

Fiji REDD+ Feedback and Grievance Redress Mechanism

DELIVERABLE 3

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**Design of the Feedback and
Grievance Redress Mechanism
(FGRM) and Reporting Forms**



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Executive Summary

The “Design of the Feedback and Grievance Redress Mechanism (FGRM) and Reporting Forms” is the second phase of the Fiji Reducing Emissions from Deforestation and Forest Degradation (REDD+) Readiness FGRM consultancy that builds on the inputs from all consultations conducted under the previous research and analysis phase (“Deliverable 2: Assessment and Recommendations of Existing Issues and Structures”) to develop a FGRM based on existing practice that aligns with the objectives of Fiji’s REDD+ Policy, supported by the REDD+ Unit and REDD+ Secretariat, and is reinforced by the REDD+ Steering Committee (RSC) and its representative members. The design takes into consideration both formal and informal networks for redress. The design process includes strategic choices based on purpose and functionality of the FGRM, as well as integrating the mechanism into the National REDD+ Strategy.

This FGRM will be used to respond to the concerns, complaints, disputes, and any other contentious issues that will arise during the readiness and implementation phases of Fiji’s National REDD+ Programme. The mechanism promotes and facilitates a two-way communication process between local landowners and LoU and the Ministry of Forestry’s REDD+ Programme and serves as an effective outreach process to local communities. This FGRM will function to compliment existing structures that serve to reduce conflict on issues related to land use, land tenure, and land management whilst promoting mutually constructive relationships and building trust. In support of this mechanisms purpose the FGRM Team has also designed standard feedback and grievance redress forms (in close consultation with the Ministry of iTaukei Affairs, Ministry of Rural and Maritime Development, the National Disaster Management Office, RSC members, and project beneficiaries). The first form is to be used by iTaukei Village Headmen (*Turaga ni Koro*), supported by dictation from Village Councils (*Bose Vakoro*) to record grievances for both REDD+ readiness potential sites and implementation stages. The second form is designed for FGRM Officers (Forest Officers from the Ministry of Forest (MoF) and the REDD+ Liaison Officer (R+LO) from the REDD+ Unit) to record and report issues and grievances relating to REDD+ activities under their authority. The forms are in English and will be translated to iTaukei by the Ministry of iTaukei Affairs, once they have been finalized (following comments from the Secretariat and feedback from the stakeholder consultation training). The use of a specific “form” in coordination with other avenues of reporting is further elaborated on in this deliverable in order to propose a culturally appropriate and sustainable approach to grievance redress.

Once the REDD+ Secretariat has approved the FGRM design and subsequent forms, the FGRM team will conduct training for the above-targeted groups on the use of the forms (carried out in collaboration with the Secretariat). Feedback on the forms and the reporting and recording processes will be collected during (through open dialogue) and after the training (survey) from all participants in order to improve the process. The final forms and results of the training will then be shared in a “Training Report”, in conjunction with a communications strategy for the FGRM, with the REDD+ Steering Committee. A final inclusive package (all deliverables) will be submitted to the REDD+ Unit and RSC for approval. After approval the team will present the FGRM findings, design, training report, and communications strategy at a “Validation Meeting”; soliciting inputs from stakeholders. The FGRM Team will then account for comments collected and finalize the consultation.

1. Introduction

This FGRM¹ design intends to construct an integrated and practical FGRM for REDD+ that is both *legally recognized* and *socially acceptable*. The proposed FGRM for REDD+ is designed for intervention as an alternative dispute resolution (ADR) mechanism at a semi-formal level of grievance redress, so as to compliment and not replace current legal/formal redress or customary/informal systems. The design is based on the outcome of the study previously conducted (“Assessment and Recommendations of Existing Issues and Structures” or D-2) that identified and analyzed legislation and policy that impacts REDD+, analyzed Fiji’s existing institutional capacity and mechanisms used to respond to and resolve conflict, and identified existing and potential grievances and conflicts that may arise as a result of REDD+.

1.1. FINDINGS FROM PHASE 1: RESEARCH AND ANALYSIS

The results of the previous study (D-2) institutional and risk assessment, coupled with data collected from various stakeholder groups, resulted in the identification of gaps and issues in existing grievance redress mechanisms (GRM), challenges for setting up a FGRM Framework, and a series of lessons learned (see *Attachment 2*) for Fiji REDD+. The previous analysis found that there were significant gaps in grievance redress processes within formal systems that are responsible for conservation, land use, and land management issues. The GRM processes for these formal institutions were found to be either poorly established or inconsistent with how they process, manage, and address grievances; as evaluated across seven Forest Carbon Partnership Facility (FCPF) guiding principles². There was also problematic disconnect between “non-legal” or traditional structures, where most land and related disputes are resolved within communities, and formalized legal structures. Existing GRMs at the formal-level were found to be inadequate to support REDD+ in their current form and informal systems did not have the legal clout, resources, or technical capacity to address grievances fully at the community-level. Potential risks identified centered primarily on issues related to benefit-sharing and land use. Without the employment of REDD+ legislation, greater specificity in current legislation regarding carbon ownership, and the design of a national land use plan for Fiji, risks will become further exacerbated.

The findings from the study provided for three high-level recommendations:

- Greater synergy between informal and formal systems and improved governance.
- Improved awareness and capacity building for all stakeholders on REDD+ programming and benefits.
- Accountability and free prior and informed consent.

¹ “FGRM” in this deliverable is used in reference to the specific mechanism designed to address grievances for REDD+. “GRM” is used to reference alternative/other grievance mechanisms not specific to REDD+.

² Derived from the UN Human Rights Council, 2011.

1.2. STRUCTURE AND APPROACH

The FGRM design takes into account the findings from the previous study and incorporates, where feasible³, recommendations from that same study. This report starts with setting the scope and goal of the FGRM, after which a structure is discussed, procedures are established, implementation and operation of the FGRM is outlined, and recommendations for mainstreaming are proposed. The report concludes with a framework for improved and continual monitoring, reporting, and learning.

³ “Feasible” in this instance references the incorporation of those recommendations that are within the scope of the FGRM. This mechanisms’ ability to achieve its purpose will be dependent on the acceptance by actors in both the customary system as well as legal institutions.

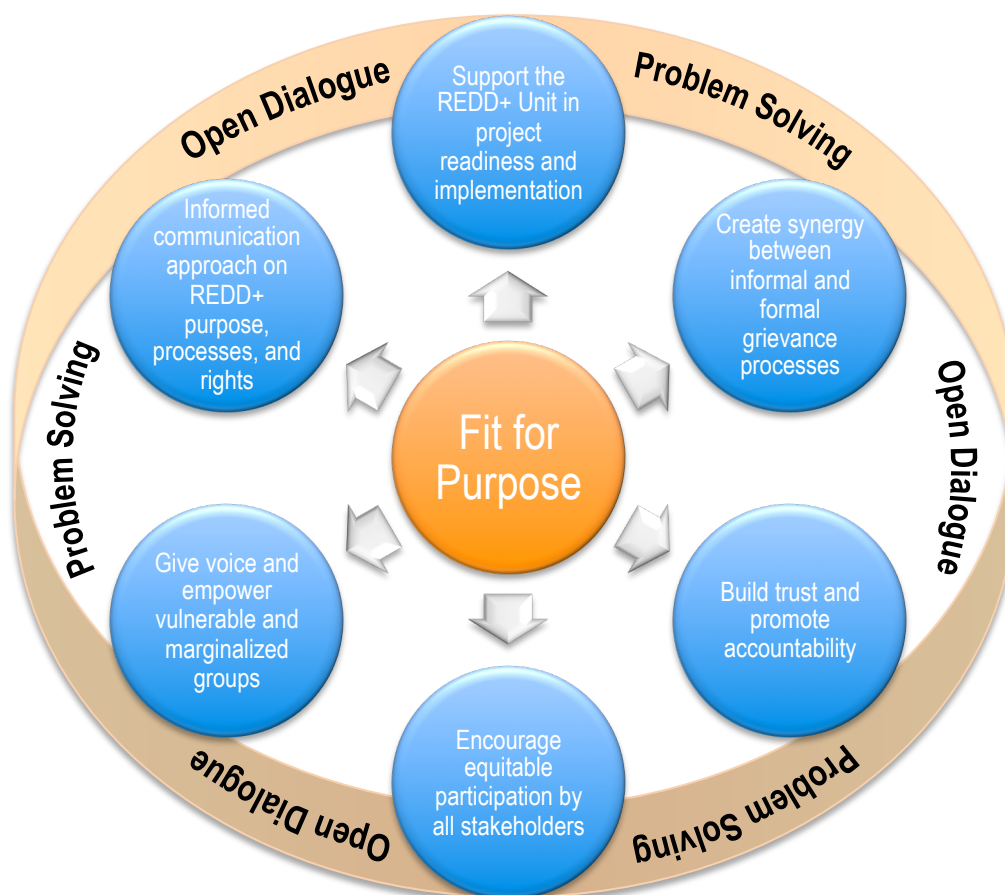
2. Goals, Objectives, and Scope of the FGRM

The purpose of a FGRM for REDD+ activities in Fiji is to provide a mechanism for grievances that is transparent, readily acceptable to all project beneficiaries, and provides an institutionalized and evolving process for conflict resolution resulting from REDD+ implementation. The FGRM is open to a wide range of concerns: both those based on factual data and those arising from perceptions or misperceptions. It is not the purpose of the FGRM to replace existing GRMs, rather to compliment and provide an alternative path towards resolving conflict, should customary methods be exhausted and to avoid costly and timely legal routes (e.g., institutional GRMs, court).

2.1. GOALS AND OBJECTIVES

The overarching goal of the FGRM is to channel grievances through a system that is fit for purpose (see *Figure 1*). Fit for purpose, in this instance, signifies that the focus of the mechanism is on facilitating open dialogue as a way for stakeholders to discuss grievances that are both culturally acceptable, legally enforceable, and readily accessible (given resource and logistic constraints) that results in a transparent and easily understood problem-solving process for all stakeholders involved. The FGRM is expected to primarily address “interest-based” REDD+ conflicts, meaning conflict in which groups with some form of interdependency have a difference in interests (perceived or otherwise). For example, this may be a conflict between two landowning units (LoU) regarding land use over communal areas, land boundaries in projects with multiple LoUs, or exercise of rights by a non-residential LoU.

Figure 1. Goals and Objectives for the Fiji FGRM



In support of the overarching goal, the FGRM has several secondary objectives:

1. Support the REDD+ Unit in project readiness and implementation

The FGRM will support the REDD+ Unit with improved outcomes by serving as an early warning system for budding disputes. Early identification will help the REDD+ Unit capture grievances before they expand into more complex (or even intractable) conflicts. The mechanism will resolve REDD+ related disputes in a shorter amount of time by increasing awareness of REDD+ thereby creating a more educated populace on the policies and procedures of conservation efforts under this program: (a) better informing communities of their rights, (b) improved understanding of how to identify and handle disputes by grievance officers, (c) and greater enforcement of *Free, Prior, and Informed Consent* (FPIC) processes early in readiness, mitigating conflicts in the future. The FGRM will also help communities better navigate informal and formal system processes for conflict resolution, presenting options and multiple methods to address conflict that they can self-select prior to/during engagement of the semi-formal process of the FGRM. This will help the REDD+ Unit prioritize and allocate resources for grievance redress and provide greater autonomy for resolution by forest-users. The FGRM is also low-tech and can operate in a low-resource and logistically challenging climate (i.e., Fiji) providing greater coverage for the REDD+ Unit to maintain the mechanism while providing quality resolution results.

2. Serve as a connection point between informal and formal systems that align with the law and can be enforceable⁴

The FGRM should be seen as the “in-between” step for stakeholders when informal disputes fail, where access to information and technical capacity is needed, and to avoid more costly, time consuming, and less effective resolutions at the formal level. The mechanism provides an ADR for those that seek resolution prior to engagement in more formal or judicial processes and when the dispute is with an institution, implementing partner, or government entity. Many forest-users (e.g., LoUs, individuals) see the formal system as unpredictable, inequitable, and non-transparent and the informal system as needing more structure and greater reliance on informed understanding regarding rights. The FGRM provides an opportunity for accountability and enforcement that builds off the customary system and offers an intermediary for the formal - creating synergy between customary and formal means of grievance redress, whilst facilitating third party interventions. Whilst the FGRM proposed is limited to all matters regarding REDD+, it is inevitable that the GRM may have to be subjected to third party timelines and its internal decision making processes. In instances where this arises, the involvement and backing of the Ministry and the RSC should be enough for special consideration for expedited closure.

3. Build trust with government, REDD+ project implementers, and beneficiaries

Trust is often the most decisive factor in the success or failure of any project and lack of trust and accountability were two of the top concerns expressed by forest-users and counterpart government entities that are engaged in land management. In order to build trust in the system and process, there must be more accountability in the outcomes in order for the FGRM to be seen as transparent and open. It will be important that all FGRM stakeholders are permitted to ask questions/raise concerns and the REDD+ Unit should be obligated to give them answers. This

⁴ REDD+ legislation is needed along with authority by formal institutions and enforcement and empowerment.

approach will instill more trust in the process and ensure that forest-users feel more engaged in its outcomes. There must be several avenues to engage in a dispute, several options for resolution, and the Complainant must be involved and engaged throughout the process as an active participant and key decision-maker. In order to render a trustworthy mechanism that is intended to guarantee fair, objective, and impartial treatment, thorough consideration of all the parties involved will be required.

4. Promote greater accountability by all REDD+ stakeholders

Creating outcomes that are enforceable requires buy-in and recognition by legal and non-legal (customary) systems. As an ADR the FGRM must produce outcomes that are recognized, acceptable, and achievable within its mandated purpose. The iTaukei Land Trust Board (TLTB) acts as the primary governing body for all iTaukei land, with ancillary working support from the iTaukei Lands and Fisheries Commission (TLFC) and the iTaukei Affairs Board. As such, the FGRM must coordinate, develop, and align with current formal procedures – adding necessary missing elements such as the comprehensive application of FPIC requirements. REDD+ entities must also establish rules and procedures for handling grievances (the purpose of this report) and communicate them throughout communities to not only promote use and implications of the FGRM, but also to ensure that forest-users understand the process and policies for engagement in REDD+ programming from the onset. Part of this engagement process is also to inform communities of their obligations and responsibilities in the system as well – what they must do to properly submit a grievance, their responsibilities as stakeholders and caretakers of conservation and REDD+ recognized sites. In addition, full disclosures relating to long-term leasing of land and how it may adversely affect current levels of enjoyment, access, and exercise of rights, duties, and obligations must be discussed thoroughly as part of the FPIC process.

5. Equitable participation as a tool for engaging stakeholders

One of the biggest challenges the REDD+ FGRM will face is accessibility of its base forest-users (i.e., LoUs). This has been a challenge for all GRMs previously researched in Fiji because of the typically remote settings where many of the REDD+ sites are and will be located and because of limited financial means for effective engagement in the formal GRM process. More equitable participation is needed for the REDD+ FGRM to be seen as a credible option for grievance resolution. In order to overcome these barriers, the use of local facilitators, government counterparts, and multiple entry points will be needed for grievance submission and follow-up.

6. Empower vulnerable (e.g., women, youth, elderly, disabled) peoples and marginalized groups to engage, have their voice heard, and receive equal opportunity for conflict resolution

Vulnerable people must have an avenue to submit grievances and seek resolution outside of perceived or socially constructed systems if they so choose. The FGRM will allow for individuals, not just LoUs or agencies, to submit grievances and receive equal treatment in a process that is the same for all participants involved and incorporates multiple party perspectives in the decision-making process (equitable representation). It must also provide anonymity when asked or appropriate, be responsive, culturally appropriate, and foster open dialogue. The likely remoteness of many of these REDD+ communities can also result in marginalization because of accessibility and financial constraints. As such, these groups must be given appropriate avenues to submit complaints and receive resolution.

More marginalized forest-dependent communities can also be motivated to be more vocal in REDD+ by being given the opportunity to engage in dialogues with other forest user groups, nongovernmental organizations (NGOs), civil society organizations (CSOs), government officials in the Forestry Department, REDD+ actors, advisors, and other LoUs engaged in similar projects. This must exist in the FGRM process itself, but also in the evaluation of the FGRM once it is in use, garnering greater ownership of the process through dialogue and problem solving activities.

7. Communication tools to inform forest-users and build capacity of governing entities on REDD+ purpose, process, and rights

The FGRM can be used as a communication tool to improve awareness and build capacity for all stakeholders on REDD+ programming and benefits. Government counterparts, LoUs, and surrounding communities with strong REDD+ potential must be engaged through a combined education and communications campaign that delivers *consistent* messaging on REDD+ programming (e.g., ecosystems management, benefit-sharing) from all multiple actors (e.g., ministries, RSC, NGOs, CSOs) that will also alleviate confusion regarding policies, rights, and benefits for stakeholders.

