



**GREEN
CLIMATE
FUND**

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Provisional agenda item 6

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18 February 2020

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 October 2019 to 31 January 2020. The document summarizes the activities of the IRM based on the work plan and budget of the IRM for 2019 and 2020 adopted by the Board at its twenty-first and twenty-fourth meetings respectively.

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 2019 and 2020, approved by the Board at B.21¹ and B.24² respectively. The reporting period is from 1 October 2019 to 31 January 2020.
3. The work plans of the IRM for 2019 and 2020 identified the following overarching goals to help guide the work of the IRM:
 - (a) Operating the IRM; and
 - (b) Processing grievances and complaints (including those that are self-initiated), and requests for reconsideration of funding decisions.

II. Operating the IRM

2.1 Progress on operating the IRM

4. **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. During the period under review the IRM submitted a quarterly report for the period 1 October 2019 to 31 December 2019 to the EAC.
5. **Staffing the IRM:** 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 currently supported by one full-time consultant on a short-term 3-month contract, and two interns who commenced their 6-month contracts with the IRM in January 2020.
6. **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 been developing such a guideline in consultation with the Office of General Counsel (OGC) and plans to present this to the Board at B.26.
7. **Supporting Operating Procedures (SOPs) for the IRM:** The SOPs have undergone a lengthy process of review to bring them in line with the Board approved PGs and experience

¹ Decision B.21/10

² Decision B.24/08

gained to date. The IRM has consulted extensively with OGC on each module and is now awaiting final review from OGC on two non-contentious items that were discussed in January 2020, before finalising and issuing the current version.

2.2 Communications strategy

8. The IRM undertook several activities based on its communication strategy, and also began a process of revising and updating its communication strategy in consultation with key stakeholders during the reporting period:

- (a) **Civil Society Outreach:** In October, the IRM participated in a workshop for indigenous peoples' organisations in Bangkok, Thailand organized by TEBTEBBA (Indigenous Peoples' International Centre for Policy Research and Education). The workshop focused on issues concerning the implementation of the GCF's Indigenous Peoples' Policy, and the IRM's Registrar and Case Officer also presented a session on the IRM and how to access it and spoke about the IRM's preliminary inquiry into FP001/Peru. The Head of the IRM and the IRM's Compliance and Dispute Resolution Specialist attended the UN Conference on Business and Human Rights in Geneva in November 2019, which was attended by a number of civil society and indigenous peoples' organisations. The Head of the IRM spoke on the penultimate panel where he introduced the GCF/IRM, the need for building the capacity of grievance mechanisms of direct access entities, and the IRM's preliminary inquiry into FP001/Peru.
- (b) **Communications materials:** In November, the IRM published its second newsletter "Redress Counts".³ The IRM received a lot of positive feedback and will continue to publish a newsletter every four months. One of the reasons that the IRM decided to publish a newsletter was to increase its visibility amongst Board members. The Newsletter is in Annex I to this Activity Report. The IRM also produced two short videos to raise awareness about the work of the complaints function of the IRM and the need for grievance redress mechanisms. These videos are available online⁴ and are being shared widely amongst stakeholders. The IRM continues to publish its brochure in other languages, and printed brochures and annual reports are being distributed at outreach events.
- (c) **Communication strategy:** During the reporting period, the IRM set about revising its communication strategy. A communications survey was developed and circulated to key stakeholders with a view to learning about realities on the ground and identifying suitable communication methods for the IRM's wide stakeholder base. Following the feedback received, a revised communication strategy was developed in December 2019, and the IRM looks forward to finalizing and implementing this new strategy in 2020.

2.3 Providing advice

9. In 2019, the IRM developed an Advisory Report on the prevention of sexual exploitation, harassment and abuse (SEAH) in GCF funded projects. The Secretariat provided a management response to the IRM's Advisory Report in January 2020 and the IRM is in the process of presenting its report and the Secretariat's management response to the Ethics and Audit Committee (EAC) in preparation for presentation to the Board.

