



Ministry of Climate Change
Government of Pakistan



FRAMEWORK FOR A FEEDBACK GRIEVANCE REDRESS MECHANISM IN PAKISTAN





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ACRONYMS

| | |
|---------------|--|
| DFOs | Divisional Forest Officers (DFOs) |
| FCPF | Forest Carbon Partnership Facility |
| FGRM | Feedback and Grievance Redress Mechanism |
| GRM | Grievance Redress Mechanism |
| IEE | Initial Environmental Examination (IEE) |
| JFMC | Joint Forest Management Committee |
| PAMs | Polices and Measures |
| PGIUs | Provincial REDD+ Grievance and Implementation Units (PGIUs) |
| PLRs | Policies, Laws, and Regulations |
| PRMU | Provincial REDD+ Management Unit |
| REDD+ | Reducing Emissions from Deforestation and Forest Degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries |
| SIS | Safeguard Information System |
| UNFCCC | United Nations Framework Convention on Climate Change |



I INTRODUCTION

The introduction of REDD+ in participating countries will have a significant impact on the dynamics of conflicts over forest resources, and on land, oil, gas, minerals and other valuable resources in forested areas.

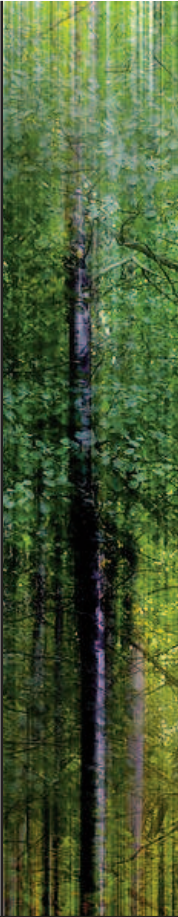
A national feedback and grievance redress mechanism (FGRM or GRMs) needs to be effectively available, and if necessary strengthened, as part of the country's REDD+ institutional arrangements. Such a mechanism needs to be available to REDD+ stakeholders from the earliest stages of REDD+ implementation in order to facilitate handling of any request for feedback or complaint by any relevant stakeholders, with particular attention to providing access to geographically, culturally or economically isolated or excluded groups.

A FGRM can serve the following purposes:

- Identify and resolve implementation problems in a timely and cost-effective manner: As early warning systems, well-functioning GRMs help identify and address potential problems before they escalate, avoiding more expensive and time-consuming disputes.
- Identify systemic issues: Information from GRM cases may highlight recurring, increasingly frequent or escalating grievances, helping to identify underlying systemic issues related to implementation capacity and processes that need to be addressed.
- Improve project outcomes: Through timely resolution of issues and problems, GRMs can contribute to timely achievement of project objectives.
- Promote accountability among project staff: Effective GRMs promote greater accountability of project staff to stakeholders, positively affecting overall project governance.

GRMs are intended to be accessible, collaborative, expeditious, and effective in resolving concerns through dialogue, joint fact-finding, negotiation, and problem solving. They are generally designed to be the “first line” of response to stakeholder concerns that have not been prevented by proactive stakeholder engagement. GRMs are intended to complement, not replace, formal legal channels for managing grievances (e.g., the court system, organisational audit mechanisms, etc.). Stakeholders always have the option to use other, more formal alternatives, including legal remedies.

It is important to emphasise that national GRMs are not intended to replace the judiciary or other forms of legal recourse. The existence of a GRM should not prevent citizens or communities from pursuing their rights and interests in any other national or local forum, and citizens should not be required to use GRMs before seeking redress through the courts, administrative law procedures, or other formal dispute resolution mechanisms.



Objectives and structure of this documentx

The **objective of this document is to outline the design element of Pakistan' REDD+ FGRM** This document provides recommendations concerning the objectives, procedure and institutional arrangements for the FGRM.

Recommendations and considerations draw on the analysis of existing and relevant conflict resolution mechanisms and on the inputs gathered through consultations with relevant stakeholders.