Capacity training must also be augmented through the strengthening of national networks (Forest Officers and REDD+ Project Coordinators) at regional and local levels regarding information sharing. Key messages must be basic and simple vis-à-vis the rights of landowners – this entails current rights enjoyed and those that are likely to be affected, payment systems, and equitable compensation sharing mechanisms, including fair representative entities that are more appropriate to existing traditional structures.

2.2. SCOPE

The FGRM should purposely address the biggest challenges the REDD+ readiness process is currently facing and will potentially face in the future.

2.2.1 REDD+ related Grievances

The type of grievances that has to be captured by the FGRM in Fiji is related to tensions that exist from land and forest governance resources (non-REDD+) such as tenure rights, boundary disputes, administration of customary land, LoUs and investor relations, awareness of rights and access to resources (*in-direct impacts*), as well as aspects related to *direct impacts* from REDD+ program itself (e.g., benefit-sharing, conservation lease terms). REDD+ related grievances are grouped into the following thematic areas:

- **Benefit-sharing** – Distribution of benefits between different forest users, elemental property rights, and internal conflicts over power. Inequity, elite capture, and other internal power struggles are expected to increase once the money shows up.
- **Awareness of Rights and Access to Resources** – grievances and disputes of processes to acquire rights to land (FPIC) and access to other forest-based products/resources on REDD+ conservation sites.
- **Boundary Disputes** – overlap or contested land with designated REDD+ sites.

- **Sustainability and Ownership** – division of responsibility between individuals, LoUs, other forest-users, and the government over maintenance of REDD+ sites and its effective regulation and implementation.
- **REDD+/Conservation Lease Terms and Enforcement** – Length, authority, and requirements for “specialized” lease⁵ terms (e.g., are they properly and appropriately conducted for customary consideration for the purposes of FPIC?).

2.2.2 Rollout

Ultimately, the geographic scope for the FGRM will be national because of the interconnectivity of different REDD+ landscapes (forest and mangrove) and high mobility of forest-users. The FGRM should however, gradually expand from project pilot sites to a national focus in order to provide the MoF, REDD+ Unit, and implementer-led projects with lessons learned. It is recommended that rollout of the FGRM occur in an already active national site (Emalu) as well as on an implementer-led site (Drawa), for compatibility modeling. The FGRM can be scaled once it has been piloted and evaluated in these locations and once there has been trust built with stakeholders.

2.2.3 Hybrid Model

Fiji has chosen to take a ‘hybrid’ model for REDD+ implementation, which includes payments flowing at the national, programmatic, and project-scale as specified in the National REDD+ Policy’s “Fiji’s Readiness Preparation Proposal” (R-PP). The FGRM proposes the inclusion of both project/implementer-led and national-led activities in a conflict resolution approach for REDD+. Implementer led activities should follow a similar process as the REDD+ FGRM in that there is strong preference for conflicts to be resolved at the informal-level, where possible. Outside of the customary system, conflicts that are on implementer-led sites should try to resolve complaints through their own GRM if possible. However, if the issue is between the implementer and a forest-user or if the forest-user wishes to use the REDD+ FGRM they should be permitted to do so, following the process as outlined in *Section 4*.

Overlap between project/ implementer-led and national-led GRM processes

Should a grievance be submitted to the FGRM from a forest-user located in an implementer-led site (that was unresolved through the project’s GRM or by informal means) then the dispute will be submitted directly to the R+LO for possible mediation, as a first step. If the R+LO is unable to help the Complainant and parties reach a resolution then the grievance will continue to follow the process, elevating to the next step of a third party evaluation, until a resolution is reached.

It will be important for the scope of the FGRM to be inclusive and not divisive between REDD+ participants so as to not create confusion on when they can engage in the FGRM, who is handling the grievances and resolutions, who is accountable, and what outcomes they might expect. Outcomes need to be in alignment or else conflict may arise from the preference or perceived benefit of using one GRM over another and creditability of the mechanisms will be impacted. While it is useful for individual projects to have their own dedicated GRM (as is the

⁵ It is the FGRM team’s understanding that there are specialized conservation leases for REDD+ sites, however we were not permitted access to these contracts and as such can not provide details or opinions regarding potential issues that may arise regarding the terms. The team was informed of some of the challenges regarding these leases from consultations with representatives from the DBFCC and Live and Learn.

case in the Drawa Block Forest Community Cooperative or “DBFCC”) multiple projects in a country can centralize certain FGRM functions to reduce costs and enhance overall effectiveness.

Possible point of synergy between the multiple GRMs with the REDD+ FGRM include:

- The REDD+ FGRM will host an internet-based grievance monitoring system with a centralized database that is accessible by all REDD+ projects, national and implementer-led. This database can be used as a repository for all grievances related to REDD+ and will aid the REDD+ FGRM Team in tracking disputes within and outside the national system as they relate to REDD+.
- All projects should replicate a common system to acknowledge the receipt of users’ grievances and keep them updated on the progress of investigations. To the extent that there is any inconsistency, all implementer-led projects will be asked to align their GRM processes with the national FGRM and to use similar forms (see *Attachment 3*). Keeping a uniform system in place will alleviate confusion on behalf of forest-users and a shared system for reporting and monitoring of grievances on all REDD+ sites.
- Consistent communication and coordination between all REDD+ activities can manifest in using the R+LO as a hub for any issues and concerns that may arise from mainstreaming of grievance processes. As part of this coordination, implementer-led activities should initiate a monthly check-in with the R+LO to discuss pertinent issues, challenges, or opportunities for improved FGRM processes. All REDD+ grievances should be entered into the central database of recorded REDD+ grievances, managed by the R+LO. When a REDD+ grievance is entered in the database it should note whether the grievance was initiated and initially recorded as a FGRM grievance or a GRM grievance (as part of an implementer-led project.) Recording all REDD+ grievances in one database should help centralize valuable data and create a system where precedents can be accessed in one place.

2.2.4 Economies of Scale

As the FGRM is new there will be limited understanding of the process initially and it will be important to allow the mechanism to grow organically as awareness increases. Putting in place a system that is too comprehensive when understanding and experience is limited will be neither effective nor sustainable. Therefore, it is best to start with a FGRM that is focused on a few issues and is simplistic in how it receives and resolves conflicts for REDD+. After the FGRM becomes more entrenched and has established credibility it will be easier to scale-up and encourage the government to provide additional resources (human and fiscal) towards conflict resolution processes.

2.3. PRINCIPLES

The FGRM takes into account the unique operating context of REDD+. For example, the size of the management unit; types of services delivered; beneficiary’s needs; and technical, financial, and human resource constraints. Well-designed FGRMs can provide a wide range of benefits, such as curbing corruption, identifying exploitation, collecting qualitative and quantitative data that can be used to improve operational processes and performance, empowering vulnerable and

marginalized populations, enhancing projects legitimacy amongst all stakeholders, and providing greater accountability that will ultimately result in better project outcomes.

In order to capture grievances at the local, regional, and national-levels the FGRM is designed based on 10 core principles (see *Table 1*) – establishing a quality standard for the mechanism. These principles are derived from relevant international and national laws, standards and criteria on rights and grievance redress, and the social and legal/regulatory conflict analysis from the previously conducted study (D-2), as well as criteria from the Task Order Request (TOR).

Table 1. Core Principles of the FGRM

Nº	Principle	Description	Visibility	Improved Grievance Process
1	The FGRM must build awareness and capacity of all REDD+ beneficiaries and participants	<p>Communication and education are critical components for the success of any FGRM and REDD+. Without clear communication channels and access to knowledge there will be an overflow of awareness-related grievances.</p> <p>Information regarding obligations, policies and procedures, rights, and safeguards must be accessible and clearly understood by all REDD+ participants. Therefore the FGRM should include a component for strengthening awareness of stakeholders so they can effectively engage in REDD+ through open dialogue and problem solving.</p>	<p>Local-level through education of communities in the disclosure of REDD+ policies, procedures, and safeguard documents (paper and web-based) and access to resource groups, such as NGOs and CSOs, for information and support regarding rights and options for resolution.</p> <p>Project-level through better-educated Forest Officers and REDD+ Project Coordinators on conflict resolution during readiness and implementation, as well as identification and possible prevention of REDD+ related risks.</p> <p>National-level through applied and consistent use of FPIC in REDD+ readiness and better-informed government representatives (outside of the REDD+ Unit) in REDD+ policies and procedures.</p>	<ul style="list-style-type: none"> • Access to information that enables forest-users to feel more involved and informed regarding REDD+ policies, procedures, and regulations. • FPIC would reflect REDD+ parameters so communities are better informed on programming and expectations. • Access to specialists in REDD+ (NGOs, CSOs, legal resource groups) that can help with education and conflict resolution at the local-level and offer mediation with tools and techniques for workable solutions at the national-level. • Focus on FPIC prior to REDD+ activity, which will help align perceptions and misperceptions with actual policies and procedures – managing forest-user expectations. • Technical expertise offered as part of the readiness process through engagement with NGOs can result in assistance in the development of proposals to secure funding for alternative livelihoods, improved negotiations regarding lease terms, and improved understanding of benefits from REDD+ which will help communities become self-sufficient. • LoUs are up-to-date on legislative development (i.e., amendments or introduction of new laws) that may affect their legal position in reference to land management and REDD+ creating more informed forest users.
2	The FGRM must clearly detail REDD+'s performance based system and enforcement implications	<p>Forest-users do not understand REDD+'s performance-based system or the parameters around its enforcement. There is confusion in communities regarding the benefits of preserving eco-system services and laws around the protection of native</p>	<p>Local-level through education and communication regarding the use of forest products, protected species, and regulations for REDD+ sites so they are informed participants in the program.</p>	<ul style="list-style-type: none"> • Forest-users will understand legislation governing conservation and REDD+ designated land and regulation of activities that may place them in violation of policies. • Provision of a feasible platform for Access Benefit Sharing (ABS) Agreement in terms of future plant genetics uses, ownership and equity.

Nº	Principle	Description	Visibility	Improved Grievance Process
		trees. Communities have also expressed concern that they may be barred from gathering forest products, as there is still confusion regarding how land that is designated as conservation (REDD+) can or cannot be used.	<p>Project-level through improved adherence to REDD+ requirements for site recognition and maintenance.</p> <p>National-level through enforcement and adherence to international and nationally enforceable laws, such as the <i>Protected Species Act</i>, and REDD+ reporting and regulatory requirements to receive carbon funds.</p>	<ul style="list-style-type: none"> • FPIC will help forest-users understand how to plan for land use in REDD+ and the opportunities for alternative livelihoods on the same land as well as which and how they can use forest products. • Protected species and resources may be better protected and managed and may result in enhanced conservation efforts and more opportunity for those that may need to generate revenue from their land in a compliant manner through REDD+.
3	The FGRM must support both project- and nationally-led REDD+ activities	<p>It is imperative that the FGRM fosters open dialogue between project and national implementers that allows for information sharing and an alignment with all REDD+ projects in how they will work together addressing grievances.</p> <p>Creating multiple GRMs that are not in alignment with the FGRM will cause confusion for all REDD+ stakeholders. Even if implementer-led activities wish to have additional processes it will be important to create a simplified and unified approach to grievance redress since similar agencies will be involved and where there is overlap. In addition, all grievances should be entered in a centralized database.</p>	<p>Local-level through education and communication on the similarities and difference between project- or national-led REDD+ activities.</p> <p>Project-level through the determination of roles and responsibilities so there are no overlaps, clear agreements, and mutual understanding of the processes and how to address issues regardless of the implementing entity.</p> <p>National-level through engagement with existing and future implementer-led initiatives to make sure that their GRMs are in alignment with the national FGRM.</p>	<ul style="list-style-type: none"> • Mitigate against duplicative grievances being processed at both the project and national level. • Knowledge base for grievances impacts on project vs. national-led activities and opportunity for improved FGRM. • Unified approach to grievance redress that can also help alleviate the burden on the REDD+ unit, by having implementers try to address grievances where possible without the aid of the REDD+ Unit. • Unified approach keeps costs outlay for grieving parties given the two systems the FGRM has to consider.
4	The FGRM must operate independently of all parties to promote transparency and enforce accountability	In order to deter fraud, corruption, and mitigate risks, the FGRM must operate independently of all interested parties in order to guarantee fair, objective, and impartial treatment in each case. There must be oversight and checks and balances provided from the beginning to ensure a fair process that	<p>Local-level through improved relationships with the government given the existing distrust between forest-users and certain institutions.</p> <p>Project-level through the application of high-level decision-making, multiple actors' perspectives equally weighted</p>	<ul style="list-style-type: none"> • Advocate for resolution at the informal and semi-formal level by all participants. • In line with its aim to maintain impartiality in its treatment of all matters before it, this process does not preclude any party opting for avenues outside the FGRM. • Prevent grievances from escalating to the formal-level or judiciary/court.

Nº	Principle	Description	Visibility	Improved Grievance Process
		<p>allows for multiple perspectives, interpretations, and opportunities for innovation problem solving.</p> <p>The FGRM must also be inclusive of multiple parties in decision-making processes, especially for complex and multi-issue grievances. It is imperative that cooperation exists at between government counterparts and REDD+ and that enforcement processes are taken into consideration.</p>	<p>and heard, and enforcement of contractual outcomes by all stakeholders involved.</p> <p>National-level through the support of the use of third party mediators, encouragement to resolve grievances at the informal and semi-formal level whenever possible, and collaboration and more open approach to resolving grievances with other government institutions/bodies.</p>	<ul style="list-style-type: none"> Multi-party FGRM to overcome power disparities, permits different views of the dispute, and promotes cooperation. Third party mediation with the government when needed from REDD+ stakeholders (REDD+ Unit, NGO, CSO, legal resource group) that can advocate on behalf of the forest-user. Performance reviews for Forest Officers and REDD+ Project Coordinators will address their role in the FGRM, which will promote greater accountability and improved processes for reporting, recording, and monitoring grievances.
5	The FGRM must be built on existing informal and formal structures for addressing grievances	<p>The FGRM will have to rely on two existing systems, informal and formal, in order to facilitate a more easily acceptable and familiar grievance resolution process. The FGRM will serve as an “in-between” step, encouraging resolution where possible at the informal-level (low cost, quick resolution, seen as fair and transparent) and preventing where possible the escalation to the formal-level (costly, delayed resolution time, lower transparency).</p> <p>The FGRM needs to be responsive to the needs of project beneficiaries, addressing and resolving grievances that arise from REDD+ activities whilst simultaneously aligning with existing legal structures.</p>	<p>Local-level through a more structured informal process that offers improved tools for documentation and conflict resolution.</p> <p>Project-level through an improved recording and reporting process with more information flowing from the local-level and ability to monitoring impacts.</p> <p>National-level through improved alignment with legal structures and greater recognition of semi-formal ADR to help facilitate grievance processes.</p>	<ul style="list-style-type: none"> Credibility is built by taking into account and respecting cultural context and local customs as well as the recognition of similar processes at the formal-level, allowing for greater buy-in on resolutions. Enhance cost effectiveness and resource allocation at both the project and national-level. More transparent processes for all parties involved, which leads to fewer people perceiving the system as ineffective. Trans-disciplinary perspectives being incorporated in the decision-making process from multiple angles allows for several opportunities to resolve grievances at an earlier stage.
6	The FGRM must have several submission channels that can address multi-party/ multi-issue complaints	<p>Allowing multiple points of entry creates equitable participation of all forest-users, particularly the inclusion of more remote, poor, vulnerable, and marginalized groups.</p>	<p>Local-level through the acceptance of a wide range of concerns – both those based in factual data and those arising from perceptions or misperceptions – from a wide range of forest-users.</p>	<ul style="list-style-type: none"> Potential barriers for accessing the FGRM are removed (literacy, remoteness, financial barriers, lack of communication access via internet or mobile means)

Nº	Principle	Description	Visibility	Improved Grievance Process
			<p>Project-level through an improved ability to resolve less complex grievances in an informed manner and knowledge of when to elevate as needed.</p> <p>National-level through a more inclusive process for identifying and addressing grievances that will ultimately ensure for a more sustainable REDD+ Programme for Fiji.</p>	<ul style="list-style-type: none"> More informed REDD+ stakeholders that are also more invested in a program that is sustainable.
7	The FGRM must be simple and flexible in its design to allow for mutual learning and adaption of processes	Encourage monitoring and evaluating of the FGRM itself to learn and adapt strategies as necessary during REDD+ implementation. The FGRM must also be simple and user-friendly to encourage use from all stakeholders.	<p>Local-level through integration of feedback into processes and learning at the informal-level for improved grievance resolution and information collection.</p> <p>Project-level through overall improved FGRM performance that allows for monitoring and tracking for reporting requirements as well as opportunities to recognize grievance patterns and possibly mitigate grievances earlier.</p> <p>National-level through adaption to policies, regulations, and laws regarding conservation and REDD+ and improved communication of existing rules and legislation.</p>	<ul style="list-style-type: none"> Simple and friendly procedure encourages use and adaption of the system into current processes and less confusion clogging up the pipeline. Improve performance of FGRM creates greater efficiency moving forward. User-friendly assurance for LoUs to patronize, building trust.
8	The FGRM must promote fact-finding and resolution that accounts for both local and technical expertise	Minimize the influence of any one actor on the decision-making process and accounts for both technical knowledge of REDD+ and conservation as well as local expertise knowledgeable about the land and environmental conditions.	Local-level through representation and recognition of expertise that is bolstered by additional technical data for a more informed and holistic approach towards resolution.	<ul style="list-style-type: none"> Improved training for FGRM staff is responsible for handling and management of REDD+ related grievances. Development of marketing and communication materials that are more targeted for REDD+ staff, counterparts, and beneficiaries.

