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Independent Redress Mechanism Unit Work Plan & Budget for 2017

Summary

This document presents the 2017 Work Plan and Budget of the Independent Redress Mechanism Unit (IRMU) of the GCF. The Unit is one of the three accountability mechanisms of the GCF and is mandated by its Governing Instrument. The Board has mandated the IRMU to complete several tasks in 2017. The Board appointed the Head of the IRMU who assumed office on 1 November 2016. This work plan seeks to give effect to the Board decisions concerning the IRMU. The work plan has four components as follows:

- (a) Establish the IRMU
- (b) Develop a revised TOR and detailed guidelines and procedures
- (c) Collaborate in the development of the GCF's safeguard policies and performance standards
- (d) Process complaints and cases

A Draft Decision is presented in Annex 1 for Board consideration.

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I. Introduction

1.1 Background

1. The Independent Redress Mechanism (IRM) is mandated in paragraph 69 of the GCF's Governing Instrument. This para 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 Independent Redress Mechanism Unit (IRMU) reports directly to the Board and is subject to the decisions of the Board. It is independent of the Secretariat of the GCF (management).
2. The Board, at its sixth meeting, adopted terms of reference of the IRM (see GCF/B.06/06). The terms of reference state that "(t)he IRM is...a mechanism within the Fund to redress the grievances and complaints by communities and people affected by environmental and social impacts that result from an action or omission to follow the Fund's operational policies and procedures regarding environmental and social safeguards."
3. The IRMU has a linkage to the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC). The arrangements between the COP and the GCF approved in 2013 state that "The Fund will include in its annual reports to the COP the recommendations of its independent redress mechanism, and any action taken by the Board in response to those recommendations." The arrangements state that "Further modalities for the reconsideration of funding decisions as per Article 11, paragraph 3(b), will be developed appropriately once the independent redress mechanism is operational."
4. At its sixth meeting, the Board specified the governance and management structure of the IRM in the said terms of reference. The Board decided that (t)he IRMU will be headed by a part-time expert with experience in running an accountability mechanism..." and emphasized that person "should enjoy an impeccable reputation of honesty and integrity and be widely respected and regarded for [his/her] competence and expertise." According to the TOR, as and when the workload justifies, "the part-time head position could be converted into a full-time position."
5. The Board subsequently decided to convert the position of Head of the IRMU to a full-time position. The Head of the IRMU assumed office on 1 November 2016. The terms of reference also further specify that the Board will consider and approve the annual work plan and budget of the IRMU to be presented by the Head of the IRMU and that "(a)ll staff appointments and terminations of service in the IRM Unit will be the sole responsibility of the Head of IRM Unit and not of the Secretariat."
6. Following further discussions on the TOR by the Board at its thirteenth meeting, the Board invited the Head of the IRMU, "following consultations with relevant stakeholders, to recommend any necessary updates to the terms of reference, of the Independent Redress Mechanism for the Board's consideration no later than the fifteenth meeting of the Board" (see B.13/24).
7. The TOR also specifically requires the development of "detailed guidelines and procedures governing the work of the IRM" for Board consideration and approval. This task was re-affirmed by the Board at its thirteenth Board meeting when the Board, by decision B.13/24 requested "the Head of the Independent Redress Mechanism to prepare, with the support of the Secretariat, for consideration by the Board no later than its sixteenth meeting, the detailed guidelines and procedures for the independent Redress Mechanism referred to in the terms of reference of the independent Redress Mechanism (decision B.06/09, annex V, para. 14

(document GCF/B.06/18, annex V, para. 14)) in close consultation with similar or equivalent mechanisms of accredited entities and other stakeholders”.

8. The Board, by the same decision also requested the Head of the IRMU, while preparing the Guidelines and Procedures “(i) to consider how the GCF should contribute to the third-party costs and expenses incurred by those who are entitled to seek redress from the GCF and make a recommendation to the Board in this regard, including in respect of the circumstances under which such costs may be claimed and the modalities pursuant to which such costs will be assessed; and (ii) to include, if possible, guidelines on the categories of information that the Head of the Independent Redress Mechanism may reasonably request from those who are entitled to seek redress from the GCF”.

9. In order to give effect to these decisions of the Board, the Head of the IRM has developed this work plan and budget for 2017, more fully set out below, and the Board is requested to consider and approve the same.

10. Once the Board considers and approves the revised TOR and the detailed guidelines and procedures of the IRMU at its sixteenth and seventeenth meetings respectively, this work plan and budget may need to be revised to reflect tasks that need to be performed and capacities that need to be developed by the IRMU under the revised TOR and the guidelines and procedures approved by the Board.

