

### Tool 4.3: Grievance Mechanism

Following widely recognised international standards (i.e. [SDGs](#), [Paris Agreement](#)) and societal expectations (i.e. [ICMM's Mining Principles](#)), companies are required to better recognise their own role in developing social responsibility. In 2011, the United Nations [Guiding Principles on Business and Human Rights](#) (UNGPs) went further and established principles that all companies should follow to ensure they uphold human rights. The UNGP recommends for both states and the private sector to include grievance mechanisms (GM) for those who both are, and maybe, adversely affected by a project.

In recent years, a number of organizations have produced valuable and thoughtful guides to help businesses design and implement GMs:

- ICMM's [Handling and Resolving Local Level Concerns & Grievances](#),
- IFC's [Addressing Grievances from Project-Affected Communities: Guidance for Projects and Companies on Designing Grievance Mechanisms](#)
- IPIECA's [Operational Level Grievance Mechanisms: IPIECA Good Practice Survey](#)

Grievance Mechanism Across the Lifecycle	
Grievance Mechanism should	<ul style="list-style-type: none"> <li>- follow The United Nations Guiding Principles on Business and Human Rights (UNGPs)<sup>9</sup>. It should be               <ul style="list-style-type: none"> <li>• legitimate</li> <li>• accessible</li> <li>• predictable</li> <li>• equitable</li> <li>• transparent</li> <li>• rights-compatible</li> <li>• a source of continuous learning</li> <li>• based on engagement and dialogue (operational-level mechanisms)</li> </ul> </li> <li>- be designed to apply to all stages of the mining lifecycle</li> <li>- provide channels that affected persons or other stakeholders can use to lodge complaints and seek remedy.</li> <li>- clearly indicate roles and responsibilities for investigating and resolving grievances inside the company.</li> <li>- provide tools and resources to remediate harm; for example, by rehabilitation, restoration and compensation.</li> <li>- after grievances have been addressed, procedures for monitoring, evaluating, adjusting and reporting.</li> </ul>

<sup>9</sup> The United Nations (2011) *Guiding Principles on Business and Human Rights. Implementing the United Nations "Protect, Respect and Remedy" Framework*. [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf)

For the company to consider:

- be explicit and share information about what kind of issues can be reported as grievances. Being transparent not only builds trust in the mechanism but can also help avoid irrelevant complaints.
- ensure all steps of the process respect human rights. Improve accessibility by removing barriers to participation.
- communicate and interact with the users of the mechanism. Ensure that confidentiality is maintained and users trust the process. Consider hiring a third party to handle the first stage of the process to maintain anonymity.
- respond to grievances sufficiently. Trust towards the mechanism may suffer if stakeholders feel like their opinions are ignored.
- do not dismiss any grievances. Every one should be followed up, categorised and investigated. There are numerous ways to respond to a complaint. Addressing grievances can mean, for example, negotiations, mediation, rehabilitation, restoration, investigation or compensation.
- choose the appropriate means of resolving grievances and remediating harm.
- remedy process should be carried out in dialogue and cooperation with the local communities and other affected stakeholders.
- monitor and evaluate to learn from the experiences. Reported incidents and complaints provide opportunities to improve procedures and future performance.