

giz Postfach 5180 • 65726 Eschborn

[REDACTED]
Officer-in-charge
Special Procedures Branch
United Nations Human Rights
Office of the High Commissioner
Palais des Nations
CH-1211 Geneva 10
SCHWEIZ

E-mail: ohchr-spbquickresponsedesk@un.org

Reference: AL OTH 70/2025

Dear [REDACTED],

With reference to your letter dated 10 July 2025 (Ref. AL OTH 70/2025), we hereby submit our responses to the questions raised:

1. *Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.*

We would like to thank the UN Office of the High Commissioner for Human Rights for reaching out to GIZ in the context of our efforts and partnership with Vietnam to facilitate the energy transition. GIZ highly appreciates the attention given by the Commissioner to the issue of protecting human rights in the context of the joint efforts of the G7, the EU, Denmark, Norway and Vietnam in advancing a just energy transition in Vietnam through the Just Energy Transition Partnership (JETP).

Human rights are the universal basis for a life in dignity and freedom. They are a guiding framework and cross-cutting task of German development policy and therefore guide all GIZ actions. In our work, we are guided by the human rights standards and principles as defined in the UN Covenant on Civil and Political Rights as well as the Covenant on Social, Economic and Cultural Rights, the Core UN International Human Rights Instruments as well as regional human rights agreements.

Thorsten Schäfer-Gümbel
Chair of the Management Board

Dag-Hammarskjöld-Weg 1 - 5
65760 Eschborn, Germany
T +49 6196 79-1603

thorsten.schaefer-guembel@giz.de

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Deutsche Gesellschaft für
Internationale Zusammenarbeit (GIZ) GmbH

Registered offices
Bonn and Eschborn, Germany

Friedrich-Ebert-Allee 32 + 36
53113 Bonn, Germany
T +49 228 4460-0
F +49 228 4460-1766

Dag-Hammarskjöld-Weg 1 - 5
65760 Eschborn, Germany
T +49 6196 79-0
F +49 6196 79-1115

E info@giz.de
I www.giz.de

Registered at
Local court (Amtsgericht)
Bonn, Germany
Registration no. HRB 18384
Local court (Amtsgericht)
Frankfurt am Main, Germany
Registration no. HRB 12394
VAT no. DE 113891176
Tax no. 040 250 56973

Chairperson of the Supervisory Board
Niels Annen, State Secretary

Management Board
Thorsten Schäfer-Gümbel (Chair)
Ingrid-Gabriela Hoven (Vice-Chair)
Anna Sophie Herken

Commerzbank AG Frankfurt am Main
BIC (SWIFT): COBADEFFXXX
IBAN: DE45 5004 0000 0588 9555 00

We would like to emphasize, that to our knowledge and in the cooperation with our Vietnamese counterparts, many institutions, professionals, and organizations are working in good faith to support a cleaner, fairer, and more inclusive energy future. In the immediate context of our work, and to the degree that we can assess JETP activities in our role as a technical service provider to units within Vietnamese Government, we are actively evaluating risks of human rights violations through a standardized process, as outlined below. On the basis of these measures, we have not identified an elevated risk of such violations.

Ongoing GIZ support to Vietnam in the context of the JETP mainly include the following projects: *Renewable Energy and Energy Efficiency (4E)*, *Promoting the Transition of the Energy Sector in Viet Nam (TEV)*, *Clean, Affordable and Secure Energy for Southeast Asia (CASE)*, *Innovation Regions for a Just Energy Transition (EUIKI JET)*.

Concerning GIZ's role vis-à-vis our Vietnamese partner organisations and the International Partners Group in the context of the JETP, we would like to respectfully note that GIZ has been mistakenly addressed as a financial institution in the communication this answer refers to. GIZ is neither a financial institution nor a donor but a service provider and implementation organization in the field of international cooperation for sustainable development and international education work that operates mainly on behalf of the German Federal Government. Its primary role is to execute projects and programs aimed at sustainable development. GIZ follows the development policy framework and strategies set by the German Federal Government (or other commissioning parties, such as the EU), ensuring that its projects align with their political goals and priorities while maintaining its own neutrality and independence. As such, it is a technical cooperation agency that operates within a political context but is not itself a political actor.