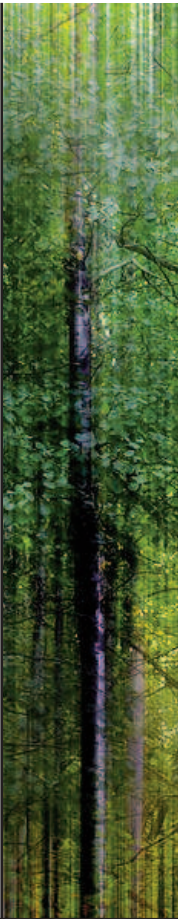


PRINCIPLES OF THE FGRM IN PAKISTAN

Several guiding principles should drive the design of FGRMs. FGRMs designed according to these principles are more likely to provide effective resolution of stakeholder grievances.¹

- a) **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.
- b) **Accessible:** Being known to all stakeholder groups for whose use they are intended and providing adequate assistance for those who may face particular barriers to access. Barriers to access may include a lack of awareness of the mechanism, language, literacy, costs, physical location and fears of reprisal.
- c) **Predictable:** Providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of processes and outcomes available and means of monitoring implementation. In order for a mechanism to be trusted and used, it should provide public information about the procedure it offers.
- d) **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 GRM's ability to arrive at durable solutions.
- e) **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 retain broad trust. At the same time, confidentiality of the dialogue between parties and of individuals' identities should be provided where necessary.
- f) **Rights compatible:** These processes are generally more successful when all parties agree that outcomes are consistent with applicable national and internationally recognised

1. 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 organisational 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.



rights. Grievances are frequently not framed in terms of rights and many do not initially raise human rights or other rights concerns. Regardless, where outcomes have implications for rights, care should be taken that they are consistent with applicable nationally and internationally recognised standards and that they do not restrict access to other redress mechanisms.

- g) 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 GRM to improve policies, procedures, and practices to improve performance and prevent future harm.

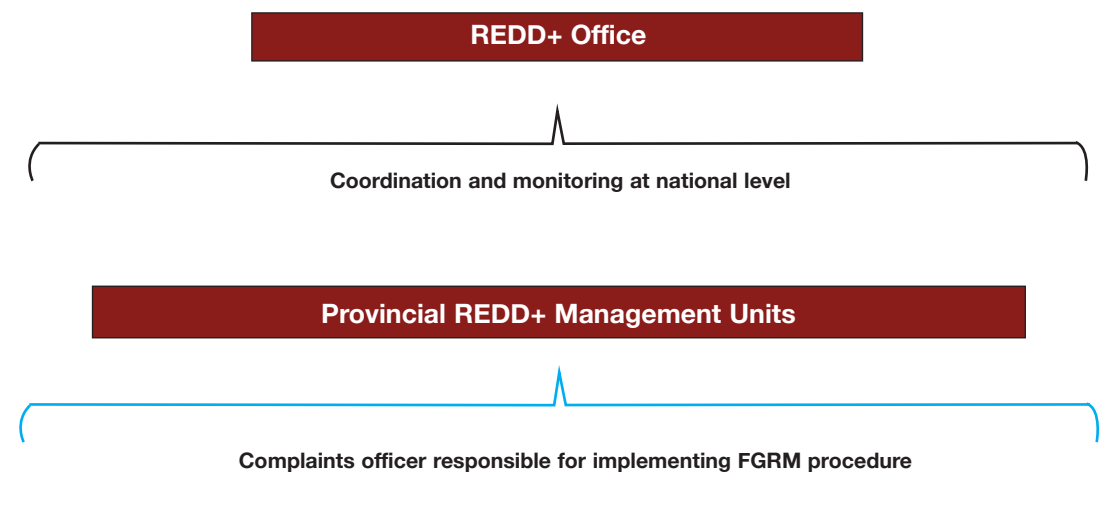




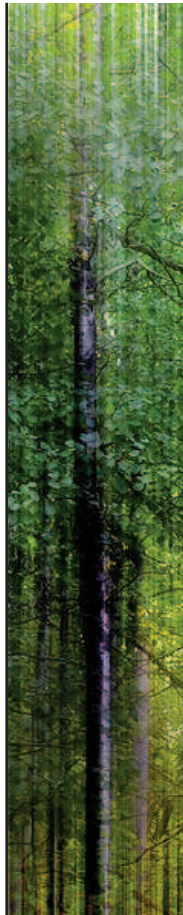
INSTITUTIONAL ARRANGEMENTS OF THE FGRM

The FGRM will have an administrative structure, which would be coordinated by the REDD+ Office, and operational in the provinces through the Divisional Forest Officers (DFOs), Conservator, Chief Conservator, Joint Forest Management Committee (JFMC) and Provincial REDD+ Grievance and Implementation Units (PGIUs). See Figure 1.

