

COCOASOURCE GRIEVANCE AND REMEDIATION MECHANISM

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Purpose

The purpose of this grievance mechanism is to invite any person or group of people to report incident, misbehavior, emerging conflicts, malfunctioning system or any type of grievance spotted in Cocoasource supply chain, regarding the following, but not exhaustive, subjects:

Cocoasource Main Commitments

Respect for human rights and children safeguards.
Protection of forests and other natural ecosystems.
Other Cocoasource commitments.

Cocoasource Ethical Supply Chain

Company systems and processes to drive effective implementation of our commitments.
Cocoasource supply chain assessment and traceability
Managing for supply chain compliance
Land acquisition, land use planning, and site development
Land management and long-term protection
Access to remedy and environmental restoration
Collaboration for landscape and sectoral sustainability
Monitoring and verification

Cocoasource Reporting on Progress

Reporting, disclosure, and claims

Function

The function of the grievance mechanism is to:

- Receive, log, and track all grievances received.
- Provide regular status updates on grievances to claimants.
- Engage and cooperate with all parties necessary to arrive at a grievance resolution.
- Process and propose solutions and ways forward related to specific grievances within a period not to exceed 60 days from receipt of the grievance.
- Receive and service requests for the use of independent mediation or facilitation.
- Identify growing trends in grievances and recommend to company management possible measures to avoid harms and grievances in future company operations.
- Solicit feedback from parties on grievances that have since been closed regarding their experience, level of satisfaction, and recommendations for grievance mechanism strengthening.
- Elaborate on regular reports (including findings and outcomes), make the reports available to the public, and maximize transparency of information.
- Ensure that the effectiveness criteria for grievance mechanisms are being met;
- Collaborate whenever possible with the host government, business partners, NGOs, CSOs and other entities to conduct outreach initiatives to increase awareness of the existence of the grievance mechanism and how its services can be accessed.
- Ensure continuing education of company staff, agents, and business partners (especially at the upstream level) about the importance of ensuring access to remedies for any potential claimant; and
- Monitor and record follow up to grievance resolutions, as appropriate.

Composition

The grievance mechanism will consist of a Resolution Team: Managing director and Sustainability manager of Cocosource.

The Resolution Team will:

- Manage relationships with relevant government and stakeholder groups that may need to be engaged in resolving grievances in the future (including civil society organisations and others that might be able to advise and/or assist claimants in engaging the grievance mechanism)
- Ensure the independence of the grievance mechanism
- Provide for the continuous education and capacity building of grievance mechanism staff
- Ensure overall the satisfaction of the UNGP's "effectiveness criteria"
- Approve workplan and budget
- Publicize the existence of the grievance mechanism and the procedure for using it
- Receive and log requests for dispute resolution
- Acknowledge receipt to the requestor
- Determine eligibility and, where the request is outside the scope and mandate of the grievance mechanism, suggest to claimant other available grievance mechanisms (i.e., courts, administrative processes)
- Track and document efforts at grievance resolution and their outcomes
- Develop and execute a communication strategy that reaches potential stakeholders and users of the mechanism, taking into consideration appropriate medias, language, and cultural appropriateness
- Take direct action to resolve the grievances professionally, impartially, and without discrimination
- Request further information to clarify the issue, share that information with all relevant parties, and where information is held not by the claimant or company, but another, take reasonable measures to secure that information (i.e., from Government entities or third parties)
- Facilitate claimant support (i.e., space for experts advising the claimant and the availability of translation and interpretation)
- Seek the advice of independent experts for the Resolution Team, if deemed appropriate
- Refer the grievance to independent mediation or facilitation if the parties request or if sustainability team believes it would be helpful and the parties agree (maintaining oversight)
- Carry out any other functions subsequently defined by the grievance mechanism's establishing document.

Communicating a grievance

Who can submit a grievance?

A grievance can be sent by any individual or group of individuals that believes it has been or will be harmed by the company operations. If a grievance is to be lodged by a different individual or organisation on behalf of those said to be affected, the claimant must identify the individual and/or people on behalf of whom the grievance is submitted and provide written confirmation from the individual and/or people represented that they are giving the claimant the authority to present the grievance on their behalf. The grievance mechanism will take reasonable steps to verify this authority.

How is the grievance communicated?

The grievance mechanism shall maintain a flexible approach with respect to receiving grievances in light of known local constraints regarding communications and access to resources for some stakeholders.

A grievance can be transmitted to the grievance mechanism by any means available (i.e. by email, letter, meeting, SMS, Phone, local liaisons, Website contact page).

Contact information for the transmission of grievances will be as follows:

Sustainability department
COCOASOURCE SA
Avenue du Reller 22
1800 Vevey
Switzerland

Phone number: +41 21 921 58 51
Sustainability@cocoasource.ch

What information should be included in a grievance?

At a minimum, the grievance should include the following information:

- 1) The name of the individual or individuals making the complaint (the “claimant”)
- 2) A means for contacting the claimant (email, phone, address, other)
- 3) If the submission is on behalf of those alleging a potential or actual harm, the identity of those on whose behalf the grievance is made, and written confirmation by those represented of the claimant’s authority to lodge the grievance on their behalf
- 4) The description of the potential or actual harm
- 5) The claimant’s statement of the risk of harm or actual harm (description of the risk/harm and those affected, names of the individual(s) or institutions responsible for the risk/harm, the location(s) and date(s) of harmful activity)
- 6) What has been done by claimant thus far to resolve the matter
- 7) Whether the claimant wishes that their identity is kept confidential
- 8) The specific help requested from the grievance mechanism

Logging, acknowledgment, and tracking

All grievances will be received, assigned a tracking number, acknowledged to claimant, recorded electronically, and subject to periodic updates to the claimant as well as the office file. Within two weeks of the receipt of a grievance, the grievance mechanism will send a written acknowledgement to claimant of the grievance received with the assigned tracking number.

