



**GREEN
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Report on the activities of the Independent Redress Mechanism

Summary

This report provides an update on the progress made with regard to the activities of the Independent Redress Mechanism (IRM). The reporting period is from 1 July 2020 to 30 September 2020 with budget utilization until 31 August 2020. The document summarizes the activities of the IRM based on the work plan and budget of the IRM for 2020 adopted by the Board at its twenty-fourth meeting.

I. Introduction

1.1 Background

1. The Independent Redress Mechanism (IRM) is mandated in paragraph 69 of the GCF's Governing Instrument. This paragraph states that "(t)he Board will establish an independent redress mechanism that will report to the Board. The mechanism will receive complaints related to the operation of the Fund and will evaluate and make recommendations." The IRM performs a key function within the GCF's accountability mechanisms. The IRM reports directly to the Board and is subject to the decisions of the Board. It is independent of the Secretariat of the GCF.

2. The report on the activities of the IRM provides an update on the progress made by the IRM. The report covers key priority initiatives identified in the work plan of the IRM for 2020, approved by the Board at its 24th meeting.¹ The reporting period is from 1 July 2020 to 30 September 2020 with the budget utilization until 31 August 2020.

3. The work plan of the IRM for 2020 identified the following overarching goals to help guide the work of the IRM:

- (a) Processing grievances and complaints (including those that are self-initiated), and requests for reconsideration of funding decisions; and
- (b) Operating the IRM.

II. Impact of the COVID-19 pandemic, transformation of programmes and resilience

4. As previously reported, the Covid-19 pandemic has had a profound impact on the execution of the original 2020 workplan of the IRM. Planned capacity building and outreach activities under the work plan could not be conducted in person due to the pandemic but were quickly and seamlessly transformed and delivered through the adoption of technology-based solutions, virtual workshops and other creative means. The curtailment of travel and in person meetings necessary for problem solving and investigations into complaints were also transformed and carried out by the IRM, to the extent possible, through substitute online and virtual means, coupled with the employment of consultants on the ground where travel was otherwise restricted, and other creative solutions. Staff of the IRM had to work remotely from their home countries from the end of February until May. Since May, two staff members have returned to South Korea.

5. Despite the challenges presented by Covid-19, the IRM is pleased to report that it has been able to continue delivering its mandate and has honoured all the commitments made in its 2020 work plan.

¹ Decision B.24/08.

III. Processing complaints and reconsideration requests

3.1 Complaints and requests for reconsideration of funding decisions

6. The IRM processes (a) complaints from persons adversely affected by GCF funded projects or programmes, and (b) requests from developing countries for reconsideration of funding denied by the Board.

7. The IRM has received three formal complaints and a continuing self-initiated inquiry in 2020, which are dealt with in turn below.

8. FP043: *The Saïss Water Conservation Project in Morocco*: The complaint centres around the insufficiency of the consultation conducted and the lack of information provided to the complainant(s) and others who are affected by this Project. As previously reported, the complaint was declared eligible in April and the parties have agreed to seek a joint solution through a problem-solving process. It is hoped that this participatory and voluntary approach of problem-solving will assist the parties to address the concerns raised by the complainant(s) in a way that is satisfactory to all parties involved in the process. The Initial Steps Report detailing the outcomes of this phase is available on the IRM's website.² Problem solving is ongoing.

9. FP084: *Enhancing climate resilience of India's coastal communities*: This complaint was received on 20 May 2020. The complaint was about the clearance of mangroves for the development of a housing scheme in Andhra Pradesh. The complainant(s) alleged that the GCF should have taken steps to stop the felling of mangroves because the GCF has a project in the state of Andhra Pradesh which claims to be conserving mangroves. In July 2020, the IRM declared the complaint ineligible because the felling of the mangroves for the housing scheme did not occur within the FP084 project area, nor was the felling conducted by the Accredited Entity. The IRM's eligibility determination setting out the reasons for its assessment of ineligibility is available on the IRM's website.³

10. A third formal complaint was received in August 2020 but has been suspended at the request of the complainant(s). Through discussions with the complainant(s) it emerged that the primary goal of the complainant(s) at this stage was to obtain more information about the GCF project, and upon receiving information about the GCF's Information Disclosure Policy and the procedures for requesting information from the GCF Secretariat, the complainant(s) requested that the complaint be suspended pending the outcome of the complainant(s) utilizing the request for information processes. The complainant(s) is at liberty to re-activate the complaint at a later date, if the complainant(s) wishes. Details of this case will be disclosed if the complaint is re-activated and the IRM completes its eligibility determination.

