

DECISIONS

B.36/17: Consideration of Independent Redress Mechanism compliance report C-0006

The Board, having considered limited distribution document GCF/B.34/15 titled "Compliance Review Report: C-0006-Nicaragua: GCF Project FP146: Bio-CLIMA: Integrated climate action to reduce deforestation and strengthen resilience in BOSAWÁS and Rio San Juan Biospheres" ("Compliance Review Report"), limited distribution document GCF/B.35/Inf.13 titled "Management response to the Compliance Review Report: C-0006-Nicaragua: GCF Project FP146: Bio-CLIMA" ("Management Response"), and limited distribution document GCF/B.36/Inf.17 titled "Information note: Updates of the actions of the Secretariat on FP146 BioCLIMA since the thirty-fifth meeting of the Board":

- a. Underscores the seriousness, as reflected in the Indigenous Peoples Policy, of GCF's role in fostering the full respect, promotion, and safeguarding of indigenous peoples;
- b. Recalls decision B.34/23 in which, among other things, the Board took note of the Compliance Review Report and decision B.35/14 in which, among other things, the Board took note of the Management Response;
- c. Takes note of the actions that the Secretariat has taken under the relevant legal agreements between GCF and the accredited entity to address the instances in which the development of the funding proposal for FP146 was determined not to be in compliance with the policies and procedures of GCF, as such non-compliance was determined in the Management Response, and affirms the right of the Secretariat to exercise the rights of GCF under the relevant legal agreements in the event that the policy non-compliance is not addressed to the satisfaction of the Secretariat;
- d. Requests the Secretariat to update the Board on the status and outcomes of the actions taken by the Secretariat referred to in paragraph (c) above;
- e. Decides, in light of the actions referred to in paragraph (c) above, to conclude its consideration of the Compliance Review Report and that this constitutes the Board's final decision for the purposes of decision B.34/23, paragraph (f);
- f. Requests the Secretariat to make publicly available the Management Response when the Compliance Review Report is published on the Independent Redress Mechanism website;
- g. Also requests the Independent Redress Mechanism to ensure that, with respect to any future compliance review report submitted to the Board for consideration, when finalizing its final compliance review report pursuant to paragraph 61 of the Procedures and Guidelines of the Independent Redress Mechanism, if the Independent Redress Mechanism does not reflect the comments received from relevant stakeholders referred to in paragraph 60 of the Procedures and Guidelines of the Independent Redress Mechanism in the final compliance review report, it includes as an annex to the final compliance review report the relevant stakeholder comments, and the reasons that such comments were not reflected therein; and
- h. Further requests the Secretariat, in view of the interlinkages with the actions referred to in paragraph (c) above, to continue to suspend its review of the monitoring framework provided by the accredited entity in connection with the Board conditions set out in decision B.27/01, annex I (List of conditions and recommendations), in respect of FP146, until

the accredited entity has addressed the instances of policy non-compliance to the satisfaction of the Secretariat in a manner consistent with the relevant legal agreements.