Figure 1: Institutional arrangements of the FGRM



The next section outlines the role of each institution in the application of the FGRM procedure.



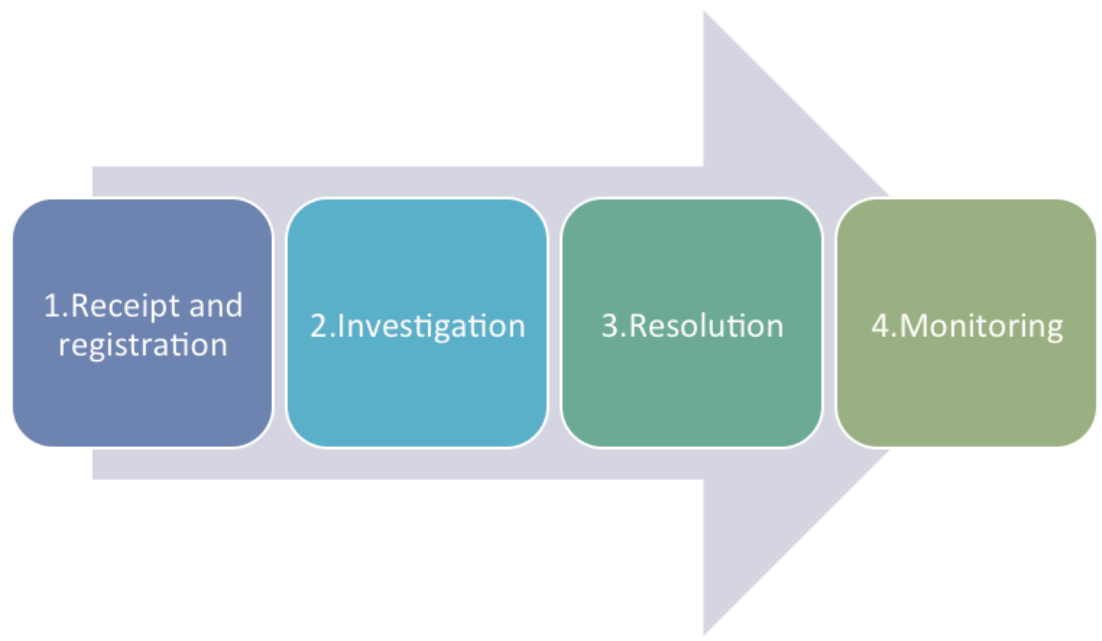
IV STANDARD OPERATING PROCEDURE OF THE FGRM

In accordance with the Forest Carbon Partnership Facility (FCPF) guidelines and international best practices, the following procedure is considered for the resolution of complaints through the FGRM in Pakistan.

As noted above, the FGRM is not intended to replace the judiciary or other forms of legal recourse. Therefore, the procedure described below would apply in case the affected parties decide to use the FGRM in preference to other available mechanisms.

From the moment the complaint is received until a resolution is issued on the dispute, 30 working days are contemplated. A systematic process is followed that consists of four steps as shown in Figure 2: i) Receipt and registration, ii) Investigation, iii) Resolution, and iv) Monitoring. Each of these steps are described below.

Figure 2: FGRM procedure



Step 1: Receipt and registration

The designated personnel in the field and relevant organisations (DFO, Conservator, Chief Conservator and Joint Forest Management Committee) will be able to receive complaints and take the initial steps to respond to them.

