repeated (e.g. dust from Project vehicles)
  - Level 3 Complaint: A complaint that could potentially result in a serious breach of National laws and regulations, or affect Government and Project image and performance (e.g. inadequate waste management).

Management will be notified of all grievances and the Project Director is notified of all Level 3 grievances.

PGRU will initiate resolution for Level 1 complaints where potential impacts and consequences are relatively low.

Management will initiate resolution of all complaints at Levels 2 and 3, and Level 1 complaints that can have significant implications to the business image or performance.

For any grievance that requires the involvement of a third party (e.g. technical expert, authority), the PGRU is responsible for contacting the relevant third party for their advice or resolution.

### **Step 3: Investigate and Propose Resolution**



The PGRU will investigate the grievance and propose resolution or as soon as possible but **no later than 15 working days** after screening and assessing the grievance. The responsible team member shall seek input from Village Committee and relevant district officials, as well as Project personnel and contractors, as necessary.

The PGRU member will discuss the outcomes of the investigation and proposed resolution with the complainant. The response can be communicated in several ways depending on the complainant's preference (e.g. face-to-face, email, letter, phone call, etc.). They will ask the complainant for written acceptance of the resolution (or verbal if the complainant has difficult reading/writing).

- For the Level 1 Complaint: PGRU will contact the complainant directly to develop and solutions with oversight from the XKM1-REMO Manager.
- For Level 2 Complaint: the XKM1-REMO Manager will be responsible for identifying a coordinated management solution and response. This should involve other senior managers and sign off from the Project Director.
- For Level 3 Complaint: immediate intervention of related parties such as senior managers, contractor/s, and/or local authorities to seek their advice on potential resolutions.

The response is signed-off by the Project Director for Level 3 complaints and the XKM1-REMO Manager for Level 2 and Level 1 complaints.

#### **Step 4: Implement the Resolution**

- If the Complainant does not accept the proposed resolution:
  - The PGRU shall conduct consultation with the Complainant to obtain further detailed clarification on the issues and to negotiate upon a mutual solution. Minutes of consultation sessions shall be kept in the Grievance Log. If a mutual solution cannot be obtained through consultation, third parties could be asked to be involved. The third-party can provide advice or facilitation in a way that is acceptable to all parties.
  - Where mediation is desired, academic or other local institutions may be sought out to play an “honest broker” role in mediating between the Project and stakeholder groups.
- If the Complainant accept the proposed resolution:
  - For relatively simple, short-term actions that can resolve the grievance, the objective will be for the solution to be implemented within 20 days after assessing the grievance.
  - For solutions that take longer to address, or for which the complainants are not satisfied or additional corrective actions are required, the PGRU will inform the complainants of the progress on a regular basis until the solution is completely implemented.



- The PGRU member shall inform the complainant once the resolution or corrective actions is implemented, and confirm that the complainant is satisfied with the resolution.

### **Step 5: Grievance Close Out and Documentation**

Monitor, document the grievance resolution process and close the grievance with sign-off from the XKM1-REMO Manager, or with the Project Director approval to close out Level 3 grievances. If further attention is required the PGRU should return to Step 2 to re-assess the grievance.

All correspondence related to the grievance must be documented in the Grievance Log for monitoring, reporting and learning. The PGRU is responsible for maintaining all records in the Grievance Log.

### **3. POINTS OF NOTICE**

- The Grievance mechanism will only accept Grievances about Project-related activities and Project-related resettlement.
- All records related to the Grievance Mechanism will be made available to Grievant FREE of charge and WITHOUT ANY REPRISAL.
- This mechanism does NOT replace any approach to administrative or legal remedies provided by the Government of Vietnam. In case XKM1 receives Grievances related to the Project that fall under the resolving authority of State agencies, we will forward these Grievances to relevant units for settlement and agreement and support Grievant to track the progress of Grievance settlement.
- XKM1 is not responsible for settlement of resettlement-related Grievances. The role of the XKM1 is to help ensure that the appropriate Parties are aware of Grievances from PAPs and to assist the Parties in achieving transparent, fair and timely Grievance resolution through appropriate channels.

*All information please send to:*

**Mr. Nguyen Trong Lieu – Community Liaison  
Officer**

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