11. FP001: *Building the Resilience of Wetlands in the Province of Datem del Marañón, Peru*: As previously reported, the IRM continues to monitor the outcomes of its preliminary inquiry into FP001, Peru. Out of the four undertakings provided by the Secretariat, three have now been completed - the issuance of guidance on Free Prior Informed Consent (FPIC) requirements, and on risk categorization for projects involving Indigenous Peoples, and the completion of a legal assessment/opinion examining the potential impacts of the creation of the Áreas de Conservación Ambiental (ACA) on collective land rights of indigenous people who are part of

² See:

<https://irm.greenclimate.fund/documents/1061332/1198301/C0003+Morocco_IRM_initial+steps_22+June+2020_Website+publication.pdf/1b70c307-f957-7518-6eb3-c1aebc10d6b4>

³ See: <<https://irm.greenclimate.fund/documents/1061332/1198301/C0004+India+-+Eligibility+Determination+-+Final+-+for+publication.pdf/b5e137c1-4fea-7cfa-b75d-97b805f320f8>>.

the project.⁴ The AE has reiterated and assured both the IRM and the GCF Secretariat that it will take into account all of the requirements to document the FPIC process and carefully manage the establishment of the ACA in line with the recommendations of the legal opinion and the GCF guidance that has been issued. The IRM will continue to monitor the fourth undertaking. The next progress report from the GCF Secretariat is due on 31 December 2020.

12. The IRM also processed, and subsequently closed, two pre-cases during the reporting period. A pre-case is a communication from an external party to the IRM that is registered in the Case Management System as a pre-case and may or may not mature into a complaint. The IRM has processed eight pre-cases in 2020 to date.

13. The IRM has not received any requests for reconsideration of funding proposals denied by the Board during the reporting period.

IV. Operating the IRM

4.1. Progress on operating the IRM

14. **The implementation of the work plan and budget:** The terms of reference (TOR) of the IRM requires it to consult with the Ethics and Audit Committee (EAC) on the implementation of its work plan, as appropriate. As decided by the EAC, the IRM submits quarterly reports to the EAC regarding its work and the EAC provides valuable feedback.

15. **Staffing:** The IRM is currently staffed with three full time staff members, the Head of the IRM, the Compliance and Dispute Resolution Specialist and the Registrar and Case Officer. The IRM is also supported by four interns throughout the year.

16. **Consultancies and Professional Services:** The IRM is supported by a Communications and Events Assistant Consultant, whose contract has been extended to December 2020. The extra support offered through this consultancy was essential to enable the IRM to address the challenges presented by shifting its capacity building and outreach activities to online platforms. The IRM has also been working with a professional firm, the Consensus Building Institute (CBI), to facilitate the virtual capacity building workshops (discussed in more detail below). The IRM currently has two translation consultancy contracts in place to assist with Spanish and Arabic translations in its Peru and Morocco cases, and is in the process of hiring a local mediator and a French interpreter from its consultancy rosters to assist with the Morocco case. The IRM also contracted with Cartoon Collections to provide cartoons for the IRM's presentations and for cartoon artists to participate in live discussion sessions during outreach sessions.

17. **Guidelines for Board consideration of IRM reports:** While adopting the Procedures and Guidelines (PGs) of the IRM at B.22 in February 2019 the Board requested that the Head of the IRM, in consultation with the EAC, consider options to facilitate the Board's consideration of reports from the IRM containing its findings and recommendations relating to requests for reconsideration and grievances or complaints. The IRM has developed such guidelines in consultation with the EAC, and the guidelines were circulated to the Board and to the Active Observers for comments ahead of B.27. Comments were received from the Active Observers, and these comments have been incorporated into the final version of the guidelines and approved by the EAC, and are being presented to the Board for approval at B.27.

18. **Supporting Operating Procedures (SOPs) for the IRM:** The bulk of the IRM's SOPs were issued on 21 February 2020 by the Head of the IRM under paragraph 7 of the PGs.

⁴ This legal opinion is available on the IRM's website:

<https://irm.greenclimate.fund/documents/1061332/1198301/Opinion+legal+ACA+Abril2020+%28English%29+26.04.20202+.pdf/ea1e59d9-38f1-3cd9-9581-8eb0e38cd7c0>.

Modules concerning the IRM's capacity building mandate, case management system and retaliation are still under development. With regard to the retaliation SOP, the IRM conducted an extensive public consultation process, and the IRM is finalising for publication its SOP with assistance from OGC, based on the feedback received.