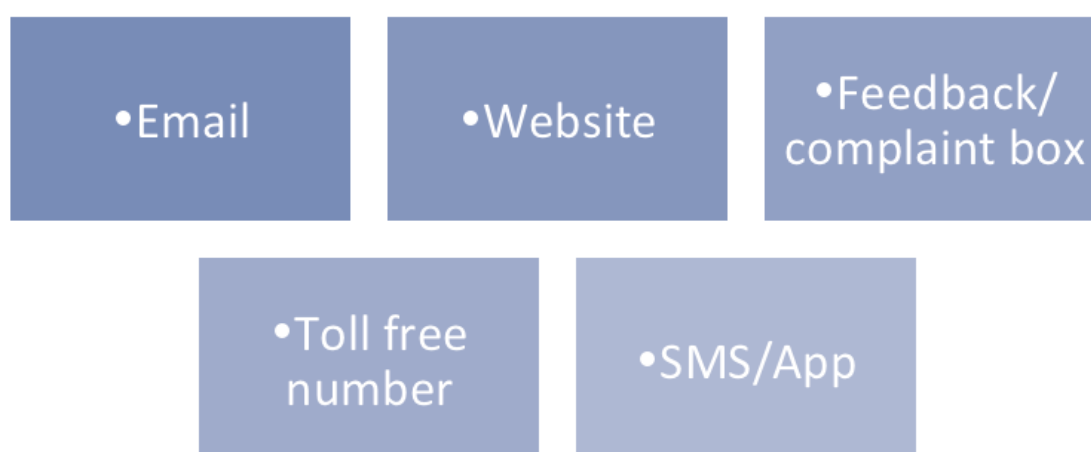


The FGRM is designed to reach out to stakeholders in remote locations, offering accessible ways to file complaints personally or digitally remotely.

Complaints may be presented through multiple low-cost channels that include (Figure 3):

- Email
- Website
- Feedback/complaint box
- Toll free number
- SMS/App

Figure 3: Low costs channels to submit complaints



It is emphasised that in order to ensure cultural relevance, each of these modalities must be available in the local language.

- a) **Website:** The FGRM form will be available to download on the REDD+ website. The suggested format for form is presented in box 1.

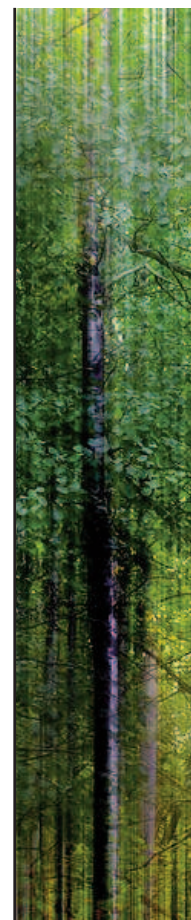
Initially, interested parties may only use the website to download and upload the form. After evaluating the functionality of the web page, we recommend creating a portal so that interested parties can see the status of the processing of their complaint. In this way, the FGRM grows organically as awareness of it increases.

- b) **E-mail:** Complaints can also be sent directly to the PRMUs by email, after downloading the form available online on the REDD+ website or hard copies available in their offices.

- c) **Mailbox:** Written complaints can also be submitted through a feedback/complaint box in the offices of PRMUs. Each office will have available forms to complete (and will install a closed box in which interested parties can submit their complaint in writing). The boxes will be emptied every week by allocated personnel with this responsibility in each office.

These written complaints will be sent by certified mail or courier to the Provincial REDD+ Management Units (PRMUs) (if not submitted there), where the complaint will be recorded.

- d) **Telephone number:** Complaints may also be made through a toll-free telephone number.



When calling this number, the conversation will be recorded as proof of delivery. The information collected in the call will be used to complete a form, and a copy of that form will be sent to the claimant. Stakeholders who have problems with writing can easily use this mode to file a complaint and follow up on the complaint in a similar manner. By assigning a toll-free number, simple questions and clarifications from interested parties can be easily addressed.

- e) **SMS/App:** Complaints may be submitted through a text or app. When using SMS/app, the text will be recorded as proof of delivery. The information collected through the SMS/app will be used to complete a form, and a copy of that form will be sent to the claimant.

Box 1: FGRM Template Form

This tool has been created to provide information, encourage stakeholder participation and address complaints that arise in connection with the implementation of the REDD+ Strategy.