Nº	Principle	Description	Visibility	Improved Grievance Process
			<p>Project-level through joint decision-making processes that allow for multiple perspectives on an issue(s).</p> <p>National-level through a more robust and grounded monitoring and tracking program for REDD+ where multiple perspectives are weighed on complex issues.</p>	<ul style="list-style-type: none"> • More informed experts at both the local, national, and international-level on procedures and processes for conflict resolution and forensic investigations. • Early buy-in from all stakeholders in the decision-making process leads to swifter and more agreeable outcomes for all. • More grievances reach resolution at the informal-level or are resolved based on established prior protocols, enabled by continual learning.
9	The FGRM must support and promote equitable benefit sharing	<p>The FGRM must remain objective in the distribution of benefits from REDD+ programming and provide an opportunity for forest-users to submit grievances where monetary payments are seen as inequitable or unfair.</p> <p>The FGRM should seek the use of uniform entities that are legally acceptable, but less onerous to encourage its use among LoUs.</p>	<p>Local-level through improved understanding of how benefit-sharing works and how to address problems they perceive are in the system.</p> <p>Project-level through direct distribution of benefits to all intended beneficiaries in an efficient and equitable process that is continuously monitored.</p> <p>National-level through meeting reporting requirements for REDD+, improved livelihoods for all communities engaged, and better protected conservation areas that result in proper resource allocation enriching surrounding environment ecology, and equitable and sustainable outcomes.</p>	<ul style="list-style-type: none"> • Fewer disputes related to access and distribution of benefits once money starts to roll in. • Self-regulation by community members in the distribution of benefits and how and where to spot inequities in the system. • Expectations are managed as forest-users are more informed of benefit sharing mechanisms, resulting in fewer grievances submitted. • Conditions for use of economic gains for REDD+ are prioritized toward projects that have community considerations.
10	The FGRM must be inclusive and encourage engagement and input on the FGRM process from stakeholders	<p>The FGRM should be accessible to all, regardless of gender, ability, location, or access to resources. An effective FGRM will make sure to engage all possible stakeholders in the process to create a holistic and comprehensive approach to conflict resolution.</p>	<p>Local-level through systems that encourage feedback and implementation of recommendations.</p> <p>Project-level through improved conflict resolution approaches that integrate community perspectives to deliver outcomes that are sustainable.</p>	<ul style="list-style-type: none"> • Buy-in and trust are generated through a mutually beneficial process of feedback generation. • REDD+ programs are more successful and beneficial to all stakeholders involved because of a shared sense of responsibility. • Issues are mitigated for earlier in the process because of a continuous feedback loop.

Fiji REDD+ Feedback and Grievance Redress Mechanism (FGRM)
Deliverable 3: Design of the Feedback and Grievance Redress Mechanism (FGRM) and Reporting Forms

Nº	Principle	Description	Visibility	Improved Grievance Process
		Trust is the foundation for use of the FGRM and as such it must ask for feedback from users regarding its processes and procedures and be adaptable to the needs of its stakeholders.	National-level through improved FGRM procedures and processes that can be distilled through improvements in training, communication, and outreach for more effective REDD+ outcomes.	

3. Design of the FGRM

The FGRM will serve as a conduit for soliciting inquiries, welcoming feedback, and increasing not only community participation in REDD+ but overall awareness of its policies, procedures, and rules, as well as educating and informing forest-users of their rights. It is important that a detailed explanation of the FGRM structure, processes, and subsequent roles and responsibilities for beneficiaries, government entities, and supporting mediators is outlined and communicated in order to steer REDD+ implementation towards success. As such, the following section should be considered a “blueprint” for the design of the FGRM that should be revisited and refined over the lifetime of the mechanism.

3.1. STRUCTURE

The proposed FGRM for Fiji’s REDD+ Programme is structured as a quasi-judicial body, meaning that it is “judicial in character”, but not within functions established under legislation. The FGRM will serve as a public administrative body endowed with the power to conduct investigations into disputes and/or infractions of rules and regulations, conduct hearings, and make decisions related to REDD+ activities that are supported by informal and formal structures. Linkages must be established from the bottom up and the FGRM cannot exist separate and isolated from the broader network. If the ultimate outcome of the FGRM is to be a contractual agreement, in which parties have binding obligations under Fijian law, then enforcement and coordination are paramount and consideration must be given to the ramifications if contractual obligations are not honored (see *Section 3.1.2.3* for more information regarding enforcement).

Consideration should also be given to section 5(2) of the Native Land Trust Act (Cap. 134), now known as the iTaukei Land Trust Act which provides that “All instruments purporting to transfer, charge or encumber any native land or any estate or interest therein to which the consent of the Board has not been first given shall be null and void.” It is arguable that if party wishes to negotiate a contract as the outcome of the FGRM, which encumbers iTaukei land, then the consent of the TLTB should first be obtained. Arguably the word “encumber” may only relate to a legal instrument, such as a mortgage, which burdens a title with a debt or legal claim. In practice, it is preferable that the FGRM is a timely means of resolving a grievance and that a contract negotiated as a solution should not require TLTB’s prior consent.

3.1.1 Proposed Dispute Resolution Structure

The mechanism is designed to engage in disputes at the informal-level as a mediating force and to a lesser extent at the formal-level as a facilitator and negotiator for institutional conflicts (e.g., conflicts regarding FPIC, lease terms, rights-based processes, benefits-sharing) offering a win-win solution for beneficiaries. Within the proposed grievance structure, there are three options to address conflicts that are REDD+ related.

Option 1: Informal dispute resolution. This is the most preferred venue for dispute resolution. All beneficiaries consulted favor this approach both for its simplicity and transparency, as for its low cost (essentially free) and ultimately time effectiveness. Challenges include the lack of a written record and difficulty with enforcing decisions that are made (morally binding but difficult to enforce without recourse to the courts.). The absence of a written record affects continual learning and precludes the establishment of a precedent bank. Findings from

community consultations supported a process for documentation of grievances at the local-level to support continual learning and to help the communities decide when a grievance should be elevated. Communities will be able to record their grievances and provide greater legitimacy and transparency to the process through the institutionalization of written forms and recorded decisions. As part of the FGRM a form has been designed and will be vetted by the REDD+ Secretariat and representative beneficiaries as a tool to receive and record grievances (see *Attachment 3*). A copy will be given to all parties involved in the dispute and can be used as documentation support should the grievance be elevated, remain unresolved, become recurrent, or to detect a pattern or discern a grievance as a symptom of a larger more complex issue.

Option 2: Semi-formal or alternative dispute resolution (REDD+). Should the informal dispute approach be insufficient in delivering a resolution, Complainants may submit their REDD+ grievance to the FGRM. As part of a semi-formal approach, the FGRM is designed to serve as a mediating force in disputes; acting on behalf of forest-users, while providing expertise in all phases in conflict resolution. The aim of the semi-formal structure is to provide an avenue for Complainants that is based on open dialogue between parties, builds upon customary approaches for resolution, and complements current legal/formal redress systems to find solutions that are amenable. This ADR allows for outside mediation support aimed at helping communities throughout the design, leasing, and implementation process of REDD+ to establish a more legitimate and accountable system built on mutual trust. This approach also encourages the engagement of additional actors (NGOs, CSOs, legal resource groups, academia, etc.) to help inform and improve community's understanding regarding human rights, and environmental and resource law, which will ultimately help manage expectations of forest-users as well as mitigate potential conflicts early in the process. This was widely supported by communities consulted as they desired greater awareness of their rights and more resources to support them regarding REDD+ policies, processes, and procedures. Distinctive to this approach is the use of third and multi-party perspectives in the decision-making process to alleviate bias, and a modality to loop disputants back into the informal dispute resolution mechanism whenever appropriate.

Option 3: Formal or judicial dispute resolution. If the semi-formal approach is ineffective or unable to transform a particular conflict, disputants are able to advance their grievance to the formal system via the courts. Disputes handled in the formal system deal with issues such as tenure rights, boundary disputes, administration of customary land in regard to leases, land use, and investor relations. Mediation within the formal system is available in cases where the parties are open to mediation. Generally, mediation is optional and is organized and funded by the parties. In some cases, a judge or magistrate may recommend mediation but it is not compulsory, per se, in all cases.


3.1.2 FGRM as a Tool for a Semi-formal Approach to REDD+ Grievance Redress


The FGRM will function as a tool for a semi-formal approach to conflict resolution for Fiji's REDD+ Programme. The REDD+ Secretariat, under the MoF, will be the entity responsible for managing all grievances and the process for resolution resulting from national REDD+ activities under its purview. The FGRM is designed to support decision-making at the informal level, as needed, to operate independently at the semi-informal level, and to serve as a resource for the formal level.

3.1.2.1. *FGRM Staffing Structure*

It is highly recommended that two positions be created under the REDD+ Unit to support an effective, efficient, and independent grievance redress process. It is not recommended to tack additional responsibilities onto existing staff as these positions are both full-time and require expertise in conflict resolution and grievance management. Forestry Officers can be tasked at the local-level for cost savings and for efficiency, but will need technical support and oversight from trained conflict resolution and management specialists. A brief snapshot of the staffing required to support the FGRM is included in *Table 2* below and a more detailed breakout of roles and responsibilities for each step of the FGRM process is included in *Section 4*.

Table 2. FGRM Staffing Structure Overview

Roles and Responsibilities				
Responsibility Progression 	FGRM Representative	Reporting	Possible Role(s)	Responsibility
	iTaukei Village Headmen	N/A (Informal GRM process where the grievance is resolved in the customary system.)	Mediator, Facilitator, Decision-maker	<ul style="list-style-type: none"> Ensure that the Village Council records all REDD+ related grievance decisions Maintain and keep village record and makes it available for sighting if, for example, required for Independent Assessment Group (IAG) purposes
	Roko Tui (Roko)	iTaukei Affairs Board who in turn reports to iTaukei Ministry of Affairs	Facilitator, Mediator	<ul style="list-style-type: none"> Facilitate in the submission of grievances to Forest Officers Help potential Complainants to the FGRM determine eligibility of their grievance prior to formal submission If a complaint is screened and deemed ineligible by R+LO then they serve as the new POC for Complainant during referral process.
	Forest Officer	REDD+ Liaison Officer (R+LO)	Mediator, Facilitator, Investigator, Decision-maker	<ul style="list-style-type: none"> Receive, record, and filter REDD+ related grievances (primary on the ground point of contact (POC)) Provide education and increase awareness of communities on REDD+ policies and procedures Resolve minor issues and conflicts as appropriate Conduct preliminary investigation and supports additional fact-finding as directed Communicate progress of grievance with Complainant Update REDD+ Grievance database and flag issues for R+LO
	REDD+ Liaison Officer (R+LO)	Grievance Director	Mediator, Facilitator, Manager, Decision-maker	<ul style="list-style-type: none"> Receive, record, and filter REDD+ related grievances (Secondary POC based in Suva) Provide education and increase awareness of communities on REDD+ policies and procedures Oversight of Forest Officers (to include review of any locally enforced decisions) Screen for grievance eligibility and/or determine authority responsible Communicate progress of grievance with Complainant Convene and manage Independent Assessment Group (IAG) Update and manage REDD+ Grievance database, ensuring quality control, tracking, and monitoring

Roles and Responsibilities				
Responsibility Progression	FGRM Representative	Reporting	Possible Role(s)	Responsibility
	Independent Assessment Group (IAG)	REDD+ Liaison Officer (R+LO)	Mediator, Facilitator, Investigator	<ul style="list-style-type: none"> • Provide an unbiased and impartial investigation • Conduct consultations with all parties involved • Produce a summary of findings and recommended approach for conflict resolution • More complex matters and only convened as needed
	REDD+ Grievance Director	Secretariat	Mediator, Facilitator, Negotiator	<ul style="list-style-type: none"> • Coordinate with other institutional entities on designated authority for grievance redress • Negotiate on behalf of REDD+ Unit on grievances that are with institutional or government entities • Drafts MOU • Check process compliance
	REDD+ Secretariat	Permanent Secretary, Ministry of Forest (MoF)	Mediator, Facilitator	<ul style="list-style-type: none"> • Liaison to the RSC and facilitates the Board Review Process for grievance redress • Meet with the REDD+ Grievance Director monthly to review unresolved or complex grievances (may require additional use of resources)
	REDD+ Steering Committee (RSC)	REDD+ Secretariat (Oversight provided by REDD+ Secretariat)	Mediator, Facilitator, Decision-maker	<ul style="list-style-type: none"> • External Review Board for multi-issue, multi-party, and complex issues. • Determine if additional forensic research/investigation is needed for resolution. • Only convened when needed

DEDICATED STAFF AND RESOURCE GAPS

Fiji's FGRM will need its own independent grievance officers to avoid bias from other institutions or agencies that may be engaged in conflicts that are educated and trained in conflict resolution processes. At the onset it will be important for the FGRM to entrust someone with the responsibility of coordinating and managing grievances and someone to serve as a key negotiator for REDD+ grievances that are cross-jurisdictional in nature.

It will be critical that the REDD+ Unit make two strategic hires (during Phase 1 of the FGRM, see *Section 5.1*) – a REDD+ Grievance Director and a R+LO. These key positions are required to secure against government bias or interference, provide technical guidance and oversight for Forest Officers, liaison with other REDD+ adjacent institutions, and serve as the central point for the grievance management (database and daily operations). To support on-the-ground grievance measures, it is recommended, to permit and coordinate with the MoF to empower its Forestry Officers to serve as community-level grievance officers in a part-time capacity, building off of the roles that they are currently supporting for addressing minor disputes related to land and forest management. In this capacity these Officers will require additional training in REDD+ policies, procedures, and processes in addition to conflict resolution. On an as needed basis, when a dispute requires greater scrutiny and investigation from third party evaluators, the REDD+ Unit will also need to allocate financing to support the Independent Assessment Groups (IAG).

3.1.2.2. Governance Structure

The lifecycle of a grievance begins with its preferred resolution at the informal-level within the community's customary resolution systems. A grievance, if unresolved, then moves formally into the REDD+ FGRM as a semi-formal level for possible resolution. A bottom-up approach will be used for grievance redress, looping back whenever possible to the informal system. If unsuccessful at the semi-formal FGRM level then the grievance can be referred out and closed out. The progression of a grievance through the redress process is further detailed below and in *Figure 2*.

LOCAL-LEVEL

At the local-level the REDD+ Unit will engage Forest Officers⁶ as case managers, responsible for the uptake of all grievances and preliminary fact-finding and decision-making (as appropriate). Officers will be trained in how to receive and record complaints (in person, over the phone, email, or mail) and will serve as the “on the ground” point of contact for the FGRM. Officers are responsible for recording all grievances received (without filtering for REDD+ related) using the designated form (see *Attachment 3*) and uploading the grievance into a central register/database. The Officer will also provide information and serve as a resource to all community members on the FGRM process (procedures, timeline, etc.) and will make sure that the Complainant is informed of these steps during updates. The Officer will then discuss the situation with the Complainant (encouraging open dialogue and joint problem solving, which could help resolve the grievance directly), collect any relevant documentation, explore possible

⁶ There needs to be adherence to a gender-balanced approach to the selection of Forest Officers and the REDD+ Secretariat and Grievance Director should work with the MoF to review its in-house gender policies and merit.

options for a resolution if it cannot be reached at this level, and provide an overview of next steps and resources (support groups). For complex grievances the Officer will elevate the case to the R+LO, who may request additional fact-finding is conducted by the Forest Officer to determine the grievance's eligibility under the FGRM. If the Forest Officer is a party to the dispute the Complainant can submit their grievance directly to the R+LO.