4.2. Communications strategy

The IRM undertook several activities based on its communication strategy in the reporting period, despite having to make adjustments to planned activities in light of the Covid-19 pandemic:

- (a) **Civil Society Outreach:** As discussed above, the IRM has shifted all outreach plans for 2020 to online virtual platforms, with the goal of hosting three virtual events in regions/countries identified as priority areas for outreach based on the IRM's assessment of the GCF's portfolio of projects using a set of risk criteria. As previously reported, the IRM hosted its first online outreach event for the Pacific region in June. A second outreach event was hosted in September for Mongolian civil society representatives. For this event, the IRM partnered with three local NGOs, one of which is an accredited observer of the GCF. This event was very well attended (with over 60 participants), and made use of a number of innovative tools to increase participation and engagement with the subject matter, including live, simultaneous interpretation into Mongolian (as well as translation of all of the IRM's information materials, and its presentations into Mongolian), cartoon artists who met with the IRM before the event and prepared cartoons for use in the IRM's presentations, and who participated in the event and produced live cartoons, breakout rooms for exercises, poll questions in Zoom to test knowledge, and a detailed online survey to solicit feedback on the event so that the IRM can continuously improve its outreach efforts. The IRM is now preparing for its final outreach activities for the year for the Central Asian region. In addition to these dedicated events hosted by the IRM, the IRM has also been making use of other virtual opportunities and has substantially increased its reach and participation in events organised by other parties. The IRM participated in a virtual outreach event with other international accountability mechanisms for Brazilian civil society representatives in September, it presented a skill-share session, together with Tebtebba (indigenous peoples' organisation), at the 14th International Conference on Community-based Adaptation hosted by the International Institute for Environment and Development in September, and in October the IRM is offering a dedicated online session for public interest lawyers who are members of the Environmental Law Alliance Worldwide (ELAW).
- (b) **Communications materials:** The IRM published its fourth issue of its newsletter "Redress Counts" in August.⁵ This newsletter was widely distributed to all Board members, Advisors and stakeholders on the IRM's growing stakeholder database, which is regularly updated and maintained.
- (c) **Website:** In line with the Secretariat's migration to a new website platform, the IRM is preparing to migrate to this same platform and is introducing new features to its website as part of this migration process. The IRM will soon have an updated public register of cases on its website, which will be integrated with its Case Management System, as well as individual case pages, which will contain detailed information on

⁵ See: <https://mailchi.mp/gcfund/newsletter-of-the-independent-redress-mechanism-of-the-gcf_summer_2020-4000977>.

individual cases. The upgraded website of the IRM will be more user friendly and accessible.

- (d) **Social media:** The IRM has also ramped up its social media presence and is actively posting on Facebook and Twitter according to a monthly content plan that is developed in advance of each month.
- (e) **Inreach:** The IRM has started a new series of virtual inreach events (i.e. events for GCF colleagues) called the IRM's Dialogue and Learning Forum. The IRM has hosted two such events. The first event held in July 2020, was a discussion centred around complaints received by the IRM and critical questions that arose in relation to those complaints. The second event was held in early October on the external review of the IFC's Environmental and Social safeguards as well as the mandate and functioning of the Compliance Advisor Ombudsman (the IFC's accountability and redress mechanism). For this event the IRM invited a guest speaker, Professor Arntraud Hartmann, one of the members of the external review team. Both events were well attended and stimulated dialogue and learning amongst GCF colleagues.

4.3. Providing advice

19. The IRM's advisory report on the prevention of sexual exploitation, harassment and abuse in GCF funded projects and programmes (Pr&PSEAH) was presented to the Board, along with the Secretariat's response, at B.26 and both were noted by the Board.⁶

20. As previously reported, the Secretariat's response to the IRM's advisory report was positive, and the Secretariat undertook to consider the recommendations as part of its revision of the updated GCF policy on Sexual Exploitation, Abuse and Harassment (SEAH). Since B.26, the IRM has had several consultations and exchanges with staff from the Secretariat's Office of Risk Management and Compliance and the Office of the General Counsel to discuss the advisory note and the lessons which can be incorporated into the review of the updated SEAH policy. The IRM also facilitated discussions between Secretariat staff and third parties at other financial institutions including the Inspection Panel of the World Bank and the Conflict Resolution Commissioner of the Global Environmental Facility who could offer advice and experience on the subject of addressing risks of SEAH institutionally and in projects.