³ Available at: [https://us3.campaign-archive.com/?e=\[UNIQID\]&u=f6804258c810330e11e56cd34&id=8f092ae278](https://us3.campaign-archive.com/?e=[UNIQID]&u=f6804258c810330e11e56cd34&id=8f092ae278)

⁴ <https://youtu.be/UXgzjwC9Phg> and <https://www.youtube.com/watch?v=1LanbriVhfs>.

2.4 Capacity building of direct access entities' grievance mechanisms

10. The IRM has prepared online and in-person learning modules to increase the capacity of direct access entities and their grievance mechanisms. The online modules are in the final stage of development and will be published in the first quarter of 2020. The in-person training modules were piloted at the IRM's first training workshop which took place in October 2019 in Songdo over three days. The IRM sponsored the participation of 14 representatives from the grievance redress mechanisms (GRMs) of GCF's DAEs. In addition to sponsored participants, another 5 DAE and AE representatives attended as self-sponsored participants, along with the Vice Chair of the GCF's Accreditation Panel, and 4 members from the GCF's ESS team.

11. Building on the materials produced for this workshop, and on the lessons learnt, the IRM will host a three-day workshop in 2020 to bring together 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. The IRM will be sponsoring the participation of 30 DAE/GRM representatives, and 12 civil society organisations (CSOs).

2.5 Case management system (CMS)

12. The IRM's CMS is live and is being used to track cases and pre-cases. The CMS also enables the IRM to collect valuable data for its advisory reports to the Board.

2.6 Independent Accountability Mechanisms Network (IAMnet)

13. 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 three IAMnet good practice notes on dispute resolution; advisory functions; and on evidentiary and interpretation standards. As a member of IAMnet, the IRM has been engaging with the Office of the United Nations High Commissioner on Human Rights (OHCHR) on its Accountability and Remedy Project. In October, the IRM participated in the Seoul Business and Human Rights Event co-organised by the OHCHR, as a panelist on a session which considered remedies through non-State-based grievance mechanisms.

III. Processing complaints and reconsideration requests

3.1 Complaints and requests for reconsideration of funding decisions

14. The IRM is fully operational and able to process (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.

15. During the period under review the IRM has not received any complaints or reconsideration requests, but the IRM has processed 4 pre-cases, one of which was referred internally, two of which were closed following the IRM sharing information about its mandate and the complainants no longer pursuing the matters, and one of which is still under consideration as a pre-case.

16. As previously reported, the IRM concluded a preliminary inquiry into funded project number FP001, Peru, earlier this year. The IRM found that there was *prima facie* evidence that the conditions set out in para 12 of the IRM's TORs for initiating an investigation were met but

did not initiate proceedings under that paragraph in view of an undertaking given by the Secretariat on 1 May 2019 to implement several remedial actions. These remedial actions have commenced, and the IRM is monitoring implementation. Out of the four undertakings provided, two have now been completed – the issuance of guidance on Free Prior Informed Consent (FPIC) requirements, and on risk categorization for projects involving Indigenous Peoples. In the latest monitoring report, dated 31 December 2019, the Secretariat reported delays in the Accredited Entity (AE) commissioning the agreed legal opinion examining the potential impacts of the creation of the Áreas de Conservación Ambiental (ACA) (conservation area) on collective land rights of indigenous people who are part of the project, but that the AE is of the view that the opinion can be delivered by 1 April 2020. Should there be further delays in obtaining the legal opinion, the AE has given guarantees that the ACA will not be established until the legal opinion is obtained and considered by the GCF. The IRM will continue to monitor the remaining remedial actions in 2020, with further monitoring reports from the Secretariat due in June and December 2020. If at the conclusion of the monitoring phase the requirements are fulfilled, the IRM will close the case.

