

TOOL 12

Designing and implementing grievance mechanisms

This tool deals with handling concerns and grievances in indigenous communities. It outlines some practical guidance and steps mining companies can take to ensure they develop and implement transparent, trusted and culturally appropriate procedures that allow communities (including Indigenous Peoples) to raise concerns about a company and its activities.

Designing a grievance mechanism

Guiding principles

To develop a culturally appropriate and well-functioning grievance mechanism, the system and process should be transparent, legitimate, accessible, holistic, predictable, equitable, culturally appropriate and rights-compatible (see Box 7).

Further, the Handling and resolving local level concerns and grievances guide (ICMM, 2009) highlights the key broad success principles for grievance or complaints mechanisms if they are to appropriately resolve issues and strengthen relations with communities. These include:

- ensuring communities face no obstacle in using the mechanism
- establishing the mechanism early on, and basing it around a transparent, predictable process
- finding ways to build trust in the legitimacy of the mechanism
- creating an organizational structure and mindset to support the mechanism.

Box 7

Principles for designing an effective grievance mechanism

Transparent – the process is sufficiently clear and the public is informed about the mechanism's performance and effectiveness.

Legitimate – the process is transparent, independent and thus trusted by the community.

Accessible – the process ensures all sections of the community are able to access the mechanism easily and communicate their complaints through a variety of options (eg in writing, orally via telephone, online or through more informal methods).

Holistic and integrated – policies and processes for dealing with complaints, disputes and grievances are seen as part of a broader, holistic approach to risk management and community engagement.

Predictable – there is a clear and consistent process with regular timeframes for each stage of the process.

Equitable – all parties have equal access to information, advice and expertise and are able to engage in the process on fair terms.

Culturally appropriate – the process considers Indigenous Peoples' traditional ways of handling community concerns and resolving problems.

Rights-compatible – the process accords to internationally recognized human rights.

See section 1, Overarching design principles, of the *Handling and resolving local level concerns and grievances* guide for further guidance on these four broad principles.

