

Eleventh Policy Board meeting

Information and Knowledge Sharing Session:

Stakeholder Engagement: Approaches for Addressing Grievances related to REDD+

Geneva, Switzerland

9-10 December 2013



Session Outline

Introduction

Charles McNeill, UNDP/UN-REDD Programme

Guidance on National Grievance and Lessons Learned

Jennifer Laughlin, UNDP/UN-REDD Programme

Grievance Assessment: The Honduras Experience

Manuel Alvarado Leverón, Departamento de Cambio Climático y Bosques, Ministry of Forestry, Honduras

Preventative Measures: Selection Process for REDD+ Consultation Group Representatives in Cambodia

Chea Sam Ang, Forestry Administration, Cambodia

The UN-REDD Programme Approach to Addressing Grievances

Mario Boccucci, UN-REDD Secretariat

Thoughts from a Civil Society Perspective

Chris Meyer, Environmental Defense Fund

Comments from the Floor, Q/A

Session Objectives

Share information on / Receive feedback on:

1. UN-REDD Programme Support to Strengthen National Grievance Mechanism, with a focus on Country Experiences and Lessons Learned
2. Proposed UN-REDD Programme Approach to Addressing Grievances



What is a Grievance Mechanism?

Organizational systems and resources established by national government agencies to receive and address concerns about the impact of their policies, programs and operations on external stakeholders.

- Accessible, collaborative, expeditious and effective in resolving concerns through dialogue, joint fact-finding, negotiation, and problem solving.
- First line of response to stakeholder concerns that have not been prevented by proactive stakeholder engagement.
- Complement, not replace, formal legal channels
- Doesn't address complaints that allege corruption, coercion, or major and systematic violations of rights and/or policies



Why is a National Grievance Mechanism Important?

- Identify, anticipate and resolve implementation problems in a timely and cost-effective manner
- Identify systemic issues
- Improve REDD+ outcomes and lessons learned
- Promote accountability in REDD+ countries



Key Definitions

Feedback: Opinion on the performance of a project provided to those who run it.

Grievance: Distress expressed in the form of a complaint.

Redress: To set right, remedy by removing the cause of a grievance or making up for it.

Dispute: Two or more people in a confrontation over goals they perceive to be incompatible.

Joint FCPF/UN-REDD Guidance Note: Establishing and Strengthening Grievance Redress Mechanisms (GRMs)

Key Topics Within the Guidance

- What is a Grievance Redress Mechanism and what is its purpose?
- What principles should guide the design of a GRM?
- What does a GRM typically look like?
- GRMs and the REDD+ Readiness Phase
- How can governments and other national partners establish and strengthen GRMs in the Readiness phase?
- Annex 1: GRM Evaluation Tool
- Annex 2: Assessing and Strengthening National GRMs: Key Steps, Stakeholders, Questions and Information Sources

Focus in the Readiness Phase

Focus Efforts on:

- Building capacity to address potential disputes that are likely to arise during the Implementation phase, and
- Addressing complaints that relate to the policy preparation process and other Readiness activities.

To be completed before REDD+ Implementation begins:

- Assessment of existing GRMs and gap analysis
- Procedure for grievance redress that meets process essentials (principles and steps)
- The GRM is made operational

GMs can be the first line of response to stakeholder concerns that have not been prevented by proactive stakeholder engagement or effective safeguards.

Stakeholder Engagement

Safeguards

GMs could offer an entry point for stakeholders to provide feedback and information on how safeguards are being respected.

National Grievance Mechanisms

Safeguard Information System


Governance

GMs can increase transparency, accountability, communication and feedback loops between governments and stakeholders.

Anti-corruption

GMs can refer relevant complaints to anti-corruption authorities and mechanisms and vice versa

Disputes are likely to arise locally in the form of grievances – this may have impacts on how REDD+ is implemented



They are trying to take my land, my forest!

Where is the money I was promised?

