

# Grievance Procedure

## 7.1 Purpose of the Grievance Procedure

The propose of the Grievance Procedure shall be to allow Project Affected Persons, and those who may believe that are impacted by the THXP, to seek satisfactory resolution to grievances they may have in relation to the Resettlement and Compensation Processes. This Grievance Procedure ensures that:

- (a) Basic rights and interests of Project Affected Persons are protected;
- (b) Concerns of Project Affected Persons are adequately addressed; and
- (c) Entitlements of Project Affected Persons are provided on time and in accordance with the Concession Agreement.

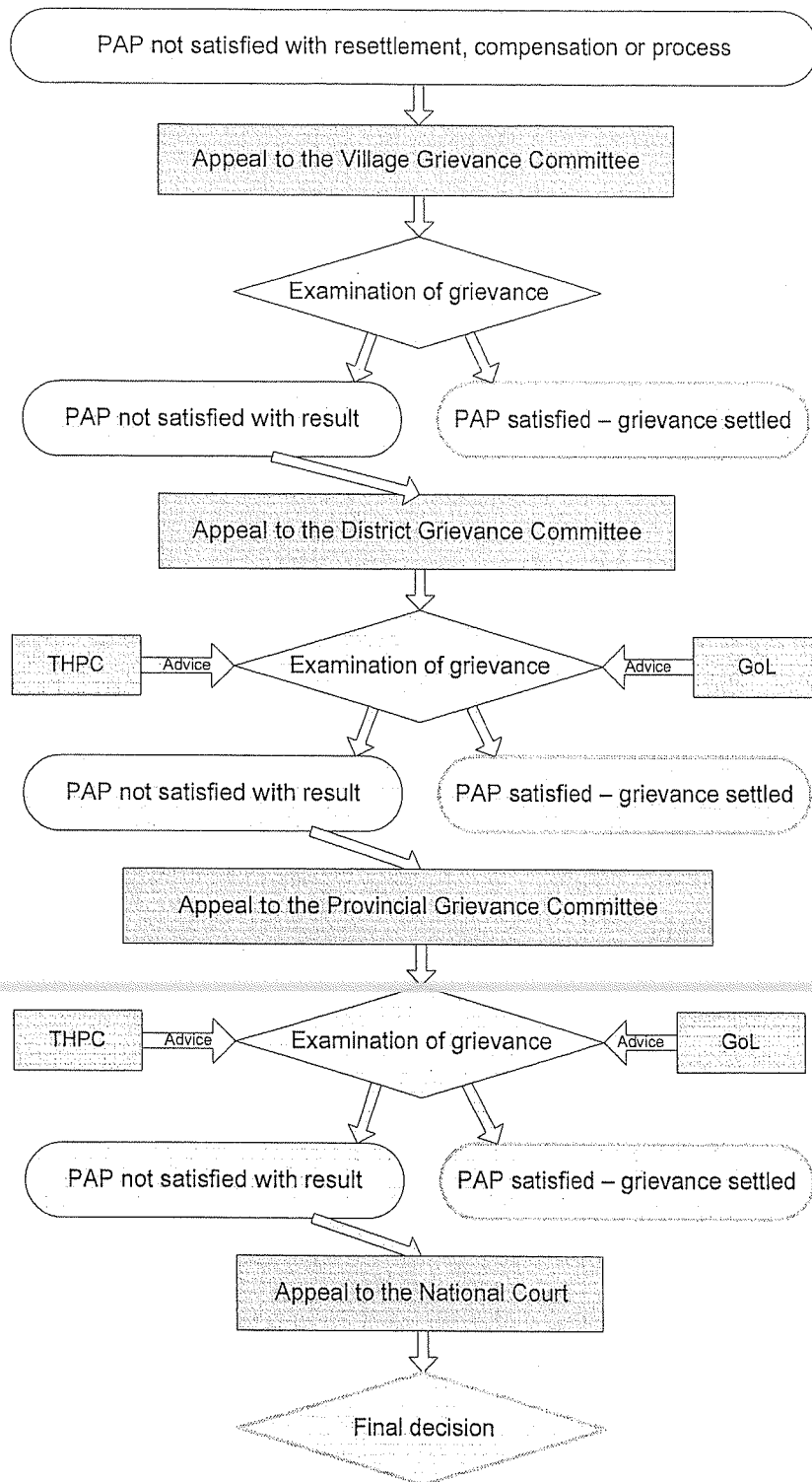
## 7.2 Access to the Grievance Procedure

GOL and the Company agree to ensure that Project Affected Persons shall be aware of their rights to access and shall have access to the Grievance Procedure free of charge for the above purposes.