2. *Please provide information on whether GIZ has conducted human rights due diligence before and during its JETP financing activities, and whether the outcomes of such a process have been made public.*

In the conceptualization of its projects, GIZ conducts a human rights assessment by default. It is integrated into our Safeguards+Gender (S+G) Management System, which aims to protect people and the environment in development projects. The steps outlined below ensure that human rights considerations are systematically integrated into project planning and implementation, aiming to promote sustainable and socially compatible development outcomes:

1. **Initial Screening:** During the preparation phase of a project, an initial screening process is conducted using a S+G checklist. This screening aims to identify any possible unintended negative impacts and additional positive impacts on human rights, among other safeguard areas.
2. **In-depth Assessments:** If the initial screening identifies significant risks or opportunities, the project undergoes in-depth assessments. These assessments include the integrated Context and Human Rights Analysis (iPCA), which considers human rights risks and promotion potentials alongside conflict and context sensitivity.
3. **Risk Classification and Mitigation:** Based on the in-depth assessments, the project is assigned a risk classification. High or medium risk projects must adapt their design and implement mitigation measures to reduce risks and leverage positive impacts. The findings from these assessments are incorporated into the project design and implementation.
4. **Monitoring and Reporting:** Throughout the project implementation, continuous monitoring is conducted to track potential risks, unintended negative impacts, and additional positive effects. This includes a systematic review and possibly revising the assessments if new findings or significant changes occur in the project.

These analyses and risk assessments are classified as internal documents and are currently not published.

3. *Please provide information on how human rights due diligence processes conducted by GIZ have taken into account the responsibilities to ensure that civil society organisations and environmental human rights defenders can meaningfully participate, without the fear of reprisals, in shaping Viet Nam's national climate and environmental policies and decision-making, particularly in the context of JETP, in line with the UN Guiding Principles on Business and Human Rights and the Working Group on Business and Human Rights' guidance on human rights defenders. In this regard, please also provide information on whether GIZ has taken into account the use of strategic lawsuits against public participation (SLAPPs) to silence the voices of environmental human rights defenders in Viet Nam, especially as they relate to the situation of Mr. Dank Dinh Bách.*

Where relevant to a project context, stakeholders such as civil society organizations or environmental human rights defenders are explicitly considered throughout the process outlined under (2). The process ensures that stakeholder's concerns are recognized early in the project development and involves consultation and collaboration to ensure projects are designed and implemented in a way that protects human rights and promotes gender equality.

All GIZ projects that relate to providing advise to or supporting the Vietnamese Government in implementing the JETP have diligently applied this procedure. In general, risk of negative effects of technical cooperation support are monitored, but not expected. None of our due diligence processes have indicated the risk that planned project activities or outcomes are in conflict our human rights standards and principles as outlined above, or, specifically, facilitate the use of strategic lawsuits to limit public participation.

4. *Please indicate if any grievance mechanism is available at GIZ for victims of human rights abuses occurred in the context of JETP. This includes environmental human rights defenders, who have been convicted, are being targeted, and/or are being detained for activities connected to the legitimate exercise of their political and public participation rights in all relevant aspects of the JETP.*

If negative environmental, climate, human rights, conflict, context or gender-equality impacts occur, despite the S+G management system, they are initially addressed through measures at project level to either mitigate them or prevent their reoccurrence.

Information and complaints can be reported to GIZ's internal Equal Opportunities Commissioner gleichstellung@giz.de (in cases of discrimination, sexual misconduct and bullying, also to stop-it@giz.de) or to the external ombudsman ombudsmann@ra-js.de.

GIZ has a [whistleblower portal](#) that serves as a communication channel for reports concerning serious violations of our internal company code of conduct and rules as well as applicable laws. For a report to be processed, it must be related to the work of GIZ. The following circumstances can be reported in particular:

- Corruption and bribery
- Embezzlement, fraud, misappropriation
- Conflicts of interest
- Sexual misconduct and sexual exploitation
- **Violations of human rights**
- **Violations of environment-related obligations**

By establishing decentralised, low-threshold access structures for its infringement and misconduct reporting system at local country level, GIZ aims to further reduce potential personal inhibitions and barriers (such as culture, language and knowledge of GIZ) in reporting (potential) compliance infringements or misconduct abroad. This means that access to the existing compliance system has been made easier, particularly for national staff and external persons. Low-threshold access structures, represented by dedicated and specifically trained contact persons, will receive any information on suspected legal/regulatory infringements committed by members of the workforce or third parties (e.g. contract partners, financing recipients) in relation to GIZ's business context. With the establishment of decentralized contact structures for the low-threshold access to the reporting system, GIZ intends to help whistleblowers overcome their misgivings and remove barriers that

prevent (suspected) compliance infringements or misconduct at country level from being reported.

After receipt, all reports are carefully evaluated and handled confidentially by the case examiners in the Governance, Risk, Compliance Unit. Within its abilities, GIZ ensures that there are no negative consequences for any whistleblower who submits a substantiated report.