Individual grievances

PRE-EXISTING
Deeper causes of disputes

Incompatible & incoherent policy making

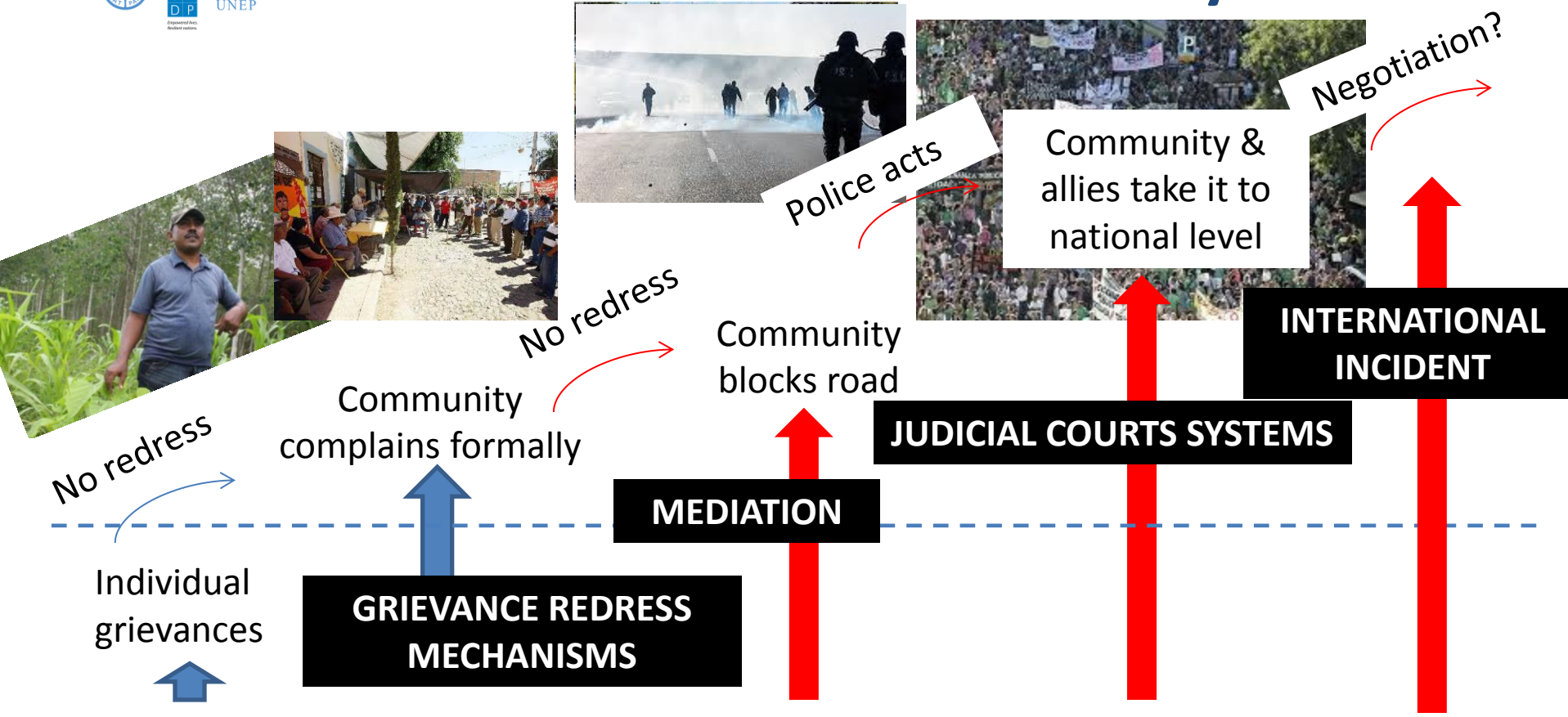
Poor land use planning

Insecure land tenure & resource rights

Absence of State Institutions

Structural inequality and Limited Participation

As in any dispute, grievance may escalate if not redressed early



PRE-EXISTING
Deeper causes
of disputes

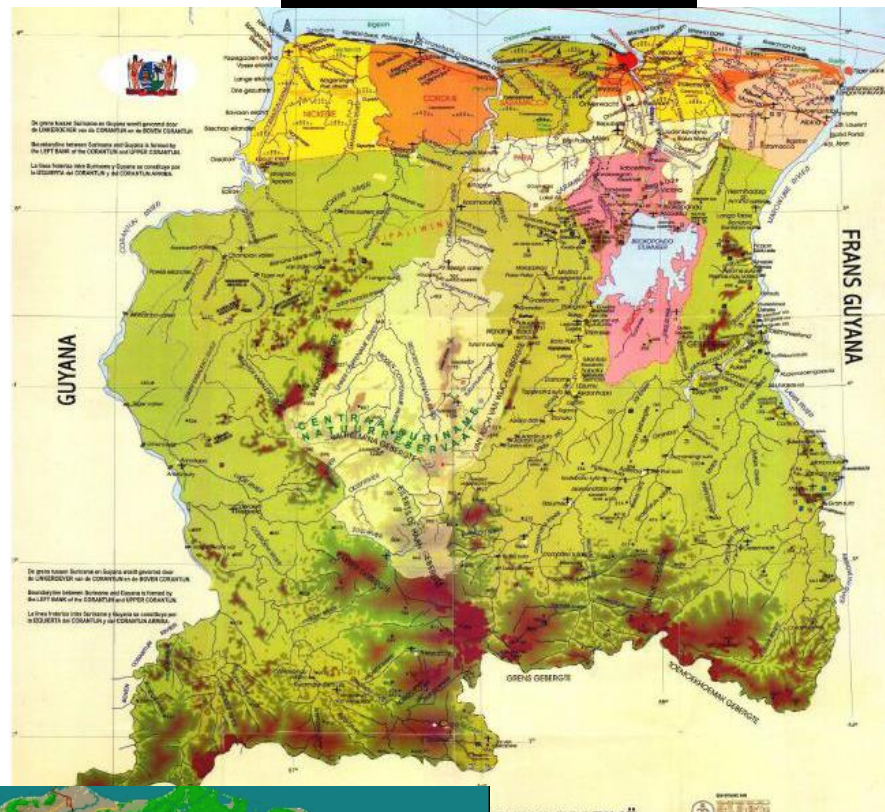
- Incompatible & incoherent policy making
- Poor land use planning
- Insecure land tenure & resource rights