Thank you for completing the following form in order to make your query, feedback or complaint regarding the National REDD+ Strategy. Please provide clear and accurate information to resolve your request in the shortest time possible. By submitting your form, you will receive a confirmation that will allow you to follow up on the procedure.

Requests that can be made in this form:

- **Clarification/Information:** If you wish to ask a specific question about REDD+ and/or REDD+ Strategy and its different stages or processes.
- **Feedback:** If you have any input on the implementation of the National REDD+ Strategy
- **Complaint:** If you wish to indicate any discomfort, complaint, or disagreement regarding the implementation of the REDD+ Strategy

Type of action to submit

Please select:

- a) Clarification/Information
- b) Feedback
- c) Complaint

Submission

Please select if the form is submitted as:

- a) Individual person
- b) Association, organisation and other form of social or private organisation



Contact Information

Note: Alternatively, please insert the contact information of a representative of an association or support organisation that may follow up on your behalf.

- Name of the claimant or representative: _____
- Address: _____
- Telephone contact: _____
- Email: _____
- Identity card: _____

Date

Please insert date of submission

Location

Please identify the location of the complaint (Province, municipality, village, etc.)

Category of complaint

If you file a complaint, please select the relevant categories associated with the complaint. Background information to support the selection of the category are illustrated in the table below.

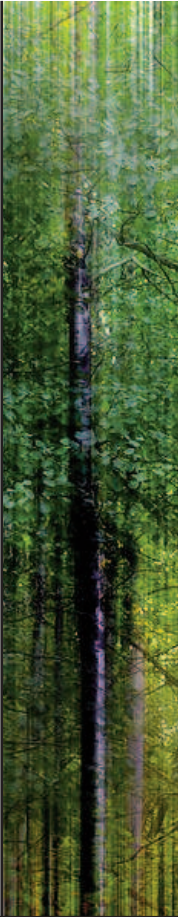
- a) Participation
- b) Land tenure and forest resources
- c) Rights of tribal populations and native communities
- d) Distribution of benefits

Category Complaint

Potential grievances linked to the category

Participation

- Grievances linked to discrepancies and disputes that may arise in relation to the participation of the relevant actors in the implementation, and the evaluation of the implementation of the REDD+ Strategy Options;
- Exchange of information on REDD+;
- Application of participation procedures and Free Prior and Informed Consent.





| Category Complaint | Potential grievances linked to the category |
|--|---|
| Land tenure and use of forest resources | <ul style="list-style-type: none"> ● Processes to acquire land rights (including those associated with lack of legal certainty, regularisation of land tenure, and restrictions on access to women and vulnerable groups); ● The use of forest resources; ● Access and implementation of forest incentive programs; ● Reinforcement of protection and forest control measures on illegal logging activities and on the use of firewood. |
| Rights of tribal populations and native communities | <ul style="list-style-type: none"> ● Lack of recognition and respect of the tribal populations and native communities, in particular, in terms of their customary rights (including the rights of tenure and use of land and natural resources); ● Traditional and ancestral practices and knowledge. |
| Distribution of benefits | <ul style="list-style-type: none"> ● Situations in which there is inadequate recognition and economic valuation of environmental goods and services associated with forests (in particular carbon rights); ● Rights holders are not recognised (in particular, communities) that were in the area prior to the declaration of protected areas. |
| <p>Description</p> <p>Please provide a description of the request for information, feedback or complaint</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div> <p>Suggested resolution by complainant</p> <p>Please provide information on the proposed resolution of the complaint</p> <hr style="width: 80%; margin-left: 0;"/> | |

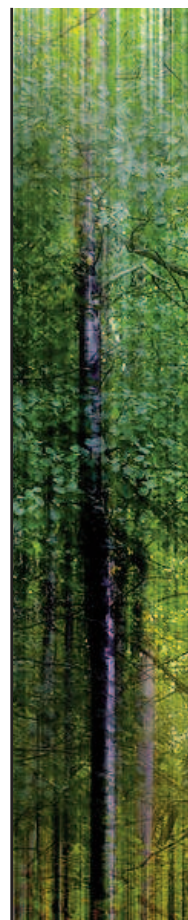
Each complaint will be registered by means of the following information (which would be contemplated in the forms mentioned above): i) name of the claimant, and preferably a Personal Identification Document number, ii) allocated case registration number, iii) date of the complaint, iv) default category of complaint and summary of the complaint, v) number of people involved, and vii) communication channel to be used.