REDD+ UNIT

The R+LO is responsible for all daily operations of the FGRM – which includes oversight of decisions made by Forest Officers regarding REDD+ related issues, maintaining the database, monitoring timelines, and reporting. The R+LO is a trained specialist in conflict resolution and is the key person responsible for communicating the progress of an eligible case to the Complainant(s). Complaints can be submitted directly to Forest Officers (in person) or through indirect means (phone, email, mail). Once a grievance has been recorded and logged into the database (if not resolved by the Forest Officer or through mediation from a support group) it is processed for eligibility in the FGRM. The R+LO conducts the screening, following a predetermined set of criteria, and either (a) determines a case eligible, (b) requests additional information, or (c) determines a case ineligible and refers it to the Roko (or authorized representative) for a process to determine the appropriate authority. If a case is eligible and cannot be resolved by the R+LO, and the Complainant does not want/cannot get the grievance resolved in the informal system, then the R+LO (with support from the Grievance Director) will convene an IAG that is comprised of technical experts that have the appropriate skill-set to address the grievance type. The IAG will conduct consultations with all parties and once the investigation is concluded will submit a report that includes their findings and recommended resolution approach to the R+LO.

NATIONAL-LEVEL

The REDD+ Grievance Director reports directly to the REDD+ Secretariat and provides oversight to the R+LO. The Director is responsible for managing relationships with institutional counterparts that will be involved in REDD+ activities (i.e., TLTB, TLFC, Ministry of iTaukei Affairs) – to include possible parties to conflict or jurisdiction considerations. The Director will be trained in conflict resolution and will have an advanced degree ideally in forestry or environmental law. The Director is responsible for the auditing of grievances and evaluating decisions made by Officers and the R+LO (if contentious). The Director can convene the RSC as an independent review board for the highest level of grievance redress. This provides not only a multi-sector and multi-party perspective, but allows for a consensus on resolution that is transparent, collaborative, and unbiased. For example, if a grievance includes an institution such as the TLTB as a party, their representation on the RSC allows them the opportunity to add value to the resolution, a measure to control any abuse of power, and an ability to integrate the board's resolution back into their institutional GRMs for possible restructuring. If a grievance submitted is criminal in nature and outside the boundaries of the FGRM the Director will refer the matter to the police in consultation with the iTaukei Village Headmen.

3.1.2.3. Considerations

The semi-formal FGRM is intended to work primarily as an effective stand-alone mechanism and, where necessary, as a bridge between informal and formal dispute resolution systems. In order for the FGRM to be accepted and effective, there must be commitment and collaboration

between key stakeholders and agreements in place that support a spirit of cooperation and accountability between parties.

ENFORCEMENT

In order for the FGRM to be effective and adhered to there must be institutional support from REDD+ counterparts, agencies, and implementer-led projects. As there is still no REDD+ legislation in place, it is strongly recommended that the REDD+ Grievance Director, with support from the REDD+ Secretariat draft and negotiate the terms for Memorandums of Understanding (MOUs) with key institutional partners (e.g., TLTB, TLFC, Ministry of iTaukei Affairs) and implementer-led project administrators on how grievances related to REDD+ will be handled between the disparate entities, how coordination will occur, how to handle referrals, and how each will respect the outcomes of the FGRM process.

All MOUs with respective REDD+ related sector agencies should specify clear roles and responsibilities, the duration of the relationship, and the limitations and exclusions in the performance of their duties and functions under this specific arrangement. This will not require amendments to sector specific legislation, but will require that internal GRM guidelines and procedures developed by each agency are needed and it is understood where overlaps exist. It will also be important to identify “trigger” points at which various options will be activated internally (what type of grievance will trigger what type of response and by whom). This will need to be detailed and outlined with clear steps from receipt through resolution of referral. By instituting MOUs the FGRM becomes more legitimized and the resulting contractual obligations/resolutions are given a means of legality and enforcement.

It is significant to note that enforcement of the contracts would result in involvement of the courts, which would be costly, time consuming, and adversarial. For contracts where the amount in question does not exceed FJD15,000, a claim would originate in the Magistrates Court but for contracts where the amount is above that threshold, a claim would originate in the High Court. It is preferable that the parties are engaged in the negotiation process, carefully negotiate and are committed to upholding the terms of a MOU.

ACCOUNTABILITY

These MOUs are by their very nature are an expression of goodwill and consensus between parties. Given the constituent elements covered under the FGRM – its substance and procedures – is by design a compromised contraption, accountability with regards to compliance could be afforded to it through an independent semi-formal body, such as a Tribunal.

If there is a breach of contract, rather than proceeding to immediately file a court action to enforce the contract, it is further recommended that (as an interim step) a specialist “Land and Resource Tribunal” is established. Further consultation and research would be required and the scope of the legislation would need to be determined. For example, in Queensland, the jurisdiction of the *Land and Resources Tribunal* extends to mining issues and indigenous cultural heritage applications. From a Fiji perspective, a specialist tribunal could be established to hear matters relating to land and resource issues, including REDD+ grievances (after FGRM processes are exhausted.) The benefits of a tribunal are that they relate to a specialized field; tend to be less costly, less adversarial, and less formal than the court system; and decisions tend to be made more quickly.

There may be overlap with current legislation that established the *iTaukei Lands Appeals Tribunal*, which makes rulings on cases on appeal from the TLFC relating to decisions on land ownership, fishing rights, and customary chiefly titles.⁷ New or related legislation that concerns land and resources issues may have wider jurisdiction to cover foreshore and land-related issues including mangroves, mining and mineral resources, forestry, REDD+ issues, and cultural heritage issues relating to all kinds of land title (not restricted to iTaukei land). A decision of the *iTaukei Lands Appeals Tribunal* is conclusive and there is no right of appeal to a court. If a *Land and Resources Tribunal* is established in Fiji, it is recommended that there is a right of appeal for matters over FJD200,000 to the High Court, as such cases may deal with substantial issues that may need to be reviewed. For other cases, it is recommended that they are resolved at the LoU level as a right of appeal may raise issues that include proceedings being cost prohibitive and exacerbating.

URGENT GRIEVANCES

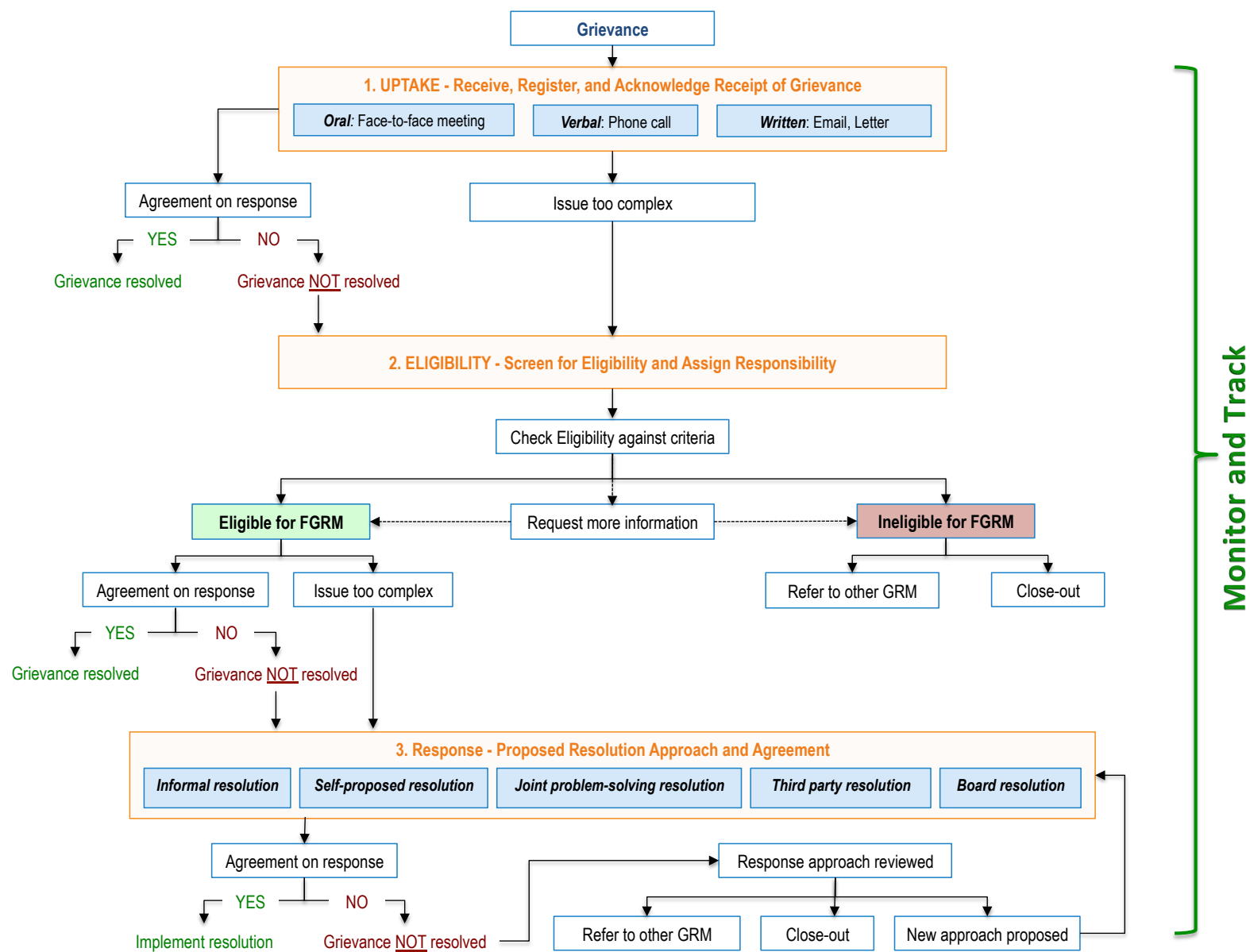
There is an open door policy for the FGRM, where Complainants have multiple methods for submitting a grievance and two formal points of entry (Forest Officer and R+LO). This is designed to ensure that everyone has equal access to the mechanism and to avoid the prioritization or politicization of one dispute over another. There are instances however, where a grievance may need to be resolved faster, based on urgency or a particular situation. As part of the grievance process, the R+LO will be responsible for flagging any disputes where there is a potential grievance threat or risk posed to the project or people in an affected area. In these instances the grievance will be immediately elevated to the Grievance Director and the REDD+ Secretariat will be notified.

COMMUNICATION AND AWARENESS

Communicating FGRM steps, timelines, documentation requirements, access to and awareness of the FGRM begin prior to submission of a grievance with accessible information and communication from REDD+ during readiness and the use of FPIC. This is reinforced by Forest Officers during the grievance uptake process and continues through the communication of timelines, next steps by the R+LO.

⁷ <http://www.itaukeiaffairs.gov.fj/index.php/divisions/itaukei-lands-and-fisheries-commission>

Figure 2. Process of a Grievance



4. Procedures and Processes of the FGRM

This section details the steps required taking a grievance from submission through resolution. The FGRM is designed to address primary components for the redress of grievances, in order to reach a resolution that is based on open dialogue and joint problem solving. Any individual, community, or agency can submit a grievance, if they believe they have been or will be harmed as part of the implementation of a REDD+ activity.

4.1. PROCEDURES

The proposed FGRM process is broken down into the following primary components:

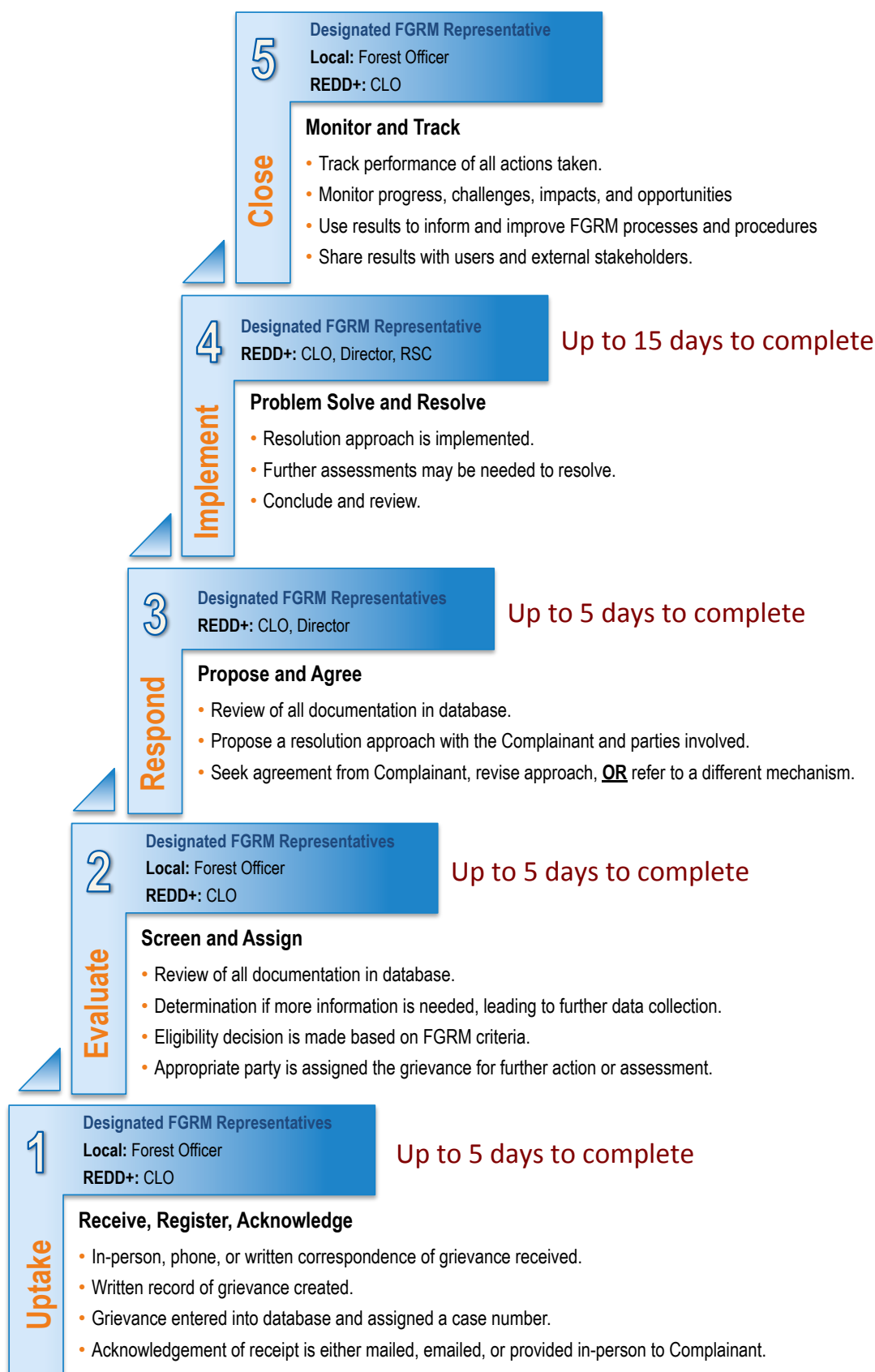
- Ways to receive, register, assess, and respond to grievances
- Method for screening REDD+ related grievances from other conflicts/GRMs
- Select grievance resolution approaches
- Implementation of the resolution
- Design of a means to track and monitor grievances
- Review and refine the design

From the time that a grievance is received until a decision is reached on the dispute (resolution or not) is an estimated 30-45 working days⁸. The grievance, once received, follows a systematic process that consists of five steps (see *Figure 3*). Each step proposes a phase timeline to help FGRM designate officers and institutions manage expectations of the user, as well as to help facilitate a smoother grievance process and identify where breakdowns may be occurring along the pipeline (which may result in the need for additional resource allocation, a revisited process, etc.). These estimates may bleed, shrink, and/or happen concurrently depending on the complexity of the issue at hand and the resources required. The breakouts for each step should be viewed as guidance, with the completion of all components of a step being accomplished in a reasonable amount of time as proposed in *Figure 3*. The FGRM process itself must be inclusive and participatory, as well as responsive, respectful, and predictable – clearly laid out in the expected timetable for key process milestones. It is critical that the FGRM involves a variety of stakeholders from multiple parties to ensure that there is transparency of process and independence of decision-making where multiple perspectives are weighed equally. Inclusive engagement also ensures the preservation of open dialogue amongst different stakeholders to promote joint problem solving and a workable resolution that will be upheld, promoted, and pragmatic. Designed in a modular fashion (with fewer uptake locations, compliant-receive channels, dual languages, etc.) the FGRM can be scaled-up gradually as additional resources are mobilized.