1.2 Key Components of the Work Plan

11. The work plan is divided into four distinct, yet closely related, components. Each component is essential for establishing the IRM Unit and ensuring that Board mandated tasks are completed in a timely fashion. A draft Board resolution is suggested in Annex 1. A timeline for the implementation of each of the four components is provided in Annex 2. A supporting budget is provided in Annex 3. The four components of the work plan are as follows:

- (a) Establish the IRMU;
 - (b) Develop a revised TOR and Detailed Guidelines and Procedures;
 - (c) Collaborate in the Development of the GCF’s Safeguard Policies and Performance Standards;
 - (d) Process Complaints and Cases; and
12. Each of these tasks is explained in more detail below.

II. Establish the IRMU

2.1 Develop a work plan & budget

13. In terms of the Board approved TOR and in consultation with the Secretariat, the IRM Unit has developed this work plan and budget for presentation to the Board. The budget for 2017 will allow the Unit to implement the activities set out in this work plan. As stated before, once the Board approves the revised TOR and detailed guidelines and procedures, this work plan and budget may need to be revised. The budget is set out in Annex 3 hereof.

2.2 Recruit staff and experts

14. The IRMU will be led by the Head of the IRMU. In consultation with the Secretariat, the IRMU has determined that the following staff are required in order to implement the work plan effectively and efficiently:

- (a) A senior level advisor (consultancy – IS 6) to provide a supporting role to the Unit until its founding (1-2 years) work is completed;
- (b) A mid-level (IS 5) full time staff member to lead the mediation and conciliation work of the IRMU.
- (c) An administrative assistant (AS 2) as support staff.

15. The staff of the IRMU will be recruited and terminated by the Head of the IRMU in terms of the Board approved TOR. The human resources unit of the Secretariat will provide administrative support to complete this task.

2.3 Establish standing operating procedures (SoPs) for the IRMU

16. Both on an interim basis and following the adoption of a revised TOR and detailed guidelines and procedures for the IRMU by the Board, the Unit will develop internal standard operating procedures (SoPs) to supplement the TOR, the revised TOR, support the interim procedures and final detailed guidelines and procedures of the IRMU and ensure the effective and efficient operation of the Unit. The SoPs will be part of building a redress system at the GCF.

2.4 Develop the IRM Unit's webpage

17. In order to carry out the task of revising and the TOR and developing detailed guidelines and procedures through the consultative process envisaged by the Board, the IRMU will initially need a webpage on the GCF website. The communications unit of the Secretariat has agreed to develop such a webpage. The webpage will initially contain the mandate, TOR, and relevant extracts of Board decisions relating to the IRM Unit, and reports of the IRM Unit that are required by Board decisions or the public disclosure policy to be made public. It will also contain calls for public input for developing the revised TOR and the detailed guidelines and procedures.

18. After the Board has approved the revised TOR and the detailed guidelines and procedures, the webpage may need to be further improved. Following international best practice, other accountability and redress mechanisms of international financial institutions and funds, have sometimes established distinct and separate websites from the parent institution website. Based on the revised TOR and the guidelines and procedures approved by the Board, proposals for an improved webpage or separate website may be presented to the Board for consideration later in 2017.

2.5 Develop and deploy a Communications Strategy

19. The IRMU will develop and deploy a communications strategy to appropriately support the consultative process envisaged by the Board in its aforesaid decisions. The purpose of the communications strategy will be to raise stakeholder awareness about the IRMU and the process for revising the TOR and development of detailed guidelines and procedures for Board consideration.

20. Following the approval of the revised TOR and the detailed guidelines and procedures by the Board, a revised communications strategy may need to be developed for the IRMU to cover tasks envisaged in the revised TOR and detailed guidelines and procedures.

2.6 Develop an appropriate case management system

21. The IRM Unit will require a case management system to systematically and consistently process and/or track complaints and cases, from initial filings to monitoring and reporting of remedial action plans and case closures. This can be accomplished with assistance from the ICT unit of the Secretariat. More details on an appropriate case management system will be provided to the Board after it has had an opportunity to consider and approve the revised TOR and detailed guidelines and procedures at its sixteenth and seventeenth meetings.

2.7 Join the Independent Accountability Mechanisms Network

22. The IRM will join the Independent Accountability Mechanisms Network (IAMNet) which is a community of practice in this area. Currently there are no membership fees. Being part of this network allows for constructive collaboration between redress mechanisms and is useful for learning about good practices and new developments in this field of work. There are over 40 accountability mechanisms of international financial institutions and funds, and many of them, including the IFC, WB, ADB, EBRD, EIB, IADB, KfW, FMO and AFDB, are part of this network. A significant number of the independent redress mechanisms of the current accredited entities are members of this network.

23. The Head of the IRMU and one staff member of the Unit will attend the next annual meeting of the IAM Association scheduled to be held in Greece in Sept 2017 and will make presentations about the IRMU at the meeting.