IV. Budget utilization for the reporting period

17. The utilization of the 2019 budget until 31 December 2019 is shown below.

Independent Redress Mechanism Unit Budget Utilization as of 31 December 2019 (in USD)

Items	2019 budget	Actual	Accruals	Sub-total	%
Staff Costs					
Full-time Staff [1]	728,680	660,129	-	660,129	91%
Consultants & Interns [2]	121,000	69,795	-	69,795	58%
Sub-total	849,680	729,924	-	729,924	86%
Travel					
General	95,140	56,336	-	56,336	59%
Travel associated with complaints/request	68,850	-	-	-	0%
Sub-total	163,990	56,336	-	56,336	34%
Contractual services					
Contractual services	147,550	152,721	-	152,721	104%
TOTAL	1,161,220	938,981	-	938,981	81%

Notes

As indicated in the IRM's Board approved 2019 Workplan and Budget, the IRM set aside funds for travel and consultancy fees associated with potential complaints and requests for reconsideration. In 2019, the IRM did not receive any complaints or reconsideration requests. While the IRM did process a self-initiated inquiry in 2019, this inquiry did not involve any travel or consultants. The funds set aside for travel and consultancy fees relating to potential complaints and requests accordingly reverted to the common fund at the end of 2019. The under expenditure in travel and consultancy costs is accordingly expected, and in line with the 2019 Workplan and Budget.

Annex I



19 November 2019

Newsletter

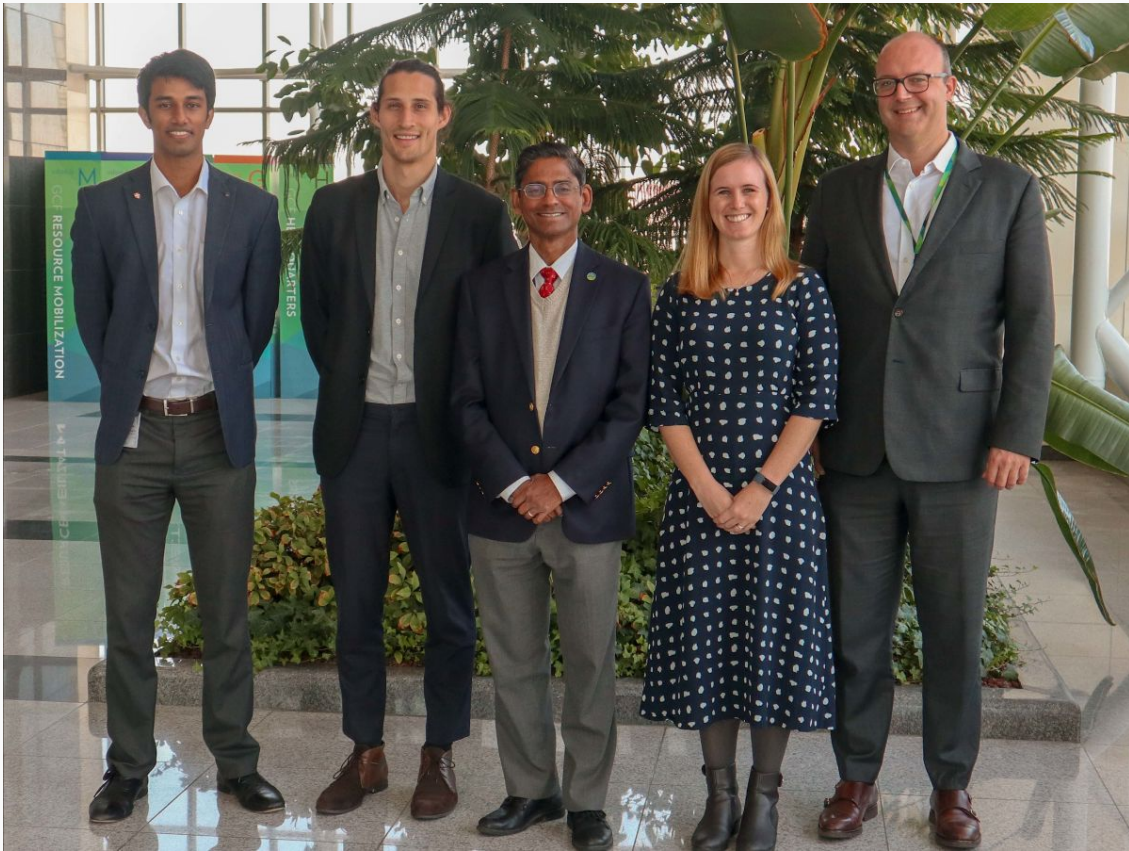
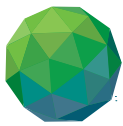
| [Training & Partnerships](#) | [IRM Inquiry into FP001](#) | [Civil Society Outreach](#) | [In-reach Capacity Building](#) | [Case Management System](#) | [IRM Recognition](#) |