Effort should be made to improve dispute resolution processes at the community-level prior to engaging in an ADR mechanism whenever possible – opting for resolution where communities have ownership first, and then providing additional support and technical skills (e.g., information on legal rights and additional resources) through the intervention of third parties (e.g., CSO, NGO, RSC) to help facilitate resolutions before resorting to judicial.

⁸ The amount of days was determined by examination of other comparable GRM timeframes in Fiji and by a review of similar FGRMs in REDD+ related context in low-resource, logistically challenging nation states.

Figure 3. FGRM Process



4.2. PROCESS

The design and operation of the FGRM considers cultural differences, such as communities' preferences for direct or indirect negotiation; attitudes toward competition, cooperation, and conflict; the desire to preserve relationships among complainants; authority, social rank, and status; ways of understanding and interpreting the world; concepts of time management; attitudes toward third parties; and the broader social and institutional environment.

Complaints should be viewed as positive indications of stakeholder engagement



UPTAKE – RECEIVE, REGISTER, AND ACKNOWLEDGE RECEIPT OF GRIEVANCE

Receiving Grievances

The first step of the FGRM process occurs when a grievance is being tendered. This step is designed to be simple, convenient, and familiar to forest-users, taking into account cultural preferences for communication as well as illiteracy barriers and, if desired, anonymity. The submission, or uptake, of a grievance is comparable to other GRMs in Fiji so as to build on existing practice and familiarity of users that wish to engage in the mechanism for REDD+.

Process for Receiving Grievances	Timeframe
<ul style="list-style-type: none"> Forest Officer or R+LO receives grievance from Complainant. 	NA
Ideal turnaround (number of days to complete process)	NA

In order to promote accessibility there are multiple methods available to submit a grievance, all of which encourage open dialogue and options for face-to-face and verbal communication; being greatly important for trust building and maintenance of relationships. This FGRM proposes the following methods for submission of a grievance, building on existing practice, technological capabilities of forest-users, and resources available:

- **Oral:** Face-to-face meetings
- **Verbal:** Phone call
- **Written:** Email, letter

Grievances can be submitted directly to a Forest Officer or R+LO, through the aforementioned means. These Officers will also be responsible for broader training and awareness on the FGRM and will be able to address queries during uptake as well as providing additional information to help inform the Complainant of their rights, the FGRM process, and access to additional resources available to them.

Other on-the-ground grievance submission options, such as a suggestion box, have been tested and proven to be a less effective means of communication in Fiji⁹. This option did not align with cultural norms (oral communication) or support lower literacy levels in communities, nor did it allow for increased awareness, open dialogue, or access to information that forest-users voiced as important (during consultations) when submitting their grievance. This interaction is important at this early stage of the FGRM in order for Complainants to be able to expand on the details of their case; develop a relationship with grievance officers, thereby building trust and accountability; and improve their knowledge of REDD+ rules, processes, procedures; and to manage expectations or answer questions. SMS and website submissions are options that may be viable in the future, but mobile technology and internet connectivity are still issues for remote communities in Fiji that are, and will likely be, the primary audiences for REDD+ programming.

Recording Grievances

A transparent grievance receipt and registration system allows forest-users a means to register complaints and confirm they have been received. There will be two stages at which a grievance will be recorded – the first is written documentation via a complaint registration form (see *Attachment 3*) and the second is electronically when it is entered into an online database. All recording instruments will follow a common protocol for data collection and be entered into a centralized database for logging and tracking grievances. This process will not only promote transparency and accountability, but it will also enable continuous learning and provide a means to quality control data. The information from this database may also be used to contribute to national-level reporting on the social and environmental sustainability aspects of REDD+ through the safeguard information system (SIS).

Maintaining a relatively low-barrier for entry promotes quicker turnaround and ensures users have their issues considered – promoting credibility of the FGRM while building trust and fairness of process.

During this stage Forest Officers and the R+LO reinforce and validate that affected stakeholders understand what the FGRM is, when and how it is used, and provide additional information on REDD+ policies and procedures. This interaction provides an opportunity for communication and awareness, as well as feedback. Officers are also responsible for providing timely communication back to the Complainant on the status of their case (with estimated timelines, points of contact, etc. – see *Attachment 4*) as well as a copy of their registration documentation.

Process for Recording Grievances	Timeframe
<ul style="list-style-type: none"> Forest Officer or R+LO records grievance on paper form in person or transcribes from phone, email, or mail communication (<i>*this step can be bypassed by directly inputting the information in the database</i>). 	1-3 working days
<ul style="list-style-type: none"> Forest Officer or R+LO inputs grievance into centralized database based on documentation collected and completed dispute resolution report and a case number is assigned. 	1-2 working days

⁹ This was tested at the DBFCC site and has also been attempted at Forest Department outposts with limited success.

Process for Recording Grievances	Timeframe
<ul style="list-style-type: none"> A copy of the resolution report (hard and/or electronic) is sent to Complainant as confirmation of receipt – either in person (for in-person recorded grievances) or through mail or email once a case number has been assigned. 	1-2 working days
Ideal turnaround (number of days to complete process)	5 working days

A copy of the written complaint registration form is either made at the moment of registration (in-person grievance submission) or mailed and emailed to ensure that documentation has been shared with the Complainant and confirmation of receipt is given. Officers are required to sign hard copies and, if electronically submitted via email, a confirmation of receipt will automatically be generated following submission. There will be a designated email for grievance uptake and the R+LO will manage the inbox. The database will be coded by case number for ease of reference and can act as a way to provide anonymity as needed/requested. A grievance officer must input all data into the database directly, ensuring that all grievances are reviewed prior to entry of the FGRM registry.

In addition to the form itself a timeline that also provides a description of the process is to be shared with each Complainant. For in-person submissions this process should happen fairly quickly, as the Officer receives the complaint, records the grievance, logs/scans the grievance information into the database, generates a copy of the signed report, and informs the Complainant of the procedure for assessing eligibility and next steps.

Even if a complaint is resolved “on the spot” and informally through support by the Forest Officer, there is an opportunity to record these grievances as they encourage responsiveness and ensure that repeated or low-level grievances are being noted in the system for any pattern recognition that may be avoided by further awareness or communications efforts. It also allows for the R+LO to monitor decisions being made at the local-level as a check and balance.

If the grievance is to be registered on behalf of an individual or group of individuals (e.g., an NGO on behalf of a LoU) the Complainant will need to identify the entity and provide some documentation to establish authority to act on behalf of the group. The FGRM Officer will take reasonable steps to verify this authority (the Roko can act as a resource to help determine if the Complaint(s) are authorized to submit the grievance), which may involve searches of registers held by the TLFC, including the Native Register of Land (NRL) also known as the *Vola ni Kawa Bula* (VKB.) The VKB is the official register of iTaukei landowners in Fiji and the register is currently being computerized. The R+LO may also consult with the Grievance Director and determine whether it is appropriate for a grievance to be made on behalf of a group (such as a LoU) or whether it is more appropriate that a grievance be made on behalf of a named group of individuals. In the case of a complaint by a group, individual names and details of all complainants should be recorded.

Responsibility of the Complainant

It will be the responsibility of the Complainant to keep their contact information up-to-date in order to receive communications on their grievance status. All Complainants have 10 days to update their information (which can include an alternate) following a change of contact or risk having their grievance marked as “incomplete”.

A Common Protocol

Information obtained via recording forms and the open dialogue process are designed to not only disclose the grievance and parties involved, but to determine REDD+ attributes – distinguishing REDD+ from non-REDD+ related grievances. The forms allow for a wide range of concerns to be reported, both those based on factual data and those arising from perceptions or misperceptions. These characteristics help track and monitor, as well assist in pattern recognition and trigger identification, allowing for more targeted communication and awareness campaigns.

There are two formal ways to communicate information to the Complainant once a grievance has been received and entered into the database – mail and email – to ensure multiple awareness points. Informally, the Complainant can request information regarding their case in person or over the phone from either the Forest Officer or R+LO based on the information in the database. All decisions and information will be recorded in the database, easily exported to a letter or email transmittal to the Complainant.

Resource and Support Groups

Resource and support groups can be NGOs, CSOs, legal, academic, or other designated interest group that act on behalf of or in accompaniment to the Complainant. Forest-users wishing to enter a grievance may experience issues with submissions or feel uncertain about engagement for a multitude of reasons, which may include a remoteness issue, group complaint submission, perceived bias, resource constraint, or lack of understanding about the FGRM process. These groups can provide assistance at the informal and semi-formal levels through facilitation and mediation support, preparation and submission of grievances, and improved understanding of FGRM processes and resolution approaches and forest-users rights. These groups can also help potentially resolve grievances stemming from a lack of or misinformation or understanding at the local-level, preventing unnecessary grievances from being submitted to the FGRM directly. If a group is assisting in the submission of a grievance then this should be recorded.



EVALUATE – SCREEN FOR ELIGIBILITY AND ASSIGN RESPONSIBILITY

At this stage the grievance has been entered into the database and assigned a case number. The grievance is then screened, based on a few simple criteria that do not involve judging the substantive merit of the complaint to determine its eligibility of the FGRM.

Process for Screening for Eligibility	Timeframe
<ul style="list-style-type: none"> Once a case number has been assigned the R+LO will review all documentation provided for the complaint. 	1-2 working days
<ul style="list-style-type: none"> If the information provided is sufficient the R+LO will screen the case and make a determination on its eligibility for the FGRM and communicate that decision to the Complainant (via mail and email) and update the database. 	1-2 working days
<ul style="list-style-type: none"> If the information is not sufficient the R+LO will request that additional evidence be collected. 	2-5 working days
<ul style="list-style-type: none"> Once eligibility is determined a relevant authority will be assigned. 	1 working day
Ideal turnaround (number of days to complete process)	5 working days

Screening for Eligibility

This step is not a commitment to any specific form of redress; instead it is intended only to determine if the complaint aligns with a set of pre-determined criteria for inclusion in the FGRM for REDD+. These criteria filter grievances based on what types of issues can be handled through the FGRM, which issues should be referred to other institutions/departments (i.e., TLTB, TLFC, Land Bank), and what may not be eligible for a response.

To prevent conflict of interest or bias in judging eligibility all decisions made by a Forest Officer will be audited by the R+LO. The R+LO provides oversight for and conducts eligibility screenings. Should a Complainant be dissatisfied regarding the results of a screening they can appeal the R+LO's decision and request a review by the Director for inclusion. The Director's decision on eligibility is final, however should the Director be a party to the dispute, only then can the case be elevated to a review by the RSC.

There are five broad criteria to be used when reviewing eligibility of a dispute (see *Table 3*). Additionally, included on the complaint registration form (see *Attachment 3*), is a checklist/grievance evaluation that can guide the FGRM Officer's determination on the "Nature of the Complaint" as auxiliary criteria.

Table 3. Screening for REDD+ FGRM Eligibility

Grievance Eligibility Assessment Criteria	
1.	Does the complaint indicate that a REDD+ activity has caused a negative economic, social, or environmental impact on the Complainant, or has the potential to cause such an impact?
2.	Does the complaint specify what kind of impact has occurred, or may occur, and how the REDD+ activity has caused or may cause the impact?
3.	Does the complaint indicate that those filing the complaint are the ones who have been impacted, or are at risk of being impacted; or those filing the complaint are representing the impacted/potentially impacted stakeholders at their request?
4.	Can the FGRM handle the dispute in terms of complexity, multiple parties, and legality?
5.	Does the complaint fall within the scope of issues that the FGRM is authorized to address?

Often Complainants do not provide substantive enough information, so the Officer must make every effort to truly comprehend a grievance before making a determination on its eligibility or resolution. If there is not enough evidence provided to make a determination using the criteria listed above then the R+LO should decide if it is possible for the Forest Officer to collect additional information or if they need to follow up with the Complainant directly (see *Table 4*).

Table 4. Ineligible Complaints Eligibility

Ineligible Complaints Criteria
<p>Ineligible complaints may include:</p> <ul style="list-style-type: none"> • The Complainant is non-communicative and does not provide enough information or respond to requests for information • The Complainant is not authorized to file the complaint on behalf of a group. The complaint should be refilled in individual names rather than in a group name • The complaint is not REDD+ project-related • The nature of the issue is outside the mandate of the FGRM • The issue is on an implementer-led REDD+ activity and not a national project and the Complainant has not tried to resolve the issue with the project first

Although some cases may appear without merit or unlinked to on-going activities the potential issues underlying the complaint may still need to be explored as they could indicate some underlying concern or stemming concern with a REDD+ activity (e.g., lack of trust). In such cases it is advisable to continue with the case and conduct additional investigation and obtain further information (if necessary) before determining if a complaint is inadmissible – doing so will likely increase trust by forest-users in the FGRM.

It is advisable that there be wide-ranging discussion and that all relevant information is obtained before a complaint is rejected.

An explanation will be provided to the Complainant following any illegible decision-made, as well as justification for the decision. Criteria will be distributed to other sector appropriate government departments and institutional boards so they may also screen their grievances; should they receive a REDD+ related dispute that needs to be referred or brought to the attention of the REDD+ Grievance Director.

It is important to note that the Complainant does not have to participate in the REDD+ program in order to file a grievance with the FGRM. This is because the impacts of the REDD+ activities may be felt by communities outside or on the peripheries of REDD+ sites, as was noted in the previously conducted Risk Assessment (D-2).

Assign Responsibility

Complainants should be referred to the most appropriate institution, agency, implementing partner, or individual relevant to the issue raised in the complaint. If during the screening process a complaint is deemed ineligible due to it being non-REDD+ related in nature and a referral is required, then the R+LO would denote that decision in the database and flag this response to the Director. The Director will then review and the Complainant will be made aware of the decision to transfer the complaint to the appropriate authority and be given a new POC – *Roko Tui*. The Roko (or authorized representative such as the Assistant Roko) will then follow current protocol and submit a report to the iTaukei Affairs Board, who will then work with the Roko to determine which is the appropriate GRM to refer the complaint. The Complainant can decide whether to pursue the case through the referred mechanism or loop back to the informal system if desired.

The same process will be followed when receiving REDD+ related grievances as referrals from outside institutions or agencies. The Director will be responsible for reviewing and accepting a referred grievance and then submitting the case to the R+LO if accepted into the FGRM to follow up with the candidate for case information.

The process of assigning cases will be more transparent if a list of conditions is generated to support referrals and processes so that there is consistency in application for similar cases and not seen as arbitrary.



RESPOND – PROPOSED RESOLUTION APPROACH AND AGREEMENT

If the complaint is deemed eligible for the FGRM during the screening and it cannot be resolved through a relatively simple action at the local-level by the Forest Officer or the R+LO then the grievance is considered complex enough to require additional investigation and engagement with the Complainant and other stakeholders to determine how best to respond. This is also the stage of the FGRM at which a grievance from an implementer-led activity can be submitted.

Process for Formulating a Response	Timeframe
• Selection of a proposed resolution approach by an Officer of the FGRM.	1-2 working days
• Formulate and deliver a response on the proposed resolution approach.	2-3 working days
Ideal turnaround (number of days to complete process)	5 working days

Proposed Resolution Approach

There are three primary responses for complaints: (1) direct action to resolve the complaint, (2) further assessment and evaluation needed, and (3) not eligible for FGRM. Many complaints can be resolved through direct and relatively straight forward action on the part of the Forest Officer or R+LO. In other cases further information is needed involving multiple stakeholders and unbiased investigators engaged in a process of joint fact-finding, open dialogue, and facilitation/negotiation/problem solving to resolve the complaint. The FGRM is designed to offer a range of grievance resolution approaches to accommodate differences in cultural preference and to account for simple versus complex issues (see *Table 5*).

Rather than resorting to a purely unilateral “investigate, decide, and announce” strategy, engage more directly with the Complainant in the assessment process. Deciding together should be the centerpiece of the FGRM

The R+LO serves as the primary point of communication to all stakeholders involved and is responsible for communicating timelines, decisions, and next steps. The identification and selection of a proposed resolution approach is done in conjunction with the Complainant and stakeholders and is facilitated by the R+LO.

The following are five options for resolution approaches:

Option 1: Informal Resolution – The community decides. In this option the response is to use the customary/traditional/informal system process to resolve the grievance. This is the most favorable option because of the higher value placed on maintaining relationships, utmost level of transparency, and greatest accessibility and predictability. As a result, decisions at this level often receive greater support and buy-in from all parties to the dispute. This system capitalizes on traditional means of conflict resolution that is mostly oral and is decided under leadership of the iTaukei Village Headman. This option (under the proposed FGRM) will now include the Village Council serving in a dictation role; recording all grievances, decision-making

processes, and resolutions to improve continual learning and to provide a written record of dispute resolution (requested during the consultation period).