2.8 Prepare annual reports required under IRM TOR

24. The TOR requires the IRMU to publish an annual report for dissemination to the public. Additionally, the TOR envisages periodic reports from the IRMU to the Board. Furthermore, the GCF is expected to report to the UNFCCC, among other things, about the work of the IRMU. The IRMU will prepare all the aforesaid reports in a timely and appropriate manner. Public reports will be published on the IRMU's webpage and will also be made available through other appropriate means.

III. Develop a Revised TOR and Detailed Guidelines and Procedures

3.1 Develop and deploy an appropriate consultative process

25. The Board by decision B.13/24 invited the Head of the IRMU to recommend any necessary updates to the terms of reference "*following consultations with relevant stakeholders*" (emphasis added). Furthermore, the Board by Decision B.13/24 requested the Head of the IRM to prepare, with the support of the Secretariat, for consideration by the Board no later than its sixteenth meeting, the detailed guidelines and procedures for the independent Redress Mechanism referred to in the TOR of the IRM (decision B.06/09, annex V, para. 14 (document GCF/B.06/18, annex V, para. 14) "*in close consultation with similar or equivalent mechanisms of accredited entities and other stakeholders*" (emphasis added).

26. In order to give effect to this decision, the IRMU will make a call for public submissions at the commencement of the process for revising the TOR and the detailed guidelines and procedures respectively, and consult with (b) Board members, alternate Board members and advisors to Board members and alternative Board members (c) accredited entities and National Designated Authorities, (d) equivalent or similar redress mechanisms of accredited entities (e)

accredited observers and (e) specialised academics and civil society groups belonging to the accountability mechanism community of practice brought together through accredited observers.

3.2 Develop a Revised TOR and Detailed Guidelines and Procedures

27. The IRMU will solicit submissions through a public call together with an initial set of consultations to identify how and where the TOR needs to be revised.
28. The IRMU will then prepare a consultation draft of the revised TOR. The consultation draft will be published on the IRMU webpage for public comment and circulated to stakeholders mentioned in para 22 above for feedback.
29. The IRMU will then prepare an accountability document with all collated comments and its responses to the comments and upload it to the IRMU webpage. Comments designated by the commentator as confidential will be redacted.
30. The IRMU will then prepare a draft revised TOR for submission to Board members for further feedback.
31. A final draft of the revised TOR will be prepared for Board consideration at its sixteenth Board meeting, based on feedback from Board members.
32. After the Revised TOR is approved by the Board, a similar consultative process will be deployed for developing and presenting detailed guidelines and procedures for the consideration of the Board at its seventeenth or eighteenth Board meeting.

3.3 Supporting research

33. The revision of the TOR as well as the development of guidelines and procedures will be informed by supporting research by the IRMU. The research will study the redress mechanisms of accredited entities, other redress mechanisms of funds (including climate funds) and financial institutions and will ground truth the research, as appropriate. Salient aspects of the research having a bearing on the revision of the TOR or the guidelines and procedures will be provided in an annex to the connected Board papers.

IV. Collaborate in the Development of the GCF's Safeguard Policies and Performance Standards

34. The IRMU will collaborate, as appropriate, with the Secretariat in its ongoing efforts to prepare environmental and social safeguards policies and performance standards for the GCF. The IRMU will draw on international good practices to help enhance the draft policies and standards.

V. Process Complaints and Cases

5.1 Receive and process complaints

35. The GCF Board has approved several projects in 2016 and these funds will be disbursed through 2017. As projects get started on the ground, grievances and complaints are likely to

arise. The IRMU will process complaints in accordance with the applicable TOR and procedures established by the Board at that time.

Annex I: Draft Decision of the Board

The Board, having considered document GCF/B.15/19 titled “Independent Redress Mechanism Unit Work Plan and Budget for 2017”:

- (a) Approves the work plan and budget of the Independent Redress Mechanism Unit (IRMU) for 2017 as contained in document GCF/B.15/19 and Annex 3 (total budgeted amount of US\$ 999,141) respectively;
- (a) Invites the Head of the IRMU to consult with the Ethics and Audit Committee in the implementation of the work plan including the consultation process, as appropriate;
- (b) Authorizes the Head of the IRMU to undertake consultations on the revised Terms of Reference for the IRM in accordance with Decision B.13/24, and present a draft revised TOR for the Board’s consideration at its sixteenth meeting; and
- (c) Authorizes the Head of the IRMU to undertake consultations on the detailed guidelines and procedures for operation of the IRM, and present a draft of the same for the Board’s consideration no later than at its eighteenth meeting.



Annex III: Budget

Independent Redress Mechanism Unit BUDGET 2017		
		2017 budget
	1 Salaries and consultants	
1.1	Full-time staff	722,791
1.2	Consultancies	163,350
	Sub-total: Salaries & consultants	886,141
	2 Travel	
2.1	Travel	93,000
	Sub-total: Travel	93,000
	3 Professional services	
3.1	Operating costs	20,000
	Sub-total: Professional services	20,000
	Grand total (1+2+3)	999,141