Each grievance file will contain, at a minimum:

- 1) The parties involved, including the engaged members of the resolution team
- 2) Date of the request as received
- 3) Date the written acknowledgment was sent
- 4) Dates and nature of all communications or meetings with the claimant and relevant stakeholders
- 5) Any requests, offers of, or engagements of a mediator or facilitator
- 6) Date and records related to the proposed solution/way forward
- 7) The acceptance or objections of the claimant to the proposed solution (where the claimant is an IP/LC and the nature of the complaint and associated remedy requires Free, Prior and Informed Consent, this will be respected and documented)
- 8) The proposed next steps if objections arise
- 9) The alternative solution if renewed dialogues were pursued
- 10) Notes regarding implementation and the monitoring of implementation
- 11) Any conclusions and recommendations arising from monitoring and follow up

Maintaining communication and status updates

Files for each grievance will be available for review by the claimant and other stakeholders involved in the grievance, or their designated representative(s). Appropriate steps will be taken to maintain the confidentiality of the claimant if previously requested. The grievance mechanism will provide periodic updates to the claimant regarding the status and current actions to resolve the grievance. Not including the acknowledgment of receipt of the grievance, such updates will occur within reasonable intervals (not greater than every thirty days).

Investigation and consensus building

Within seven business days of receiving a grievance, the responsible persons will notify Cocosource Management of the receipt of the grievance. The Resolution Team will name one or several members of the team as deemed appropriate considering the nature, scale, and gravity of the grievance, to work with the parties to resolve the grievance. The names of these individuals will be made available to the claimant.

The designated team member(s) will promptly engage the claimant and any other relevant parties, to gather all necessary information regarding the grievance. Through the Director, the Resolution Team will request information from government institutions relevant to resolving the grievance and avoiding future grievances of the same nature. As necessary, the Resolution Team will convene one or more meetings with relevant individuals and institutions in concerned country.

The objective of all investigative activities is to develop a thorough understanding of the issues and concerns raised in the grievance and facilitate consensus around a proposed solution and way forward. The Resolution Team will seek the cooperation of company management, personnel, agents, and business partners which may facilitate the resolution of the grievance.

At any point during the investigation, the Resolution Team may determine that an onsite field investigation is necessary to properly understand the grievance and develop an effective proposed solution and way forward.

Seeking advisory opinion and/or technical assistance

At any point after receiving a grievance and through to implementation of the proposed solution and way forward, the Resolution Team may seek the technical assistance and/or advice of independent experts (domestic or international).

Making proposed actions and solutions public and overseeing implementation

The Resolution Team will communicate to the claimant one or more proposed actions or resolutions and clearly articulate the reasons and basis for proposed way forward. If the claimant does not accept the proposed resolution, the Resolution Team will engage with the claimant to provide alternative options, when available.

If the claimant accepts the proposed solution and way forward, the grievance mechanism will continue to monitor the implementation directly and through the receipt of regular required communications from the claimant and other relevant parties (detailed in the final resolution document). As necessary, the grievance mechanism may solicit information from the relevant parties and initiate renewed dialogue where appropriate.

Final resolution

The documented final resolution as accepted by the parties will include, at a minimum:

- A summary of the grievance
- A summary of the steps taken to resolve the grievance (meetings, information gathered, engagement of facilitator/mediator if applicable etc.)
- Details of the proposed solution including remediation or mitigation measures to be engaged, responsibilities of key parties, and required timelines
- Mechanism for participatory monitoring of implementation of the agreement
- If an IP/LC is involved, evidence of FPIC where applicable
- A description of the repercussions of non-compliance
- Any other element requested of the parties

Monitoring and evaluation

Bi-annually, the Resolution Team will make available to the public, a report describing the work of the grievance mechanism, listing the number and nature of the grievances received and processed in the past six months, a date and description of the grievances received, resolutions, referrals, and ongoing efforts at resolution, and status of implementation of ongoing resolutions.

The level of detail provided about any individual grievance will depend on the sensitivity of the issues and stakeholder concerns about confidentiality, while providing appropriate transparency about the activities of the grievance mechanism. The report will also highlight key trends in emerging grievances, and make recommendations regarding:

1. measures that can be taken by Cocosource to avoid future harms and grievances; and
2. improvements to the grievance mechanism that would enhance its effectiveness, accessibility, predictability, transparency, legitimacy, credibility, and capacity.

Mediation

For the option of independent mediation and facilitators, experts on the roster/panel should have at least the following qualifications:

- 1) professional experience and expertise in impartial mediation and facilitation.
- 2) knowledge of the region, nature of company operations, the applicable law.
- 3) proficiency in national and local language, as appropriate.
- 4) availability in principle for assignments of up to 20 days; and

5) willingness to declare all relationships and interests that may affect their ability to act as an impartial mediator or facilitator in particular cases. If independent mediation/facilitation succeeded in resolving the grievance, the outcome would be documented by the Resolution Team overseeing the process. If the independent mediation/ facilitation was unsuccessful, the parties would have the option to return to the Resolution Team facilitation for another attempt at resolution.

Party evaluations

The grievance mechanism has a learning function. It will solicit feedback from the parties after the grievance has been resolved or the matter otherwise closed.

Without prejudice

Use of this grievance mechanism is without prejudice to any existing rights under any other complaint mechanisms that an individual or group of individuals may otherwise have access to under national or international law or the rules and regulations of other relevant institutions, agencies or commissions (for instances those available through a certification scheme, or jurisdictional approach, etc.).