The Roko currently must formally endorse and witness the resolution for the Provincial Council. It is now recommended for the FGRM that the Roko act as formalization agent, whereby an agreement is formally documented and witnessed by the Provincial Office through the Roko, creating a more formalized and committed structure.

Option 2: Self-Proposed Resolution – An Officer of the FGRM decides. Forest Officers may be able decide on a resolution for minor, straight forward, or simple disputes, but it would be more appropriate to have the R+LO engaged if the dispute includes elements or issues regarding more specifics of the policies and procedures of the REDD+ program, where dialogue and information sharing may result in quick resolution. This resolution approach may also resolve the dispute by being able to loop the conflict back to an informal means of redress.

Option 3: Joint Problem-Solving Resolution – An Officer of the FGRM acts as a mediator. In implementer-led disputes a Forest Officer can act as a mediator (after receiving training). In this capacity the Officer can provide information to help facilitate decision-making on REDD+ policies and procedures. The Officer's goal is to positively influence the mediation process but avoid interfering in a decision-making role. The Forest Officer can confer with the R+LO. This option should allow for resolution in an informal setting as a next step.

Option 4: Third Party Resolution – Facilitation offered through a third party assessment (IAG). It is strongly recommended that parties attempt to resolve conflict using Options 1-3 prior to engaging in this approach. Should the parties' efforts fail, or if the dispute proves too complex, then this approach allows for a more comprehensive assessment and stakeholder engagement process. Under this option an IAG is convened (and managed) by the R+LO; comprised of subject matter representatives not involved in the dispute with expertise in conflict resolution. Together, the IAG investigates and proposes a resolution with the Complainant and parties involved. They play a moderating force and bring together all parties in an effort to break down the issues, improve communication, and provide recommendations for either resolution or settlement. This approach is a collaborative process that seeks to clarify underlying issues and incorporate multiple perspectives that do not have a vested interest in the outcome. The Complainant(s) and other affected stakeholder should come together to discuss the proposed resolution with the IAG and mold it into an acceptable process for both parties. This could result in a move back to the informal system.

Option 5: Board Resolution – External review board decides. When an issue is too complex (e.g., multi-parties, multi-issues, reoccurring problems, discrepancies in data or institutional constraints) and when voluntary agreement is not possible this approach allows for an external body to serve in a decision-making role. Under this approach the RSC serves as a review board and decision-making entity with a majority vote. The RSC may request that additional information be collected, that a new IAG is formed (where there is concern regarding bias, corruption, or lapse in technical judgment by one or more members), or make an evaluation based on the information collected to date. The REDD+ Secretariat and the REDD+ Grievance Director oversee the RSC board review process. This approach allows for checks and balances within the FGRM so that a resolution is always dependent on a multi-party team and not solely dependent on the determination of a single member or Officer.

Table 5. Resolution Approaches

Decision-makers	Grievance type	Dispute Examples	Resolution Approach
iTaukei Village Headmen proposes resolution	Family or internal <i>Tokatoka</i> (sub-clan) or <i>Mataqali</i> (clan) issues	<ul style="list-style-type: none"> Site maintenance issues within community by members Benefit sharing and equitable distribution of monetary returns relating to forestry 	Informal Resolution
FGRM Officer proposes resolution	Obvious solutions, simple, informational or queries	<ul style="list-style-type: none"> Timelines issues with grievances in FGRM Understanding of REDD+ in general and access to information. 	Self-proposed Resolution, Informal Resolution
FGRM Officers and Stakeholders jointly propose resolution	Complex conflicts between two local stakeholders over one issue	<ul style="list-style-type: none"> Dispute over land/forest use between two LoUs 	Joint Problem-solving Resolution, IAG Resolution, Informal Resolution
	Complex conflicts between multiple parties that focuses on trust	<ul style="list-style-type: none"> Benefit-sharing Lack of FPIC 	Joint Problem-solving Resolution, IAG Resolution, Informal Resolution
	Complex conflicts about policies, procedures, facts or data	<ul style="list-style-type: none"> Who has access to forest resources and what resources on REDD+ site(s). Disagreement by community and REDD+ on details of project implementation 	IAG Resolution, RSC Resolution
	Reoccurring dispute	<ul style="list-style-type: none"> Land use impacts on conservation plots. 	IAG Resolution, RSC Resolution
	Conflicts between multiple parties and local stakeholders	<ul style="list-style-type: none"> Conservation / REDD+ lease issues with TLTB or Land Bank and LoU(s) 	IAG Resolution, RSC Resolution

Seek Agreement

Selection of a resolution approach must be done in consultation with the Complainant. Parties to the complaint should be willing to accept the outcome of the proposed resolution, if they are committed to the approach and act in accordance with the resolution. At the outset, if both parties are not committed to negotiating and honoring an ADR, they may move the grievance to a more formal means of redress (e.g. the courts). Consideration should be given to the limited resources available for ADR and parties should be advised not to venture down a ADR route if there is little commitment to the process and eventual resolution.

At any stage of the FGRM, Complainants may also be feeling slightly overwhelmed and wish to loop back to the informal system for resolution. This loop-back, allows the Complainant the flexibility to step out of the FGRM if they wish.

If there is no agreement on the proposed response then the FGRM Officer(s) should consider whether to revise the approach or refer the complaint elsewhere. It is advisable to review the proposed approach with the Complainant to see if there are any modifications available.

Communication and Outcomes

The Forest Officer and the R+LO communicate with the Complainant throughout the FGRM process in order to ensure that they understand the case in detail. Formal documentation (with the exception of in-person hard copies of the complaint registration form if submitted to a Forest Officer) are all provided and managed by the R+LO. Once a proposed resolution approach has been selected the R+LO will mail and/or email the Complainant and parties involved in the dispute and update the database to include the initial response. In this communication the R+LO will include information on the rationale for the approach selected, the response, each parties' view, outline the Complainant's choices, and outline next steps. Choices can include an agreement to proceed, request for a review of the eligibility decision or referral if transferred, further dialogue on a proposed action (phone call from R+LO), or face-to-face meeting with the R+LO and parties to discuss further and all decisions are to be recorded in the database.

Exceptions

If a dispute is determined to exhibit a risk of serious harm or rights' violations then the case should be fast tracked to the Grievance Director and the REDD+ Secretariat will be notified. The R+LO will immediately notify Complainant via email, mail, and phone (if necessary) in an expeditious manner of next steps.



IMPLEMENT – PROBLEM SOLVE AND RESOLVE GRIEVANCE

If the Complainant agrees to the proposed approach the response can be implemented, collaboratively. For informal, self-proposed, or joint problem-solving resolutions the approach and closeout of the grievance is completed according to the community. All self-proposed and joint problem-solving results should be uploaded to the database and communication on the resolution mailed/emailed to the Complainant. More complex issues that employ the third party or board review resolution, which are more formal in nature, are further elaborated below.

Process for Implementing a Response	Timeframe
<ul style="list-style-type: none"> IF – R+LO convenes an Independent Assessment Group (IAG) to conduct further assessment work and evaluate the grievance. 	8-10 working days
<ul style="list-style-type: none"> IF – IAG is unsuccessful in their evaluation, the issue is considered too complex, or the Complainant seeks an appeal, the grievance is elevated to determination by a majority vote of the RSC – who may ask for additional information or a new IAG. 	5 working days
Ideal turnaround (number of days to complete process)	15 working days

Further Assess and Evaluate

If the proposed resolution requires a larger investigation then the R+LO will convene a REDD+ IAG. This team's purpose is to gather information on the case – key issues and concerns – helping to determine whether and how the complaint might be resolved. The IAG will consist of three team members and may be comprised of NGO, CSO, private sector, academic, conflict resolution and other subject matter experts as are relevant to the dispute. The REDD+ Secretariat

and Grievance Director will approve IAG appointments through a roster (see requirements in *Attachment 5*) in collaboration with the Complainant (agreeing on selection criteria and process).

Experts that are selected to join the IAG will be required to sign a *Non-disclosure Agreement and No Conflict Statement* (this can be drafted by the REDD+ Secretariat). The R+LO will manage the IAG process and provide guidance to the team, remaining a neutral player. The Director will review and approve the outcome or ask for more details.

Methodology and Approach

During the investigation the IAG will first review all documentation collected on the dispute and prepare an *Evaluation Plan* (see *Table 6*). The plan will outline gaps in information collected, process for consultations, and plan for execution of the assessment. The R+LO will review and have the Director approve of the plan before initiation. The IAG will then contact the Complainant and other relevant parties to the dispute to acquire first-hand information and to better understand the tenets of the issue(s). Involving the Complainant early in the process acknowledges voice, increases mutual understanding of the problem, and brings the parties together in a more collaborative way. The IAG can also discuss with the Complainant which process they find suitable for resolution.

Table 6. Screening for REDD+ FGRM Eligibility

Evaluation Plan Research Guidance
<p>Review all documentation and seek to clarify:</p> <ul style="list-style-type: none"> • Issues and events that have led to the complaint. • Stakeholder involved and at what points/events. • All stakeholders' views, interests, and concerns on relevant issues. • Interest by all stakeholders in achieving a collaborative process for resolution (joint fact-finding, open dialogue, negotiation). • How stakeholders will be represented and what their decision-making authority will be. • Work plan and timeline need to work on issues. • What resources are needed (human, fiscal, material) and who will contribute them.

Next, the IAG will categorize the complaint in terms of its seriousness (high, medium, low) based on the potential impact to both the REDD+ Programme and the community. Issues to consider include: (1) the gravity or seriousness of the allegation, (2) the potential impact on an individual or group's welfare and safety, (3) potential impact on the environment, (4) risks posed, whether current or future, and (5) impact of the seriousness of the allegation on the processing timeline. In addition, consideration should be given to "who needs to know what" in the REDD+ Unit, MoF, other institutions and agencies, and potentially whether there is cause for referable action to authorities (i.e., the police for criminally related matters).

Communication and Resolution

During this assessment it may be discovered that not all stakeholders are willing or able to participate or commit to outcomes. Whether or not the process is collaborative the IAG needs to communicate the assessment findings to the stakeholders and the Complainant with a recommended action on how to proceed.

The IAG will ultimately propose a resolution approach for the case and presents their findings to the R+LO. The response should consider the Complainant's views about the process for

resolution as well as provide a specific remedy. It may offer a proposed approach for how to settle the dispute or offer a preliminary settlement. The R+LO will review the report, ask for additional information/clarification where needed, and submit to the Director for final approval. The R+LO is responsible for communicating and coordinating with the Complainant on the results of the evaluation and proposed resolution.

Board Review

For the most complex grievances that involve multi-party, multi-issue complaints, where a determination could not be made or voluntary resolution agreed to, the Grievance Director may convene a special session of the RSC to serve in the capacity of a third party evaluator – board review. Each representative group on the RSC may participate (or abstain should they be in a potential conflict of interest in relation to the dispute). Members will be able to review the information and analysis collected to date and either request more information, determine referral to an outside GRM or agency as appropriate, or decide with a simple majority vote. The REDD+ Secretariat and the Grievance Director will oversee the process, but they are not allowed a role in the decision-making process. Criteria lists and guidance will be given to each voting member as part of a packet and their determination is then to be transmitted to the Director. This step is important to ensure that the appropriate key decision-makers on the Committee are respondents, not junior representatives.

Appeals Process

If the Complainant is not satisfied with a resolution outcome – either because there is a perception of bias, corruption, or the dispute remains unresolved – then an appeal can be lodged. A Complainant may lodge an appeal in writing to the R+LO within 10 working days of the date on which a decision is provided to the Complainant. The appeal should contain the grounds of appeal and a requested outcome. All appeal processes are done in collaboration with the Complainant and the Complainant has the option at any point in the FGRM process to return to the informal system for resolution. To avoid any conflict of interest parties hearing or investigating the appeal should not have been involved in the initial investigated complaint.

Every step of the FGRM should be open to collaboration, weaving traditional and customary approaches into a more structured process.

The process for an appeal, for each proposed resolution option is included below:

- **Informal resolution appeal** – The dispute can be elevated to formally enter the FGRM structure through submission to a FGRM Officer.
- **Self-proposed resolution appeal** – If a decision made by the Forest Officer is appealed, it goes directly to the R+LO for review and resolution. If decision made by the R+LO is appealed, it goes directly to the Grievance Director for review and resolution
- **Joint problem-solving resolution appeal** – If the Forest Officer or R+LO is unable to serve as a mediator or it is clear that the case is too complex or cannot be resolved through facilitation and mediation at this level, then an appeal can be made to conduct a

third party assessment¹⁰. Early engagement will help generate trust on both sides that the appeals process will be impartial and fair.

- **Third party resolution appeal** – If the results of the IAG are not accepted by the Complainant then an appeal can be made to elevate the case to a board review.
- **Board review resolution appeal** – If third-party recourse is still not acceptable or possible, the Complainant still has access to available juridical procedures or referral to a different GRM without fear of retribution or retaliation.

Outcomes

The outcome for any resolution will result in a contractual agreement between all parties to the dispute. The contract will contain terms that are particular to the grievance in question and the parties will need to negotiate contractual terms suited to their particular situation and needs. For example, a contract may contain terms relating to benefit-sharing or to a land use dispute. Certain clauses in the contract are likely to be standard (such as the jurisdiction being Fiji), but generally each contract would need to be drafted to capture the parties' requirements relevant to each particular case.



CLOSE – MONITOR AND TRACK RESULTS

In order for the FGRM to function effectively grievances need to be tracked and monitored as they proceed through every step of the system. Tracking and documentation accomplishes several goals in alignment with the UN-REDD/FCPF Guiding Principles that include transparency, accessibility, predictability, engagement and dialogue, legitimacy, equity, rights-compatibility, and enabling continuous learning.

As the FGRM is put into place the REDD+ Unit's Grievance Director should be responsible for monitoring and tracking all of the data that is being gathered in the centralized database and discussing progress of the FGRM with users and external stakeholders as part of a commitment to joint learning and continuous improvement.

Process for Monitoring and Tracking	Timeframe
<ul style="list-style-type: none"> • Process for monitoring and tracking should cover the duration of the grievance redress. 	NA
Ideal turnaround (number of days to complete process)	NA

As part of a resource-conscious FGRM monitoring and tracking program, the Director should host monthly meetings with the R+LO to review the status of grievances in the database, ensuring that the severity of complaints is being recorded according to specific criteria and elevated as appropriate, the timely resolution of complaints is occurring, and communication

¹⁰ This external appeals approach helps to alleviate the concern that REDD+ is not serving as de facto judge and jury on disputes, especially where they may be party to the dispute.

protocols are being followed. This monthly check-in should also be used as an opportunity to identify any emerging patterns and document any learning that can be used to later assess the effectiveness of the FGRM or address any systemic issues that may require changes in policies or performance. Feedback should then be trickled down to Forest Officers and REDD+ Project Coordinators (responsible for monitoring in their sites). The Director will also provide status updates at RSC meetings for any feedback from representative members.

The FGRM is not a rigid structure, but a blueprint that can be adjusted and should be continually revisited.

The R+LO is the database manager and is responsible for maintaining compliance and overseeing the quality of inputs from Forest Officer. The R+LO is also responsible for alerting the Director of any budding issues or resource needs. All responses should be recorded in the database on a routine basis and include a record of settlements and outcomes of resolutions and any challenges faced during implementation or in negotiations- this information will help with auditing.

Forest Officers and REDD+ Project Coordinators should continue to monitor cases following resolution in order to address any identifying new issues that may result from data collection from an investigation or the implemented resolution.

Closeout

Closing a case is both a formal way to account for the response to a particular grievance, and a critically important moment for ensuring that key information and lessons learned are captured. Once a case has been resolved through any of the means listed above, it is noted in the database and used for process improvement. During this phase a survey tool could be used to gather feedback from participants in the case.

5. Operation of the FGRM

This section offers procedures for successful implementation and operationalization of the FGRM. The goal is to introduce the FGRM and promote piloting at Fiji's only national REDD+ sites (Emalu) and establish coordination with an implementer-led REDD+ project site (DBFCC), refining the mechanism before rolling it out. In order to ensure successful implementation the FGRM will require three key actions: (1) the development of technical support system for grievances, and (2) training for designated FGRM officers that will be administrating, supporting, and managing the system, and (3) a communications and outreach plan that educates members about the system and their role in it¹¹. As the REDD+ Programme in Fiji is still in its Readiness phase, the focus for the pilot FGRM should be on the only nationally recognized program in Emalu in coordination with an implementer-led REDD+ project. In support of a hybrid approach, the recommendation is to work with the DBFCC and Live and Learn to find points of convergence between grievances redress systems.

