
Redress

Independent Redress Mechanism

Grievances and Complaints

Eligibility Determination

GCF Project FP043: Saïss Water Conservation Project

IRM Case: C-0003-Morocco

7 April 2020



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Eligibility Determination

The Terms of Reference (TOR)¹ and the Procedures and Guidelines (PGs)² of the Independent Redress Mechanism (IRM) of the Green Climate Fund (GCF) sets out how the IRM deals with grievances or complaints from a person, group of persons, or community who have been, or may be affected by the adverse impacts of a GCF funded project or programme. Once a grievance or complaint is received and registered by the IRM, the PGs require the IRM to determine if the grievance or complaint meets the eligibility criteria set out in paragraphs 20-21 and 23-24 of the PGs of the IRM. It is to be noted that this determination is procedural, and that it does not represent a judgement on the merits or the substance of the case.

SUMMARY OF ELIGIBILITY DETERMINATION

For reasons substantiated in greater detail in this document, the IRM determines that this complaint is **eligible** under the IRM's TOR and PGs.

COMPLAINT AND PROCEDURAL HISTORY

On 16 February 2020, the IRM received a complaint which was submitted through its online Case Management System (CMS). Due to a technical bug in the CMS, the IRM only became aware of the complaint on 12 March 2020 and on the same day sent a letter acknowledging receipt of the complaint and requested further information from the complainant to determine the eligibility of the complaint under the IRM's TOR and PGs. This technical bug in the CMS has since been fixed.

The complainant has made a request for confidentiality, and the IRM is providing confidentiality in accordance with its PGs.

The complaint relates to GCF funded project FP043, the Saïss Water Conservation Project, based in the Saïss Plain in Morocco. The main objective of this Project is to improve the climate resilience of agricultural systems in the Saïss Plain by halting the depletion of the Saïss aquifer through the use of groundwater for irrigation and other purposes. The Project plans to shift the provision of water for irrigation in the region away from the unsustainable use of groundwater to sustainable surface water resources. This will be achieved through the financing of a bulk water transfer scheme from the M'Dez dam to the Saïss Plain in Northern Morocco.³

The Project was approved at the 16th Meeting of the GCF Board on 6 April 2017, and is currently under implementation. The Accredited Entity is the European Bank for Reconstruction and Development.

The complaint centers around the insufficiency of the consultation conducted and the lack of information provided to the complainant and others who are affected by this Project. The complaint also raises concerns relating to the lack of information and communication on access

¹ Available at: https://irm.greenclimate.fund/documents/1061332/1197271/B.BM-2017_10_-_Decision_of_the_Board_on_updated_Terms_of_Reference_of_the_Independent_Redress_Mechanism_Revised_.pdf/62f3e0e2-e866-ddff-0730-59e016f05de2

² Available at: https://irm.greenclimate.fund/documents/1061332/1197271/Procedures_and_Guidelines_of_the_IRM_FINAL.pdf/70368a01-5f20-c627-d410-2945f92d890b

³ For more information on this Project, visit the GCF's website at: <https://www.greenclimate.fund/project/fp043>

to water and the affordability of that access. For confidentiality reasons, the complaint will not be published on the IRM’s website.

The IRM has received the necessary information from the complainant in order to conclude that the eligibility criteria, as set out in more detail below, are met.

ELIGIBILITY CRITERIA

The IRM examined the eligibility of the complaint against the eligibility criteria set out in paragraphs 20-21 and 23-24 of the PGs of the IRM. The primary eligibility criteria and the IRM’s findings in relation to these criteria are set out in the table below.

Criterion	Yes/No	Reason(s)
Was the grievance or complaint filed by a person, group of persons, community (or any duly authorised representative of the aforementioned groups) who have been or may be affected by the adverse impacts of a GCF funded project or programme?	Yes	On the basis of the information reviewed, the complainant appears to be directly affected by a GCF funded project, namely FP043, in that: a) stakeholder consultations conducted for the Project were allegedly insufficient and ineffective in informing beneficiaries (including the complainant) about the aims and activities of the Project, and in engaging and consulting with beneficiaries on the design and implementation of the Project; and b) the Project potentially affects the complainant’s access to water, including the affordability of that access.
Was the grievance or complaint submitted to the IRM before whichever is the later of the following two dates: (a) Two years from the date the complainant becomes aware of the adverse impacts referred to in paragraph 20 of the PGs; or (b) two years from the closure of the GCF funded project or programme.	Yes	The complaint was submitted on 16 February 2020. At the time of submission the project was under implementation and the estimated date of completion is January 2023. The complaint was accordingly submitted to the IRM before the later of the dates mentioned in paragraph 23 of the IRM’s PGs.
Does the grievance or complaint fall into any one or more of the exclusions listed in paragraph 24 of the PGs?	No	None of the exclusionary criteria appear to be triggered by this complaint.

ELIGIBILITY DETERMINATION

For the reasons stated above, the IRM determines that this complaint is **eligible** under the IRM's TOR and PGs. The IRM will now engage with the complainant to further evaluate the issues in the complaint, and to provide further information on the next steps and options available with regard to processing the complaint. For further information on the process that the IRM will follow, please refer to paragraph 36 of the PGs.

EXTENSION OF TIME FOR ACKNOWLEDGMENT

Acting in terms of paragraph 95 of the PGs, the IRM has decided to extend the time period for sending an acknowledgment of receipt to the complainant from 21 February 2020 to 12 March 2020. The reason for the extension is that the IRM became aware of the complaint only on 12 March 2020 due to a technical bug in its CMS which was beyond the control of the IRM. The bug has since been fixed, and no prejudice will be caused to the complainant as a result of this extension.

[Signed]

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