5. *Please provide information on measure taken or planned to be taken by GIZ to continually update its human rights policies and due diligence processes, including by engaging in meaningful multi-stakeholder dialogue, including with those stakeholders affected by the JETP (e.g. environmental human rights defenders, marginalized groups, and other groups at risk).*

The safeguards in place ensure that projects are compatible with GIZ's environmental and social objectives, which range from legislation and any specific requirements of the commissioning party or provider of third-party funding, through to international cooperation standards and internal rules.

GIZ is subject to statutory due diligence and sustainability reporting obligations, such as those set out in the German Supply Chain Act (LkSG) and in future, once adopted by Germany, the German implementation of the EU's European Sustainability Reporting Directive (CSRD). The S+G management system plays an important supporting role in ensuring compliance with this legislation in line with the precautionary principle. GIZ also adheres to the Performance Standards on Environmental and Social Sustainability (PS) developed by the International Finance Corporation (IFC) and the environmental and social safeguard standards used in international cooperation, for example, by the Green Climate Fund (GCF) and the International Climate Initiative (IKI).

Our main commissioning party, the German Federal Ministry for Economic Cooperation and Development (BMZ) requires implementing organisations such as GIZ to prepare Environmental and Climate Assessments (ECAs), Integrated Context and Human Rights Analyses (iPCAs) and Gender Analyses based on certain criteria. At GIZ, the Safeguards+Gender management system is the primary mechanism for ensuring compliance with these requirements. These specialized analyses also provide an important basis for

ensuring projects adhere to BMZ's quality criteria, above all with regard to 'Human rights, gender equality and disability inclusion', 'Environmental and climate impact assessment' and 'Conflict sensitivity' (Do-No-Harm approach). The system is continuously reviewed and adapted where found necessary.

The focus on *just* aspects of the energy transition is a core element of our technical cooperation in the context of the JETP. This includes, for example, analyses of employment needs (or changes, such as in the coal industry) or the appropriate participation of marginalised or disadvantaged groups in the transformation process (see for example the current International Climate Initiative CASE campaign or our support in establishing the Women in Energy Viet Nam (WEVN) network). As far as our mandate as a technical advisory implementation agency allows, we aim to strengthen open discourse and promote the role of such campaigns, networks or think tanks.

- 6. Please provide information on how GIZ is using or will use leverage in its business relationships to promote and ensure respect for human rights, including by requiring human rights due diligence by its JETP clients, in line with the Guiding Principles on Business and Human Rights and the specific recommendations contained in the report of the Working Group on Business and Human Rights on "Development finance institutions and human rights".*

GIZ's technical cooperation mandate focusses on advancing the energy transition with a focus on wind and solar power. Wind and solar power generation has an energy density that is significantly lower than fossil energy flows. The energy transition thus promotes the decentralisation of generation structures, increasing diversity in the stakeholder landscape, higher employment and broader participation. Due to the decentralisation of renewable energy, more value is also being created in regions that have good renewable energy potential but have so far been economically and socially disadvantaged. A climate and environmentally friendly energy supply contributes to the protection of human habitats, to the fundamental right to an adequate standard of living and to securing freedom and protecting human rights of future generations.

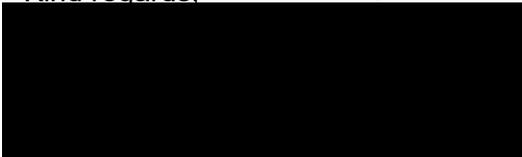
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At the same time, within its technical cooperation mandate, GIZ cannot rule out human rights violations with regard to land rights during the construction process of large wind and solar parks and electricity grids in Viet Nam. As the respective GIZ projects are not involved in the planning and development of specific infrastructure projects at local level, our mandate and influence are too limited to effectively address the issue of human rights through dedicated activities in this context. It is part of the GIZ support to develop policy recommendations on land use in the JETP context as part of the do-no-harm approach. They will show how potential negative impacts on the human rights situation can be avoided.

The development of expertise to improve energy system efficiency, e.g. through intelligent demand management based on the respective electricity supply or through the storage of electricity, on the other hand, contributes directly to the fact that the required amount of electricity can be generated with a smaller power plant space and transported and distributed with a smaller electricity grid. This reduces the additional land requirements, and the human rights conflicts associated with potential land use issues.

We would appreciate it if you could kindly confirm receipt of this communication.

Kind regards,



Thorsten Schäfer-Gümbel

Chair of the Management Board