Complaint is logged and sent to complaints officer within Provincial REDD+ Management unit who has to see and examine if the complaint is within its competence. The complaint is examined in connection with the following criteria:

- a) The FGRM has the mandate to handle complaints related to the possible impacts arising from the implementation of the REDD+. The issues that are admissible are shown in Table 1. It is imperative that the respective offices of PRMUs have a dedicated technical staff ('Complaints officer') with necessary qualifications and are well informed about REDD+ to make good judgment regarding the admissibility of the complaint (see Box 2 with a description of the qualifications). In certain cases, claimants may provide incomplete information and the grievance office must make an effort to verify the content of the complaint before making a decision on its admissibility.

Table 1: Scope of complains to be handled by FGRM

| Category Complaint | Potential grievances linked to the category |
|---|---|
| Participation | <ul style="list-style-type: none"> ● Grievances linked to discrepancies and disputes that may arise in relation to the participation of the relevant actors in the implementation, and the evaluation of the implementation of the REDD+ Strategy Options; ● Exchange of information on REDD+; ● Application of participation procedures and Free Prior and Informed Consent. |
| Land tenure and use of forest resources | <ul style="list-style-type: none"> ● Processes to acquire land rights (including those associated with lack of legal certainty, regularisation of land tenure, and restrictions on access to women and vulnerable groups); ● The use of forest resources; ● Access and implementation of forest incentive programs; ● Reinforcement of protection and forest control measures on illegal logging activities and on the use of firewood. |
| Rights of tribal populations and native communities | <ul style="list-style-type: none"> ● Lack of recognition and respect of the tribal populations and native communities, in particular, in terms of their customary rights (including the rights of tenure and use of land and natural resources); |



| Category Complaint | Potential grievances linked to the category |
|--------------------------|--|
| Distribution of benefits | <ul style="list-style-type: none"> ● Traditional and ancestral practices and knowledge. ● Situations in which there is inadequate recognition and economic valuation of environmental goods and services associated with forests (in particular carbon rights); ● Rights holders are not recognised (in particular, communities) that were in the area prior to the declaration of protected areas. |

- b) The complaint can be handled by the FGRM. The FRGM can only be used to handle simple conflicts, in which the approach is to reconcile the interests of the parties (desires, rights, needs and concerns). For example, the FGRM can handle cases of conflicts with regards to the distribution of benefits between two forest users or when a forest user files a complaint about not being able to participate in certain REDD+ activities. In this way, the FGRM can deal with conflicts before they become more complex, encouraging forest users to file a complaint early and to resolve it.

In case the complaint and conflict is more complex (for example, it involves physical violence), with more than two parties and multiple problems, the FGRM would be unable to handle it and, therefore, the complaint will be categorised as inadmissible. In this case, the complaints officer shall remit the complaint to another suitable mechanism (for example, a relevant criminal jurisdictional mechanism for incurring a crime or misdemeanor).



Once registered the processing of the claim can begin.

The respective complaints officer communicates with the complainant via the selected communication channels (by telephone, letter, email, etc.) to confirm that the complaint has been officially registered. In case of anonymous complaints, confirmation of registration of the complaint is sent to the contact provided in the complaint form.

The following information will be transmitted: i) acknowledges receipt of the complaint, ii) overview of the steps in the complaint handling process, iii) the case registration number, iv) the contact person for handling complaints, if more information is needed.

The total registration process would take 5 business days.

Step 2: Investigation

Once the complaint has been registered, the complaints officer will proceed to compile the relevant information to help determine if it is possible and in what way the complaint can be resolved.

The complaints officer will contact the complainant, other relevant parties, and organisations to obtain first-hand information in order to better understand the problem. The complaints

officer gathers the opinions of the complainant and other principal parties involved by completing the matrix in Table 2. This includes potential resolutions and/or solutions to the complaint.

The research process would take 15 business days.