Redress Counts

Even projects like those of the Green Climate Fund (GCF), which have a “do good” mandate, can end up having unintended negative impacts. For this reason, institutions like the GCF have put in place safeguards to prevent such harm, and the Independent Redress Mechanism (IRM) is one of the units tasked with holding the GCF to account. Since our [last newsletter](#) in July, the IRM has continued to raise awareness about its work among potential complainants and requesters, civil society, the public, and GCF staff. The IRM has also strengthened the capacity of grievance mechanisms that are operated by the GCF's accredited entities and progressed its case work. The IRM's Work Plan and Budget for 2020 was approved last week at the 24th Meeting of the GCF Board, and the IRM looks forward to an exciting year ahead!

The IRM welcomes Paco Gimenez-Salinas as its new Compliance and Dispute Resolution Specialist. A lawyer by profession, Paco has extensive experience in mediation and will lead the IRM's problem solving work.

[Meet the IRM's team](#)



GRM Training & GRAM Partnership

From 7-9 October the IRM hosted a training workshop for Grievance Redress Mechanisms (GRMs) of Direct Accredited Entities (DAEs). More than 25 participants from 20 countries and 16 different organizations attended the workshop, which equipped participants with an understanding of the core principles for establishing and operating a successful GRM. The workshop also unpacked the role of project-level GRMs, and how to strengthen and oversee project-level GRMs.

[Read more about the GRM Training Workshop](#)



IRM Self-Initiated Inquiry into FP001, Peru



Earlier this year the IRM concluded its first self-initiated preliminary inquiry into GCF project number FP001 in Peru, which resulted in the GCF Secretariat undertaking to implement several remedial actions. Out of the four undertakings provided, two have now been completed.

[Read more about the current status of this case](#)

Civil Society Outreach: IRM goes to Bangladesh and Thailand



The IRM participated in and co-organized several workshops for Civil Society Organizations, including a workshop in Dhaka, Bangladesh, and an Indigenous Peoples workshop in Bangkok, Thailand.

[Read more about our Civil Society Outreach](#)

In-reach Capacity Building

To inform staff of its mandate, to share knowledge and to strengthen relationships within the GCF, the IRM hosted another in-reach capacity building workshop in September (our third such workshop this year). Over 20 colleagues from the Division of Country Programming (DCP) and the GCF's Environmental and Social Safeguards (ESS) team participated.



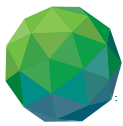
Case Management System (CMS) of the IRM



Our new case management system is now live! This new software allows the IRM to systematically track its cases and collect valuable data on its work. The CMS will also facilitate increased public access to IRM information.

[Read more about the IRM's Case Management System](#)

IRM recognized for setting the bar high



The IRM's Procedures and Guidelines (PGs), as well as its Terms of Reference (TOR), were cited against multiple indicators as representing best available good practice in a report recently shared by a group of NGOs (led by SOMO). The IRM's PGs and TOR were also recently referenced by the Asian Development Bank (ADB) in providing technical assistance to the Chinese government. The ADB cited and adopted in bulk provisions from the IRM's PGs as representing good practice that Chinese Financial Intermediaries and Banks investing abroad should adopt in establishing their own grievance redress mechanisms.