4.4. Capacity building of direct access entities' grievance mechanisms

21. As previously reported, the IRM had planned to host a three-day workshop from 6-8 April 2020 to bring together grievance redress mechanisms (GRMs) of DAEs, international accountability mechanisms, CSOs, academics and other grievance redress and accountability practitioners to share experiences and knowledge, provide training to GRMs and to learn from each other. Extensive preparations for this workshop were underway, but the IRM took the decision to cancel the workshop given the global Covid-19 pandemic.

22. The IRM capitalised on the opportunities offered by virtual platforms, and instead designed a comprehensive training workshop for GRMs of DAEs. Three regional workshops of three weeks each have taken place for Latin America and the Caribbean in July; Africa in August/September; and Asia and the Pacific in October. Going virtual has allowed the IRM to train substantially more participants than the commitment made in its 2020 workplan to train thirty participants in Songdo. Over sixty participants have attended the three regional

⁶ The IRM's video presentation of the report, and a video compilation of the comments made by Board members and Active Observers are available on the IRM's website and YouTube channel:
<https://www.youtube.com/watch?v=e86Bq7OLpxk&feature=youtu.be> and
<https://www.youtube.com/watch?v=UV6stuDN53Y&feature=youtu.be>.

workshops, and the training has also been more comprehensive given the ability to stretch the workshop over a three week period with participants required to complete online learning modules prepared by the IRM on their own throughout the workshop period.

23. In addition to the online modules serving as a key tool for learning during the IRM's capacity building workshops, the modules are also publicly available on the GCF's iLearn platform for all accredited entities and any member of the public interested in learning about how to set up and implement an effective GRM.⁷

4.5. Independent Accountability Mechanisms Network (IAMnet)

24. The IRM has continued to be active within the IAMnet community. The IRM is a member of the Governance Committee of the IAMnet, which is working on governance reforms for the network. IRM staff are also contributing to IAMnet good practice notes.

25. In September 2020, the IRM participated in the IAMnet annual meeting, which was held virtually. IRM staff presented on the implications of Covid-19 on the work of accountability mechanisms, and on mandates and best practices for ensuring effective remedies through accountability mechanism processes. IRM staff also facilitated discussions in the roundtable session with civil society representatives. These discussions centred around the eligibility criteria of accountability mechanisms and the challenges that potential complainants have in accessing mechanisms.

⁷ Learning modules available at: <<https://ilearn.greenclimate.fund/thematicarea/detail?id=8>>.

V. Budget utilization for the reporting period

The utilization of the 2020 budget until 31 August 2020 is shown below.

Independent Redress Mechanism Unit Budget Utilization as of 31 August 2020 (in USD)

		2020 approved budget	Actual expenditure to 31 August 2020	Balance	% spent
3.1	Staff, consultants and interns				
3.1.1	Full-time staff	759,893	450,401	309,492	59%
3.1.2	Consultants and interns	136,820	40,536	96,284	30%
	Subtotal: staff, consultants and interns	896,713	490,937	405,776	55%
3.2	Travel				
3.2.1	General	56,433	6,377	50,056	11%
3.2.2	Travel associated with complaints/requests	95,160	0	95,160	0%
	Subtotal: travel	151,593	6,377	145,216	4%
3.3	Contractual services				
3.3.1	Professional services	45,240	30,000	15,240	66%
3.3.2	Operating costs	196,692	5,791	190,901	3%
3.3.3	Information, communication and technology	31,000	15,500	15,500	50%
	Subtotal: contractual services	272,932	51,291	221,641	19%
	Grand total (1+2+3)	1,321,238	548,605*	772,633	42%*

Notes

The IRM has underspent in three areas. The underspend in “consultants and interns” is due to the IRM not having yet contracted consultants for complaints handling as at 31 August 2020. The IRM had budgeted for three complaints in 2020 where consultants could be hired to support. To date, the IRM is processing one eligible complaint in 2020 that requires consultants. The IRM intends to contract with two consultants for this case before the end of the year. The IRM’s significant underspend in travel is due to the global Covid-19 pandemic, which has resulted in the cancellation of all of the IRM’s in-person events and has prevented the IRM from conducting an on-site investigation for the eligible complaint received. The IRM’s underspend under “operating costs” is also as a result of the Covid-19 pandemic, since the IRM had budgeted for venue hire, catering, and participant transport costs for IRM events under this item, and all of these in-person events had to be cancelled due to the pandemic.