Table 2: Information to be gathered by the Initial Environmental Examination (IEE)

| Actors | Complaint | Position and interest | Legal basis | Witnesses and evidence | Proposed resolution | Recommended solution |
|-------------------------------|--------------------------------------|---|---|---|---|---|
| Who are the relevant parties? | What is the complaint or complaints? | What does the claimant request and why? What is the position of the other party? | What is the legal right or obligation that has been violated or not recognised? | What evidence is available to substantiate the complaint? Are there witnesses and if so, who are they and what is the information they provide? | What is the resolution requested by the claimant? | What is the resolution approach recommended by the IEE? |

Step 3: Resolution

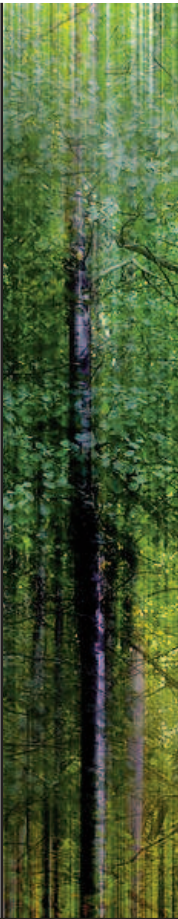
Once all the necessary information has been collected, the complaints officer recommends and implements a resolution approach at the appropriate level (mediation at village, district or province).

In the mediation, the claimant and another party (affected) mutually discuss the resolution proposed and shape it in a process acceptable to both parties.

The complaints officer formulates a written response about the decision process and resolution. The way in which the response is formulated is as important as the content of the response, ensuring cultural sensitivity. A response generally consists of: i) the complaint and the issues that are being considered in the response, ii) the opinion of each party on the issues, iii) the justification for the decision, iv) the decision and the approach of the resolution.

The delivery of the response will be made by the complaints officer in a face-to-face meeting with the claimant. The complaints officer explains the resolution proposed. If the complainant is not satisfied with the resolution, he/she can appeal or proceed to use the available and applicable grievance mechanisms. If the complainant is satisfied with the resolution, he/she will receive additional instructions from the complaints officer how to implement the resolution.

The outcome of the procedure is an agreement between the parties. The parties will sign this agreement and will be obliged to comply with its stipulations.



If an acceptable solution is not found, the complaints officer issues a report of the results of the session. The report is transmitted to the claimant and to all other parties.

Minutes and decision logged by complaints officer and stored in Provincial REDD+ Management Unit office database.

The process of evaluation and decision making takes maximum 15 business days.

Step 4: Monitoring

The REDD+ Office at the national level will be responsible for monitoring the implementation of the resolution of complaints. In each province it will be the responsibility of the PRMUs. The FGRM monitoring system can be a simple database from which the information can be analysed to recognise the patterns of complaints, identify the causes of the complaints and evaluate how effectively the complaints are handled by the PRMUs.

It is recommended that a database is created to keep track of statistical information on complaints.

The monitoring process will take as long as the duration of the agreement and resolution of the complaint (usually between 3-12 months).



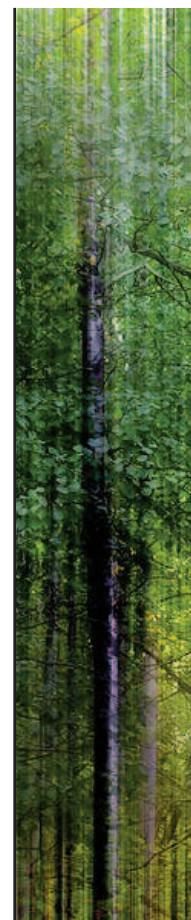
V RECOMMENDATIONS FOR THE SET-UP OF THE FGRM

It is recommended that the PRMUs have a dedicated ‘complaints officer’ who can perform the following tasks and responsibilities:

- Establish a telephone infrastructure and electronic mail in the PRMUs
- Define the template forms to be used to send written complaints (see box 1 with recommendations).
- Sensitise and disseminate information on the FGRM at provincial and local level, providing information on the FGRM procedure.