Information on the objectives, access and procedures (steps) of the Grievance Procedure shall be included in consultation planning and local level meetings. Assistance shall be provided to Project Affected Persons in preparation of their claims.

## 7.3 Structure of the Grievance Procedure

The Grievance Procedure comprises four (4) steps, as described in Clause 7.4-7.7 below and as illustrated here in the diagram.



#### 7.4 Step 1 of the Grievance Procedure: Village Grievance Committee

- (a) The Project Affected Person wishing to make a claim (a Claimant) must first make a claim to the Village Grievance Committee.
- (b) The Claim can be made orally or in writing, and should include:
  - (i) Factual background;

- (ii) Issues; and
  - (iii) Claimant's position on these issues.
- (c) The Village Grievance Committee must:
- (i) Review the claim within the context of the existing policy, regulations, procedures and entitlements for Project Affected Persons as provided for in the Concession Agreement and relevant implementation plans and activities;
  - (ii) Not award compensation that exceeds the budget set by the Company for the relevant purpose;
  - (iii) Consult with Company representatives in considering the Grievance;
  - (iv) Respond within fifteen (15) days of receipt of the claim; and
  - (v) Inform the Claimant of his or her right to take the claim to the District Grievance Committee for review and decision.
- (d) The GOL, through the RMU, shall promptly inform the Company, through the SED, of:
- (i) Any claim raised at this level within ten (10) days after the claim is first received; and
  - (ii) The final resolution of each claim resolved at this level.

#### **7.5 Step 2 of the Grievance Procedure: District Grievance Committee**

- (a) If the Claimant is not satisfied with the decision of the Village Grievance Resettlement Committee, he or she may submit the claim to the District Grievance Committee.
- (b) Upon receipt of the claim, the District Grievance Committee must conduct its own investigations and arrange to meeting with responsible agencies and the Claimant.
- (c) The District Grievance Committee must:
  - (i) Consult with Company representatives in considering the Grievance;
  - (ii) Make a decision within fifteen (15) days of receipt of the claim;
  - (iii) Inform the RMU of this decision;
  - (iv) Not award compensation that exceeds the budget set by the Company for the relevant purpose; and
  - (v) Provide reasons for this decision.

- (d) The findings of the District Grievance Committee are binding on the Company and RMU.
- (e) The District Grievance Committee must maintain a public record of all claims received from Project Affected Persons and decisions made by the District Grievance Committee.

#### **7.6 Step 3 of the Grievance Procedure: Provincial Grievance Committee**

- (a) If the Claimant is not satisfied with the decision of the District Grievance Committee, he or she may submit the claim to the Provincial Grievance Committee.
- (b) Upon receipt of the claim, the Provincial Grievance Committee must conduct its own investigations and arrange to meeting with responsible agencies and the Claimant.
- (c) The Provincial Grievance Committee must:
  - (i) Consult with Company representatives in considering the Grievance;
  - (ii) Make a decision within fifteen (15) days of receipt of the claim;
  - (iii) Inform the RMU of this decision;
  - (iv) Not award compensation that exceeds the budget set by the Company for the relevant purpose; and
  - (v) Provide reasons for this decision .
- (d) The findings of the Provincial Grievance Committee are binding on the Company and RMU.
- (e) The Provincial Grievance Committee must maintain a public record of all claims received from Project Affected Persons and decisions made by the Provincial Grievance Committee.

#### **7.7 Step 4 of the Grievance Procedure: Lao Courts**

- (a) A decision from the Provincial Grievance Committee may be appealed to the Lao PDR Courts in accordance with Lao law.
- (b) The GOL, through the RMU, shall promptly inform the Company, through the SED, of:
  - (i) Any claim raised at this level; and
  - (ii) The final resolution of each claim at this level
- (c) The findings of the Lao Courts are binding on the Company and RMU, and cannot be contested after a decision on the claim has been made.

- (d) For the avoidance of doubt, the Lao PDR Courts shall not award compensation that exceeds the budget set by the Company for the relevant purpose.