- Absence of State Institutions
- Structural inequality and Limited Participation

Stakeholder Engagement, Safeguards PGA

Examples

Suriname



Cambodia



Honduras



Following Our 3-Step Approach..



Sources of Conflicts?

Systems to Address
Conflicts?

How to Strengthen
these Systems?

Sources of Conflict: Lessons from Cambodia, Honduras and Suriname

NOTE: Sources do not derive from REDD+ but derive from (often) long-standing tensions over natural resource use. The complaints manifest through REDD+, but that is not the source.

- **Illegal land conversion & use, encroachment**
- **Road and infrastructure development** (sometimes linked to military personnel, border security or migratory pressure)
- **Multiple titles/permits for the same land**
- **Lack of legal clarity on IP's land rights / Unresolved land rights issues**
- **Lack of agreed norms on consultation and consent (FPIC) / Lack of consultation**
- **Disputes over mining & energy projects** (often tied to lack of clarity on land rights and consultation)
- **Divisions within & between communities on land use / NRM** (e.g. right to cut trees, cultivate areas or site new settlements)
- **REDD+ Program itself** (Concerns that the program is not aligned with aspirations/visions of indigenous peoples; Concerns about fair benefit distribution)

Systems to Address Conflicts: Lessons from Cambodia, Honduras and Suriname

Cambodia

- **National level:** Relevant ministries (Forestry, Land etc.)
- **Provincial level:** Office of the Provincial Governor (supported by Commune Councils)
- **Local level:**
 - Community Forest Management Committees
 - Community Forestry Network
 - Community Protected Area Committees
 - Supporting NGOs

Honduras

- Many cases go through **several government institutions**
- **Political dialogue** for large national debates (ancestral rights, norms for consultation and consent)
- **Conciliation Centres** in some communities
- If violation of law, **Public Prosecutor**
- **Commissioner for Human Rights** have played a role in some disputes

Suriname

- **For small-scale forest/land conflicts** (ad hoc):
 - complaints to **local police**;
 - **District gov't/MP**;
 - Appeals to **Ministers** and the **President**
- **National Dialogue** to resolve disputes over Saramaka Judgment / land rights
- **Options outlined in RPP:**
 - Major Groups Collective;
 - Bureau for Contact with the People;
 - Parliamentary Commission on Climate Change

How to Strengthen These Systems? Assess with the 7 Key Principles

- Is it **accessible** to those who face barriers (language, literacy, costs, awareness)?
- Are the procedures **predictable** (clear time frames, scope and outcomes)?
- Are the procedures widely perceived as **fair** (access to information and opportunities for meaningful participation in the final decision)?
- Is the governance structure **legitimate** i.e. trusted by those who may use it?
- Are the outcomes of the process consistent with applicable national and international standards (**Rights compatibility**)?
- Are the procedures and outcomes **transparent** enough to meet the public interest concerns at stake?
- Does the mechanism have the necessary technical, human and financial resources and **capability** to deal with the issues at stake?

Recommendations: Lessons from Cambodia, Honduras and Suriname

- **Beyond REDD+, recommendations aim to improve country capacity to address natural resource conflicts**
- **Preference towards strengthening existing institutions, rather than creating new ones**
- **Preventative measures** play a significant role in reducing the risk of new conflicts and future escalation; e.g.:
 - Advance agreements and new norms for indigenous land rights and prior informed consent (FPIC)
 - Boundary demarcation and zoning for State Forests and Protected Areas
 - Joint, integrated local land use planning and zoning
 - Clearer strategy for land use decision making, consulting on and then communicating those decisions
 - Build dispute resolution provisions into FPIC protocols

Recommendations (2): Lessons from Cambodia, Honduras and Suriname

Recurring themes – there is a need for ...