The FGRM should be fully operational within 18 months if it is structured as proposed and the proper human, technical, and financial resources are allocated. The operationalization of the FGRM consists of 3 phases: (1) Establishing the Infrastructure, (2) Initiating the FGRM, and (3) Mainstreaming the FGRM, which can overlap in the implementation of activities.

5.1. PHASE 1. ESTABLISHING THE INFRASTRUCTURE

This first phase is focused on rapid start-up of the systems needed to support the infrastructure of the FGRM – this includes communication of the FGRM, coordination with stakeholders, hiring and training of staff, and the establishment of roles and responsibilities.

5.1.1 Steps (2-4 months)

- Develop a policies and procedures handbook (*FGRM Operational Manual and Guidelines*) that details the FGRM making it available and accessible to all staff that will be directly involved in the mechanism, as well as available to outside agencies.
- Develop Terms of Reference (TOR) for both the REDD+ Grievance Director and R+LO and hire (see *Attachment 6*).
- Develop and institute additional job requirements for the Forest Officers and REDD+ Project Coordinators, communicating these new responsibilities and provide the opportunity to address any concerns or questions about expand roles.
- Establish MOUs with REDD+ agency and supporting institutions that detail the process for referrals, mediation, and enforcement.
- Train Village Councils and iTaukei Village Headmen on how to complete informal dispute resolution reports and the benefits of written documentation for problem-solving and continual learning (incorporate feedback to improve forms).

¹¹ A Training Report and Communication Plans plan will be developed in separate documents, but an overview will be provided in this section.

- Train Forestry Officers on conflict resolution theories and tools, policies and procedures of REDD+, how to record and report grievances on the form (incorporate feedback to improve forms).
- Train REDD+ Coordinators on monitoring.
- Inform resource and supports groups of FGM policies and procedures and their possible engagement in the mechanism, to include possible roles and responsibilities.
- Explore options for development of centralized grievance database and begin design.
- Establish a roster of experts for the IAG based on TOR requirements (see *Attachment 5*)
- Train RSC members on board review vote, to include their roles and responsibilities.
- Ministry of iTaukei Affairs translates grievance forms and timeline information.

5.2. PHASE 2. INITIATING THE FGRM

This second phase focuses on community awareness about the FGRM and the establishment of a centralized online database for grievance registration and tracking and monitoring.

5.2.1 Steps (6-8 months)

- Raise awareness for all forest-users on the FGRM and simultaneously on REDD+ policies and procedures for reinforcement through the development of targeted material in both English and iTaukei formats– video, web, paper materials, and through meet-and-greets.
- Introduce the FGRM designated staff to REDD+ communities through in person meet-and-greet (Q&A), marketing materials, and on the web – making sure that communities understand the roles and responsibilities of staff.
- Launch the grievance registry system.
- Train all FGRM Officers on data collection techniques and data input, as well as the process for information sharing.
- Establish monthly check-ins with implementer-led REDD+ activities.
- Activate the email protocol for grievance acceptance.

5.2.1.1. Communicate to Build Awareness

Led by the REDD+ Communications Officer, with support from the Grievance Director and R+LO, a communications strategy will be approved to stimulate demand for the FGRM. Messaging will be targeted to key groups of forest users, resource and support groups and relevant institutional stakeholders. Forest Officers, REDD+ Project Coordinators, and resource and support groups will play a large role in awareness building at the local-level. This will involve establishing a personal connection with stakeholders to foster buy-in, using an incentive-based system. As part of this campaign it will also be important to identify any risks or fears that

forest-users may have regarding use of the system and finding out what else they might need to voice a complaint or participate in the process (e.g., training, mentoring, resource materials).

5.2.1.2. Database

A centralized database will be developed and hosted on the MoF server, accessible by the REDD+ Unit and managed by the R+LO. The database will be accessible by all FGRM staff (Forest Officers, REDD+ Project Coordinators, R+LO, Grievance Director) and implementer-led REDD+ activities and will be the primary system used to record, track, and monitor REDD+ related grievances in Fiji.

The system should be a simple, easy to use, excel-based/logbook-based registration and monitoring database that can be converted into a real-time web-based database as resources, technological capabilities, and the amount of grievances increase over time.

All grievances that are submitted, regardless of merit or eligibility, are to be entered into the database, in addition to all decisions and steps taken during the resolution process. There will be a simplified form to codify information and assigned case numbers. Scans of photos and documents can be saved in the system as well. Information can be exported for reporting purposes and to generate status letters (emailed or mailed) to inform Complainants of the progress of their case¹².

Permissions and levels of access will be determined by the Grievance Director so as to protect sensitive information or the manipulation or corruption of data. For example, implementer-led projects will only have visibility to a certain level of data and will only be able to edit their own inputs in the system.

Each grievance file, at a minimum will contain:

- Date of receipt
- Date written acknowledgement was given/sent
- Date/nature of all communications or meetings with Complainant and other stakeholders
- Any previous attempts to resolve the grievance (supporting content can be uploaded)
- Date and record for any proposed resolution approach (who suggested the approach)
- Date of acceptance or rejection by Complainant (if objections were raised)
- Current status of case and next steps (including who is the person responsible)
- Notes regarding implementation of proposed resolution (any issues experienced)
- Contract details, to include what has been agreed to, who the parties are and their responsibilities, timeline for closeout, and signatures
- Date of transfer/referral to outside GRM (include person responsible) or judicial system.

¹² It would be prudent to create an electronic filing system to secure all templates, forms, and guidance on the FGRM accessible to all FGRM staff – managed by the R+LO.

- Conclusions and recommendations arising from monitoring and follow-up.

Current GRMs are not employing centralized online databases, which have contributed to poor quality of resolutions; limited communication, transparency, and collaboration with Complainants; lost and incomplete case files; low accountability; and inconsistency in resolutions. Accurate case documentation using an electronic and centralized database is essential for public accountability, organizational learning, and resource planning. This database also contributes to the maintenance of benefit-sharing and safeguards aspects of Fiji's monitoring activities for REDD+. The system for case management must incorporate both an online and accessible database in conjunction with a streamlined written documentation process (for more remote and low/no bandwidth communities).

5.3. PHASE 3. MAINSTREAMING THE FGRM

This third phase focuses on mainstreaming the FGRM and addressing any barriers or feedback received for process improvement.

5.3.1 Steps (4-6 months)

- Resource needs assessment to review resource constraints and/or training opportunities.
- Gaps assessment to identify any challenges or patterns experienced.
- Legal challenges to accountability and enforcement of the outcomes from the FGRM.

5.3.1.1. Legal Challenges

Overall Fiji's existing REDD+ Policy provides guidance for the facilitation of REDD+, but as it is, it remains largely a statement of intent, not supported by legislation. The absence of legislation means that enforcement will be problematic without the option of legal sanctions, especially in the definitional ambit of its operations in relation to other existing laws and regulations within the resource and development sectors. There are three primary areas of concern that must be addressed in order for the FGRM to function and be enforceable:

- 1. Carbon Ownership:** At the time of writing this report, there is no clear articulation at the national-level, nor there is any legislative development in progress to treatise the question of carbon. Most specifically, how carbon is going to be treated as property. As this exercise is driven by commercial rhetoric of carbon trading, it is a reasonable expectation that measures should be put in place for carbon to be quantified, valued, registered, and traded. Thus, the question of ownership must be addressed as it is expected that LoUs will want answers and this issue will result in conflicts that the FGRM will not be able to address.
- 2. National Land Use Planning:** Fiji does not have a National Land Use Plan nor does it have in place a comprehensive national land use policy. However, there are current pieces of policy and institutional initiatives, such as the Rural Land Use Policy (2005), that are cognizant of matters pertaining to sustainable spatial planning during projects' consideration. These often vary and render conflicting responsibilities for land use management, while others overlap without clear policy guidelines. Existing agencies, whether singly or joined by circumstances, have had substantial impact on land use and land development. They are however, disjointed in delivering a comprehensive approach to consider complex

undertakings such as REDD+. If allowed to forge ahead in the absence of the above, there are bound to be long-term risks borne by LoUs as well as investors in recouping initial capital outlay, which will be unresolvable through the FGRM.

3. **Benefit Sharing:** There are currently inadequate regulatory contexts to support REDD+ programming either through legislation directly for REDD+ or contextually through the Draft Forest Bill that address key issues such as the definition of carbon property rights and benefit-sharing. Without REDD+ legislation in place and adequate laws to support benefit-sharing FGRM enforcement will be difficult, if not impossible, and accountability non-existent.

6. Monitoring, Reporting, and Learning

Grievance mechanisms are always a work in progress. Beyond the monitoring and tracking of individual cases, it is important to assess and refine the mechanism itself to ensure that it achieves its stated purpose and goals – *to channel grievances through a system that is fit for purpose*. Feedback from users is critical in order to determine if procedures are seen as inefficient, accessibility as problematic, or an overall lack of confidence or satisfaction exists, which ultimately dissuades community support for the mechanism.

It is necessary to monitor and evaluate the overall performance of the FGRM throughout its lifecycle. The goal is to not only improve the operational procedures of the system, but also to improve the way grievances are being handled by all users.

6.1. MONITORING

Monitoring involves assessing the overall progress and approach towards handling grievances in the FGRM. Building off the overarching goal of the FGRM is to enable stakeholders affected by REDD+ to receive timely feedback and appropriate responses. As such, in addition to the monthly monitoring meetings that are held between the R+LO and Grievance Director (see *Section 4, Step 5*) and the status reports given to the RSC by the Director, it is recommended that a *Grievance Advisory Committee* be formed. This committee would consist of REDD+ Project Coordinators and LoU who will monitor the performance of REDD+ activities in their communities by periodically surveying community members to determine if they understand access points and whether they are satisfied with the grievance mechanism.

6.2. REPORTING

The Grievance Advisory Committee members will provide strategic advice about the grievance mechanism to the Grievance Director through semi-annual community relations meetings, hosted either in person or virtually.

Specific targets need to be set and tracked by indicators. The Grievance Director (with support from the R+LO) will be responsible for monitoring and using performance indicators (quantitative and qualitative – see *Table 7* for illustrative qualitative questions) and reporting on these outputs every 6 months to the RSC, focusing on participation and effectiveness.

6.3. LEARNING

Learning is a combination of evaluating and building on lessons learned to improve the FGRM's design and overall effectiveness. The Grievance Director, supported by other FGRM Officers, will gather lessons learned from the process and subsequently use these to improve organizational learning and identification of systemic problems and to identify the need for any changes to policies and procedures to prevent recurrent future disputes.

As part of an on-going evaluation process it is recommended that four (4) different bodies will be utilized to ensure that inputs from multiple stakeholders are present:

1. **Case Audits** – An advocacy group that is well versed in human rights law and environmental law (such as FELA) should oversee auditing of closed complaints. The group can provide

quality control and technical guidance for consultations. It is recommended that students from universities be tapped as auditors as it will create a continuous pool of available auditors as well as build capacity and skills for students for future environmental work. A modest stipend should be provided as an incentive and/or course credit.

2. **Grievance Advisory Committee** – REDD+ Project Coordinators meet with representative LoUs periodically and will report findings with iTaukei Village Headmen to the Grievance Director quarterly. Findings should include information on perceptions of the FGRM and process. The Grievance Advisory Committee should also be in continuous communication with the R+LO outside of the quarterly reports to address any pressing issues.
3. **RSC Grievance Working Group** – This should manifest in the sharing of lessons learned and pattern identification by the Grievance Director with the Secretariat and the RSC through the delivery of a report annually that highlights key trends in emerging conflicts, grievances, dispute resolution and makes recommendations to avoid future harm /grievances and improvements to the FGRM in accordance with the FCPF Guiding Principles.
4. **Independent Audit** – Similar to TLTB’s auditing principles, it is recommended that an independent audit (conducted by a party such as the University of the South Pacific’s Institute of Applied Science or CROP Agency) of the FGRM be conducted every three (3) years that addresses aggregate statistics on the number and type of complaints received, actions taken, and outcomes reached and addresses any issues of and/or perceived bias or corruption.

Table 7. Possible Questions to Target Grievance Mechanism Performance

Illustrative Qualitative Statements
<p>Review all documentation and seek to clarify:</p> <ul style="list-style-type: none"> • How well is the system accomplishing its stated purpose, goals, and objectives? • Is the system making a difference? How or how not? • Does the mechanism enable Complainants to raise their concerns, engage in a fair process, and obtain a satisfactory resolution to their issues? • What are the gaps? What is and what is not working? • What types/categories of grievances is the system addressing? • Is the mechanism easily accessible to all groups and populations affected by REDD+ activities? • To what extent is the mechanism being engaged by women, youth, disabled, elderly and other vulnerable/marginalized groups? • Is the mechanism easily understood by all users (officers, agencies, forest-users)? Where to go, what to do, procedures? • How does the FGRM facilitate the identification of deeply rooted conflicts (e.g., persistent or reoccurring) and what actions are being taken? • How well does the system provide a balance of powers between the Complainant and institutions (i.e., REDD+)? • Are there adequate opportunities to engage in open dialogue and face-to-face interactions that are culturally appropriate? • Does the mechanism allow and support facilitation by external and independent mediator to redress grievances? • What actions would increase effectiveness of the mechanism? • What demonstrable changes is the FGRM producing in REDD+ project operations, systems, and community benefits?

6.3.1 Reporting Back to the Community

All reports from the Grievance Advisory Committee, RSC Grievance Working Group, and Independent Audit should be publically available, and upon request to the community in the spirit of transparency and accountability. This information can be made available through the REDD+ website and through links. This information will help clarify expectations about what the mechanism does and does not do, how the system is being improved, and will demonstrate that community feedback is being received and evaluated. By building in these regular reviews and communicating findings directly with forest-user REDD+ procedures and activities can improve their performance and development impacts on the ground.

6.4. IMPROVING THE FGRM

The FGRM should be flexible and adaptable to the needs of forest-users and take into consideration its implications for other institutions and agencies involved in or impacted by REDD+ activities. The information collected from the case audits, committee reports, working group, and independent audits will be used by the MoF and the REDD+ Unit to learn and report to stakeholders concerning ways to improve the FGRM's performance. Performance improvement can be done through:

- Pattern recognition and trend evaluation through the assessment of indicators;
- Data analysis of the impact of the FGRM on REDD+ implementation (operations, management, benefits to forest-users);
- Identification of systemic changes, especially to ensure that recurring grievances will not recur; and
- Identification of actions to make the GRM more effective.

Improvement of the FGRM should be a participatory process, in which the REDD+ stakeholders play an important role. The result of the findings from the case audits and committee work is a collaborative and joint fact-finding effort that will feed into the annual report produced by the RSC resulting in the compilation of lessons learned and actions for improvements. Once these recommendations for improvement are produced the Grievance Director will translate into programmatic tools (see *Table 8*).

Table 8. Using Monitoring Data to Evaluate and Improve the FGRM

Feedback Improvement
<p>Example Programmatic Tools:</p> <ul style="list-style-type: none"> • Development of a new indicator for tracking these emerging impacts. • Adaptation of policies and procedures, as part of the operational guidelines of the FGRM. • Amendment of the REDD+ stakeholder engagement or communication and outreach plan as a result of new insights. • Revise approach for awareness raising activities as a result of new insights. • Reflection of gender and social inclusiveness and evidence of participation of relevant stakeholders. • Compliance guidelines.

