

Key Considerations

UNFCCC REDD+ safeguard ‘b’ refers to effective governance structures, which generally include access to judicial or administrative procedures that can provide effective remedy for infringements of rights, and to resolve disputes, especially for indigenous peoples and local communities. For the purposes of demonstrating conformance with this element of the safeguard, Jurisdictional REDD+ (J-REDD+) programs are expected to have in place grievance redress mechanisms (GRMs) that can address any infringements or disputes that may arise in the context of the implementation of REDD+ actions. These GRMs are expected to be aligned with international standards and best practices.

International standards and best practices recognize that effective GRMs embed the following principles[[1]](#footnote-1):

1. **Legitimate**: enabling trust from the stakeholder groups for whose use they are intended and being accountable for the fair conduct of grievance processes. Accountability for ensuring that the parties to a grievance process cannot interfere with its fair conduct is typically one important factor in building stakeholder trust.
2. **Accessible**: being known to all stakeholder groups for whose use they are intended and providing adequate assistance for those who may face barriers to access. Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location, and fears of reprisal.
3. **Predictable**: providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of process and outcome available and means of monitoring implementation. For a mechanism to be trusted and used, it should provide public information about the procedure it offers.
4. **Equitable**: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair, informed, and respectful terms. Where imbalances are not redressed, perceived inequity can undermine both the perception of a fair process and the mechanism’s ability to arrive at durable solutions.
5. **Transparent**: keeping parties to a grievance informed about its progress and providing sufficient information about the mechanism’s performance to build confidence in its effectiveness and meet any public interest at stake. Providing transparency about the mechanism’s performance to wider stakeholders, through statistics, case studies or more detailed information about the handling of certain cases, can be important to demonstrate its legitimacy and fairness, and retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals’ identities should be provided where necessary.
6. **Rights compatible:** these processes are generally more successful when all parties agree that outcomes are consistent with applicable national and internationally recognized rights. Grievances are frequently not framed in terms of rights and many do not initially raise human rights or other rights concerns. Regardless, of where outcomes have implications for rights, care should be taken that they are consistent with applicable nationally and internationally recognized standards and that they do not restrict access to other redress mechanisms.
7. **Enabling continuous learning:** drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms. Regular analysis of the frequency, patterns, and causes of grievances; strategies and processes used for grievance resolution; and the effectiveness of those strategies and processes, can enable the institution administering the grievance redress mechanism to improve policies, procedures, and practices to improve performance and prevent future harm.

This tool is therefore intended to help J-REDD+ programs better understand:

* The level of alignment of their grievance redress mechanisms with international standards and best practices;
* Identify any gaps, weaknesses and/or possible inconsistencies in these arrangements, and identify recommendations to address these.

How to use this tool?

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| This tool is divided into two sections:   * **Section A:** presents a questionnaire, which guides users through the technical qualitative assessment of the GRMs. * **Section B**: presents a report template, that is to be completed based on the results from Section ‘A’, and will inform the development of the J-REDD+ roadmap (Tool 8). |

Section A - Questionnaire

The questionnaire is structured in alignment with the principles set out above, which constitute the international standards and good practices for GRMs[[2]](#footnote-2).

To complete this questionnaire users should consider the scope of each column as follows:

1. Questions: presents guiding questions for the users.
2. Scoring: the following scoring guide should be applied by users:
   1. **Yes:** The GRM incorporates this aspect in conformance with relevant international standards and/or good practices.
   2. **Partially:** The GRM partially incorporates this aspect in conformance with international standards and/or best practices. There are some gaps that need to be addressed.
   3.  **No**: The GRM does not incorporate this aspect in conformance with relevant international standards and/or good practices.
3. Findings: an opportunity for users to offer information and/or clarifications in relation to their scoring.
4. Means of verification: users should identify any documentation used to support their scoring, including hyperlinks with additional information.

Questionnaire

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| **Legitimacy** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the GRM operate independently of interested parties? |  |  |  |
| 1. Does the GRM report on its performance (i.e. monitoring and evaluation function)? |  |  |  |
| **Accessibility** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Are the GRM procedures for filing complaints and seeking actions publicly available, advertised and communicated through different and culturally appropriate channels to all concerned, regardless of their location, language, education or income level (e.g. radio, website, posters, etc.)? |  |  |  |
| 1. Does the GRM offer a range of channels for filing complaints (e.g. phone, letter, email, website, etc.)? |  |  |  |
| 1. Can complaints be filed anonymously and are there internal controls to ensure anonymity throughout the process, where possible? |  |  |  |
| **Predictability** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the GRM offer a clear procedure with time frames for each stage and provides clarity on the types of results it can (and cannot) deliver? |  |  |  |
| 1. Is the filing of complaints acknowledged in writing? Does the acknowledgment outline the procedure to be followed, provide contact details and indicate how much time is it likely to take to resolve the complaint? |  |  |  |
| **Equitable** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Does the GRM offer aggrieved parties reasonable access to advice and expertise necessary to engage in a grievance process on equal basis with full information and respect? |  |  |  |
| 1. Is access to the GRM free of charge? |  |  |  |
| **Rights compatible** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. Is there a user survey to obtain feedback on the credibility of the mechanism? Are such comments publicly available? |  |  |  |
| 1. Is there a right to appeal? If yes, are users informed of their right to appeal? Are they informed of their timelines and options? |  |  |  |
| 1. Is access to other grievance mechanisms restricted? |  |  |  |
| **Enabling continuous learning** | | | |
| Questions | Scoring  (Yes/No/Partially) | Findings | Means of verification |
| 1. If data is collected, is this data used to make policy changes to minimize similar complaints in the future? |  |  |  |

Section B: Template Report for the Qualitative Assessment of the GRM

To complete this template report, users (with the support of a selected expert international organization) should consider the answers provided in ‘Section A’ above. In completing this template, users will need to consider the scope of each column as follows:

* Column 2 (Shortcomings or Gaps Identified): for users to identify and summarize the key shortcomings or gaps (issues of non-conformance) identified in correlation to each of the GRM principles, that is, when the scoring identified was ‘Partially’ or ‘No’ in ‘Section A’. There is also an opportunity to identify other/general shortcomings.
* Column 3 (Recommendations): for users to identify actions/recommendations to be taken to address these key shortcomings or gaps. Zoom in on the company's sustainability performance within the reporting period, including progress toward goals and targets.

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| GRM principles | Shortcomings/Gaps Identified | Recommendations |
| Legitimacy |  |  |
| Accessibility |  |  |
| Predictability |  |  |
| Equitable |  |  |
| Rights compatible |  |  |
| Enabling continuous learning |  |  |
| General |  |  |

1. UNDP SES Supplemental Guidance on Grievance Redress Mechanisms. This document also notes the UN Human Rights Council, 2011. Report of the UN Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie: Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. A/HRC/17/31, 21 March. Though developed initially as a guide for businesses with potential operational impacts on the rights of affected communities and other stakeholders, these Guiding Principles, and particularly the guidance on grievance mechanisms as a key component of remedy, are rapidly gaining global support among multilateral agencies as a basis for developing and refining their organizational grievance mechanisms. Likewise, though the Principles are not officially addressed to government agencies or NGOs, they provide a strong foundation for Governments in reviewing, developing and refining their GRMs. [↑](#footnote-ref-1)
2. Note: if assessing multiple GRMs, it is recommended that a questionnaire is completed for each GRM [↑](#footnote-ref-2)