Table 3: Human and technical resources required for the FGRM

| Step | Activity | Personnel required | Technical requirements |
|---------------------------------|--|--|--|
| Receipt and registration | Dealing with feedback/complaint box | Delegates of PGIUs + Complaints officer | Computer Internet Phone |
| | Registration of complaint in the office/database | Complaints officer | Computer and data base |
| | Receipt of complaint via phone | Complaints officer | Dedicated toll-free number |
| | Receipt of complaints via email | Complaints officer | Web page and dedicated email address |
| Research | Admissibility study | Delegates of PGIUs + Complaints officer | Transport and logistical support |
| | Evaluation | Delegates of PGIUs + Complaints officer | Transport and logistical support |
| Evaluation and response | Conducting meeting | Delegates of PGIUs + Complaints officer | Transport and logistical support |
| | Inform Parties | Complaints officer | Transport and logistical support |
| | Send digital/hard copy of the dossier to National REDD+ Office | Complaints officer | Internet connection, printing and shipping costs |
| Monitoring | Monitoring implementation of resolution | National REDD+ Office + PRMUs | Data base |



Box 2: Minimum qualifications for Complaints Manager in each PRMU

- Law degree, conflict resolution or similar
- Excellent skills in written and verbal communication
- Excellent organisational skills
- Knowledge of REDD+
- Basic computer skills, Microsoft Office and databases



GLOSSARY OF KEY TERMS

Cancun Safeguards

The term ‘Cancun Safeguards’ refers to the safeguards developed under the UNFCCC in paragraph 2 of Appendix I to decision 1/CP.16 (the Cancun Agreement).

Conflict resolution mechanisms

Conflict resolution mechanisms are those that come into play at the national, sub-national or local level when there is a need to settle disputes between actors. Such processes tend to come in the form of negotiation, mediation, arbitration, or through use of judicial or administrative systems.

Information systems

The information (including monitoring and reporting) systems of a country provide information about how the legal framework is being implemented.

Institutional framework

The institutional framework of a country refers to the institutions and institutional arrangements mandated with a responsibility for overseeing the implementation of the legal and compliance frameworks.

Legal framework/PLRs

Legal framework is comprised primarily of national policies, laws, and regulations (PLRs) that define which safeguards are to be applied and regulate their effective implementation and compliance. Programmes and plans contribute to the implementation of the safeguards but rely on the recognition and compliance of the PLRs.

Enforcement mechanisms

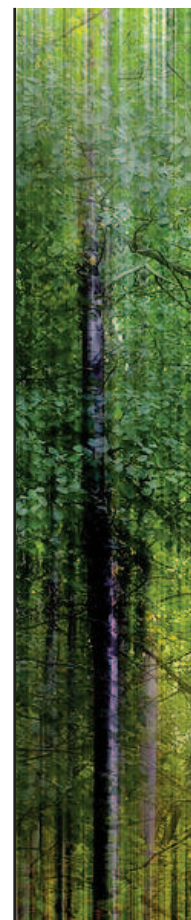
Enforcement aspects or mechanisms are those that address any failure to implement the requirements set forth in the legal framework. This is different from the GRM, as non-compliance mechanisms are meant to address any failure to implement the requirements set forth in the safeguards. Non-compliance mechanisms could be administrative or judicial in nature but should aim to provide a legal avenue for addressing issues of non-compliance.

Grievance Redress Mechanism

Grievance Redress Mechanisms are defined as organisational systems and resources established by national government agencies (or, as appropriate, by regional or municipal agencies) to receive and address concerns about the impact of their policies, programmes and operations on external stakeholders. The stakeholder input handled through these systems and procedures may be called “grievances,” “complaints,” “feedback,” or another functionally equivalent term.

REDD+ activities

The term REDD+ activities refers to those included in paragraph 70 of decision 1/CP.16 and Decision 1/CP.16, paragraph 73



REDD+ actions or Policies and Measures (PaMs)

The term “actions” or “interventions” or PAMs are done during the national implementation of the REDD+ activities. For example, a country may impose a legal ban on commercial agriculture in areas of intact primary forests. This intervention/action is a PAM which would “implement” the REDD+ activity of “reducing emission from deforestation”.

Safeguard Information System

SIS is generally understood to be a domestic institutional arrangement responsible for providing information as to how the country specific safeguards are being addressed and respected in the context of the implementation of the proposed REDD+ actions.