- Clearly defined and well understood grievance procedures
- More effective channels to refer disputes to higher levels
- Clarified roles and responsibilities at all levels
- More consistent documentation of disputes
- Strengthened in-country mediation/conciliation capacity: Start with a diagnosis of current capacity and legal context, generate a list of mediators to draw from
- Ensuring that District govts and police are aware of GRM and know how to access it

As a starting point, use REDD+ Steering Committee as first line for dispute prevention and resolution

- Clarify representation, decision making and dispute resolution procedures in ToR
- Identify appropriate institution as secretariat for intake and tracking

A Perspective from Suriname

*...It is hoped that **through inclusiveness, transparency and plenty of capacity building of both public and private entities/organizations, Suriname will be able to manage the expectations of all stakeholders during implementation of the R-PP...***

*...There is a **widespread belief/acknowledgement that development of Suriname will not only require involvement and direction given by the public sector, but all 9 Major Groups in Suriname. Therefore, a national grievance and redress mechanism for REDD+ will be one of the mechanisms to be used by the stakeholders to be involve during the REDD+ implementation...***

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Thank You

Website: <http://www.un-redd.org>

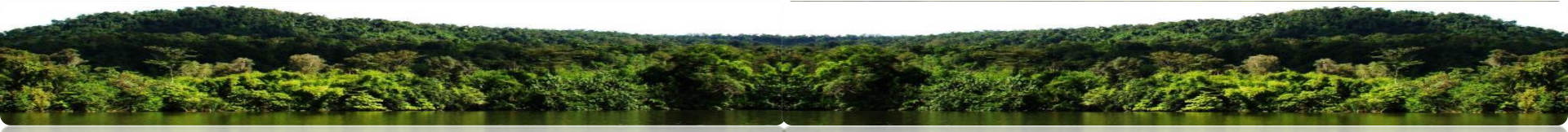




CAMBODIA REDD+ PROGRAMME

Stakeholder Engagement Cambodia REDD+ Programme

Presented by Chea Sam Ang, PhD



Principles for UN-REDD/FCPF Activities

Principles (for UN-REDD/FCPF activities): Apply joint UN-REDD/FCPF Guidance on SE; key points:

- **Representation**: CSO and IP members of PEB
- **Transparency & Access to Information**: PEB minutes and other key documents available on REDD+ Cambodia web-site
- **Grievance**: Initial assessment of existing grievance mechanisms and options for scaling up



Roles & responsibilities – Consultation Group

- **Allows stakeholders to influence REDD+ policy and strategy development** as Taskforce is government-only
- **18 members: 2 reps from each of 9 stakeholder groups**
- CG and TF activities coordinated: CG meets ahead of TF meeting and prepares brief on any or all agenda items
- **Two-way exchange of information between CG members and constituents: Allowing true representation** – CG does not simply reflect the views of its members



Principals of IP selection

- Participation of IP in the 15 provinces they are living
- Recognition and support from provincial authority and authorized agencies
- Awareness Raising on REDD+ during the process



IP selection process

Selection at provincial level:

- Met with selected IP representatives from districts/communes, local authority and NGOs
- Informed the objective of selection
- Conducted awareness raising (play video clip on Introduction to REDD+ with Q & A)
- Explained process and conduct election representative.
- Recognition letter from provincial authority for the elected representative.



IP selection process (Continued)

Final Selection at National level:

- The 15 selected IP from the 15 provinces attended CG National Workshop to elect among themselves for top 2 IP representatives and who will become IP representative in both CG and PEB.



Workplan / Next Steps

- Once the feedback and/or flow of mechanism was finalized, all CG members will be technically and financially supported by REDD+ Taskforce Secretariat to implement accordingly.
- Regular monitoring and evaluation will also applied.



Thank You!

Website: www.cambodia-redd.org / <http://www.un-redd.org>



Proposed UN-REDD Programme Approach to Addressing Grievances



Rationale

An agreed predictable process for responding to complaints from affected people can:

- Clarify the process, roles and responsibilities for responding to specific complaints about Programme-supported activities;
- Increase the effectiveness, efficiency and timeliness of responses and resolutions to complaints;
- Ensure coordinated communication with external stakeholders and improve internal communications;
- Enhance overall Programme performance and strengthen support for the Programme from multiple stakeholders.

Learning from Complaints Received

- A complaint at the national level can have implications for the UN-REDD Programme as a whole
- A shared approach to addressing complaints → more efficient and effective management of the dispute, potentially saving time and resources;
- Complaints may vary significantly and require different responses so any process must be flexible
- Coordination between the agencies and between different Programme levels is critical to an effective response

We are Committed to Applying the Same Guiding Principles as National Programmes...

Accessible

Predictable

Fair

Legitimate

Rights compatible

Transparent

Capability



A Shared Approach to Addressing Complaints