Attachments

ATTACHMENT 1: ACRONYM LIST

ATTACHMENT 2: PREVIOUS STUDY FINDINGS

ATTACHMENT 3: REPORTING FORMS

ATTACHMENT 4: ACCOMPANYING INFORMATION

ATTACHMENT 5: IAG SELECTION AND SOW

ATTACHMENT 6: FGRM STAFF QUALIFICATION

ATTACHMENT 1: ACRONYM LIST

ABS	Access Benefit Sharing
ADR	Alternative Dispute Resolution
CSO	Civil Society Organization
DBFCC	Drawa Block Forest Community Cooperative
FCPF	Forest Carbon Partnership Facility
FELA	Fiji Environmental Law Association
FGRM	Feedback and Grievance Redress Mechanisms
FICAC	Fiji's Independent Commission Against Corruption
FJD	Fijian Dollar
FPIC	Free, Prior and Informed Consent
GRM	Grievance Redress Mechanism
IAG	Independent Assessment Group
iTLTB (TLTB)	iTaukei Land Trust Board
iTLFC (TLFC)	iTaukei Lands and Fisheries Commission
LoU	Landowning Unit
MoF	Ministry of Forest
MoU	Memorandum of Understanding
NGO	Nongovernmental Organization
NRL	Native Register of Land
PBC	Prescribed Body Corporate(s)
POC	Point of Contact
Q&A	Questions and Answers
REDD+	Reducing Emissions from Deforestation and Forest Degradation
R+LO	REDD+ Liaison Officer
R-PP	Fiji's Readiness Preparation Proposal
RSC	REDD+ Steering Committee
SIS	Safeguard Information System
SMS	Standard Messaging System
TOR	Task Order Request
VKB	<i>Vola ni Kawa Bula</i> (Native Land Register)

ATTACHMENT 2: PREVIOUS STUDY FINDINGS

Gaps/Issues Identified in Related/Existing GRMs in Fiji

KEY FINDINGS

- There currently exists a bifurcation between customary and legally supported GRMs, but there is a desire to utilize both systems by all interested parties in the resolution of conflicts.
- Traditional customary mediation processes at the village-level are currently the main channels of resolving grievances and/or disputes. Almost all issues arising out of any contestation regarding traditional boundaries and ownership issues can be solved at village level.
- There will need to be clearly mandated support and encouragement from the formal sector for the informal system to address conflicts prior to the use of ADR or formal intervention.
- Institutions should encourage dispute resolution at the informal-level as a first step because it facilitates faster resolution of issues and helps maintain peace at the village-levels, which may otherwise be strained if left to the perceived adversarial formal systems which are non-transparent, expensive, and can be divisive in the end.
- Existing GRMs are not comprehensive enough to support REDD+ programming at the informal or formal-level and semi-formal systems are not institutionalized. This will create inconsistency and accountability problems in the handling of grievances and in the management of processes and outcomes when dealing with enforcement.
- It is necessary to create a complementary route to the existing formal structure because of its weak institutional ranking. The proposed FGRM for REDD+ should be designed for intervention at semi-formal level of grievance redress, so as to build upon customary approaches and to compliment instead of replacing current legal/formal redress systems. The use of outside mediation support either by an NGO, Legal Association, or REDD+ Unit to help support communities throughout the design, leasing, and implementation process will create a more legitimate and accountable system that is trust-building and sustainable.
- Formal systems are based on current law and do not focus on preserving future relationship between disputants.
- Formal systems are slow and unpredictable in resolution processes. This has resulted in the creation of new tensions, loss of trust, and exacerbated conflict because of the lapse timeline and poor data management.
- The formal system is mostly inaccessible to forest users because they require a substantial amount of financial resources to file a case, hire a lawyer, travel to court, etc. There is also a legal literacy gap, poor understanding of complicated contracts, and a fear of going to court because of lack of knowledge and perceived bias.
- There is a gap in understanding how grievances are currently addressed by the formal sector. There must be a better communication, outreach, and awareness campaign employed in order

for iTaukei to understand their rights and the processes and procedures for how grievances will be addressed.¹³

- Decision-making on REDD+ grievances must include multiple stakeholders' perspectives and allow for the complaint to be well informed of the process. There is a need for an independent review board to provide auditory services.
- The FGRM should be designed to accommodate different communities/individuals at different levels appropriately.
- There should be a designated Grievance Officer(s) (or a clearly mandated responsibility) to handle REDD+ grievances and to ensure that the Secretariat and Steering Committee are aware of the grievances from the public and the necessary actions to improve them.

WEAKNESSES AND CHALLENGES

- There are currently inadequate regulatory contexts to support REDD+ programming either through legislation directly for REDD+ or contextually through the Draft Forest Bill that address key issues such as the definition of carbon property rights and benefit sharing.
- Although there are GRMs in existence (at varying levels of development) under the several government agencies and institutions that currently deal with resources and land management issues, it would be proleptic to assume that existing mechanisms are “fit for purpose”. As such, there is no current FGRM in place specifically capable of addressing the intended grievances and conflicts for REDD+. Given that REDD+ is a new product it will require substantial reworking of existing structures through institutional strengthening of matters concerning FPIC, substantiating of rights, and its proper understanding leading on to its valuation.
- There is disconnect between formal and informal sectors and this will create problems for enforcement.
- There is a gap in active distribution or information sharing between sectors and government on REDD+ issues.
- Inadequate funding, human resources, and equipment required for handling grievances within the public sector, resulting in poor monitoring and implementation.
- Lack in relevant skills and knowledge of how to handle and address grievances at the provincial and national-level (e.g., no specific rules written or they are in process, no training, low technical capacity).
- Convergences between jurisdictional mandates due to lack of clear legislation or regulatory guidance on grievance redress with REDD+.

¹³ Although noted in previous sections that the focus of this assessment is on iTaukei as landowners, the same applies for non-iTaukei who mostly lease land or own freehold land. Their grievances are still yet to be addressed by the formal sector for example; expired land leases for those who lease land, and poor farm road conditions caused by logging trucks for those who own freehold land.

- Absence of a national land use plan has resulted in conflicts of jurisdiction between competing sectors within the same land area and over the same resources, which will inevitably also affect the implementation of REDD+ program and any proposed FGRM in the future.
- There is a concerning lack of awareness on REDD+ program, incentives, and rules by the communities involved.
- There are inadequate or absent dispute resolution clauses in leasing contracts.

Lessons Learned and Recommendations

AWARENESS AND CAPACITY

- Potential REDD+ sites (i.e., Serua) are aware of REDD+'s *existence* through an initial consultation by the REDD+ Unit, but there was no follow-up or clarity around objectives, rules, and policies and procedures. The low level of awareness is a serious concern for implementation and will be cause for missed expectations and understanding of the purpose of forest driven investment by communities. If REDD+ is implemented without boosting the awareness level of local users, there will be an overflow of awareness-related grievances that may express themselves through more sensitive issues of benefit sharing. Therefore, as explained previously, the design of the FGRM will allow wide enough accessibility for local users so they can have a channel of communication to talk and learn about REDD+.
- Poor understanding of ecosystem services by communities, which has resulted in several not being interested in participating in conservation/REDD+ programming. A possible solution is to educate communities during site selection and compare ecosystem services to their supermarket needs, showing the cost for loss of these services up front.
- Permit NGOs and CSOs, with relevant government departments, to conduct village awareness on REDD+ through workshops and training in conflict management in the Western, Northern, Central and Easter Divisions. Priority should be given to those villages that have potential REDD+ sites. The use of effective educational media, such as videos, in both vernacular languages and English is imperative.
- Fiji's REDD+ Program launched a website in which policies, procedures, strategies and related documents are available (although not current). In the present situation, remote local people, especially women, poor, and marginalized groups are unaware of the specifics of the program and lack access to this information. If the REDD+ program is implemented in the current state, it will suffer from lack of support of the local peoples/communities without better communication and outreach. Therefore, disclosure of the policies, procedures, and safeguard documents at local/community level are necessary for smooth implementation of the REDD+ program in the future. These aspects must be taken into consideration in the FGRM design by building it to the local level and opening possibilities for information transfer.
- Fiji has chosen to take a 'hybrid' model for REDD+ implementation, which includes payments flowing at the national, programmatic, and project-scale as specified in the

National REDD+ Policy (R-PP.). However, in practice there have been challenges with implementation and recognition of project-scale activities. For example, the Drawa site is still not being recognized (formally approved by the government, meaning that offsetting cannot be done until the government has endorsed the project), complicating future programming that is inconsistent with current policy.

- Participation is viewed differently with the national and project-based REDD+ activities. There is perceived preference for nationally managed programs that has manifested in a concern that project-based interventions are not being integrated into the current REDD+ scheme. Common questions posted by local participants in Drawa Block show a level of distrust towards the Government as a result. It is therefore imperative that the FGRM opens communication between local level users and creates possibilities for information sharing that leads to an improved understanding of the intentions of the Government that align with all (hybrid) REDD+ projects.
- The goals and functions of GRMs are unclear to the majority of stakeholders in REDD+. A few knowledgeable people on GRM functions (forest officers, certain NGOs and interest-based organizations like FELA) were also highly educated on REDD+. It will be important to provide a full explanation of the GRM design process and subsequent roles and responsibilities for beneficiaries, government entities, and supporting mediators in the design of the FGRM to steer REDD+ towards success.
- Public awareness of the presence of GRMs within the institution, its procedural process, timelines and options of other avenues, if required for further redress need to be instituted.
- According to FCPF/UNREDD guidelines the GRM should operate independently of all interested parties in order to guarantee fair, objective, and impartial treatment to each case. Making decisions by entities having a stake in the process is thus unacceptable (this includes also the government in some specific cases) so third party mediation is recommended.
- Need for trained GRM staff that can be responsible for handling and management of REDD+ related grievances, similar to TLTB and Land Bank Units. Additional staff to pursue completion complaints, training and awareness on internal procedures, and the development materials to raise awareness for grievances and redress.
- Local users do not understand REDD+'s performance-based system. Communities are concerned that they will be barred from gathering forest products. There is a concern about whether communities will be able to comply with a new trade system for generating alternative income.

GOVERNANCE

- Boundary distinction is critical and needs to be part of any REDD+ process during readiness for site selection. Emalu still needs its boundary to be mapped out on the ground by physical markings as neighboring provinces are encroaching into the protected area. Various LoUs also noted this in Serua under the River Fiji Conservation Project where there is not proper demarcation of ownership, which causes boundary disputes and where Fiji Pine and Harwood surpassing agreed (surveyed) plantation areas.

- Without REDD+ legislation in place and adequate laws to support benefit-sharing, GRM enforcement will be difficult if not impossible and accountability non-existent.
- There is a need for a national land use plan because of issues with competing jurisdictions and management. Even if a site is marked as a conservation site, timber is still being logged, unlawfully. Different authorities also have different rules (what is “harvesting” according to the timber companies vs. the forestry officials) and overlaps in jurisdiction can lead to community disputes
- As part of REDD+ readiness in site planning, a community land use plan should be designed (with support from the REDD+ Unit, NGOs, relevant ministries and boards, etc.) to provide communities that are participating in REDD+ means to allow for multi-sector land use that aligns with REDD+ policies whilst promoting alternative livelihood options, allowing for agriculture and timber space as needed, and for human settlements (this was done in Drawa).
- Re-examine endangered species legislation, which protects native trees that are still being logged. Conservation efforts may foster greater buy-in by communities if there is greater awareness of protected species.
- Sustainable alternative livelihood sources to support the loss of land for purposes of agriculture or timber should be sought immediately for the landowners (e.g., *yaqona*, ecotourism, bee-keeping). This must be supported with technical expertise offered as part of the readiness process through engagement with NGOs that can assist in the development of proposals to secure funding and to provide implementation support for communities to become self sufficient.
- Benefit-sharing structures need to be supported through registered legal entities account set-up and management for disbursement of funds for access to all members of LoUs; having a system in place to check that funds are being accessed.
- Distribution needs to be equitable amongst the landowners where there are differences in the membership size of LoUs, acreage, and even forest density where timber stocking will have an impact. The conflicts will come once there is actual distribution of funds.
- Updated resource inventories are needed. For example, in Drawa 18,800 tons were evaluated 10 years ago for the Block’s conservation site. It would be better to assess carbon every 5 years with the renegotiation of the lease and based on the “Project Monitoring Reports” that contain assertions of the quantified ecosystem services benefits delivered by the project during the relevant (3-yearly) monitoring period. This quantitative assertion is the basis for issuing payment for ecosystem service units (e.g. carbon offsets) to the project.
- Use of different forms of management will need to be assessed in order to secure the most appropriate for communities (e.g., cooperative or trust). The number of LoUs involved is also contributory to the multitudes of interest that needs to be negotiated through TLTB. Benefit sharing expectations will also be subjected to similar tensions.
- Forest users favor submitting grievances at the local-level. Whenever this system is insufficient, stakeholders should be able to propose an alternative locally operating grievance redress system in which all parties are represented. Stakeholders agree that the most

important reason for choosing a collaborative model is because REDD+ beneficiaries should maintain ownership of the decision and, as a result, it will have greater chance of success.

ACCOUNTABILITY

- Nothing is recorded at the community-level GRM. There is a need and desire for a written record to offer legitimacy to the process as well as a recording of grievance and response to encourage continued learning.
- Recognition of a hybrid system to cater for western and customary structures. A need for the formal system to respect the traditional in a far more legitimate way to give weight to the GRM. This can be done through encouragement by institutions to resolve issues at the informal-level in contracts and in support of the outcomes proffered.

FPIC

- FPIC needs to be integrated and adjusted to reflect REDD+ parameters so communities are better informed on programming and expectations.
- Consultations with key stakeholders and beneficiaries revealed a positive perception about REDD+, once they had been more informed about the process and benefits of the program – predominantly provided by members of district networks, CSOs, and NGOs active involvement in REDD+ activities. However, potential sites revealed that very few of the community level forest users have received the opportunity to participate in a REDD+ yet, so there is an information gap that needs to be addressed.
- From stakeholder consultations, the study team collected a variety of perspectives on rights, policies, and procedures under REDD+ program, but it was consistently unclear where or how grievances need to be resolved for REDD+ or who responds to them. Currently, all grievances are handled through TLTB (formal) or through intermediaries of ADR (e.g. Live & Learn). This process needs to be specific and clear and resourced appropriately to respond to a variety of risks and for different forest users as appropriate.
- Perception and transparency about timeframes need to be explicit with communities made with FPIC. Communities need to be informed of the timeline for all phases of REDD+ with quarterly reports and disbursement of information. There must be an expectation set early on regarding when funds may actually be disbursed and the steps in the process that must be met before.
- Communities need support in the negotiation of conservation lease terms, grievance redress for REDD+ because of technical competencies, and in understanding their rights. NGOs, CSOs, and Legal Association (FELA) can be tasked to support REDD+ in providing these services to the communities to help minimize misunderstandings and conflicts and to remove bias.
- Leases must be fit for purpose and allow for the incorporation of alternative dispute resolution in clauses.

- Terms of leases need to be consistent with how distribution is offered, expectations for management (government vs. landowners) of sites, and regulations for land use so that there is not perceived favoritism.

ATTACHMENT 3: REPORTING FORMS



INFORMAL DISPUTE RESOLUTION REPORT / iTaukei

This is a guide for iTaukei *Turaga ni Koro*, Village Headmen, transcribed by Village Councils, to use for recording any grievances at the local-level. Should a REDD+-related grievance be submitted to the FGRM then this will be collected if available. / iTaukei

Notes / iTaukei
<p>Parties to the Dispute / iTaukei:</p> <p>1. Initiator(s) / iTaukei –</p> <p>Representatives / iTaukei –</p> <p>2. Respondent(s) / iTaukei –</p> <p>Representatives / iTaukei –</p>
<p>Details of Dispute / iTaukei:</p> <p>[e.g. Approximate date that dispute started, what happened in chronological order / iTaukei]</p>

Resolution or Solution Proposed / iTaukei:
If resolved, provide details of resolution or solution / iTaukei:
If unresolved, provide next steps proposed / iTaukei:
Signature of Parties / iTaukei
Print Name(s) / iTaukei:
Signature(s) / iTaukei:
Date / iTaukei:
Witness to the Agreement (Signature of Roko or authorized representative) / iTaukei
Print Name / iTaukei:
Signature / iTaukei:
Date / iTaukei:



COMPLAINT REGISTRATION FORM / iTaukei

Fiji REDD+ PROGRAM

This form is to be completed by the designated feedback grievance and redress mechanism (FGRM) representative – Forest Officer of REDD+ Liaison Officer. / iTaukei.

Section 1: Complainant please complete as much of the information as possible or leave blank if you wish to remain anonymous (the Officer may fill this in for the Complainant. / iTaukei)

Complainant's Contact Information / iTaukei	Landowning Unit Information / iTaukei
Name / iTaukei:	Clan / Mataqali:
Email / iTaukei:	Sub-Clan / Tokatoka:
Telephone Number / iTaukei:	Family / Vuvale:
Address / iTaukei:	
Representative / iTaukei *	
Submitted on Behalf of (Yes or No) / iTaukei: If yes, then who is Representing the Complainant(s) / iTaukei: If yes, is there Verification of Consent and Authorization of Evidence of Representative Capacity* (must present documentation) / iTaukei:	

* Consent must be proven – LoU membership must account for 60% in order for this to be acceptable.

Case Number:

Section 2: The following section must be completed by the uptake Officer. / iTaukei

Officer Information / iTaukei	Dates / iTaukei
Ministry and/or Department / iTaukei:	
Name / iTaukei:	Date Grievance Received / iTaukei:
Position Title:	Date Grievance Review Conducted / iTaukei:
Telephone Number / iTaukei:	
Email / iTaukei:	

Section 3: Officer, please complete the following section after speaking to the Complainant. / iTaukei

REDD+ Site Location / iTaukei	
All Parties Involved / iTaukei	

Case Number:

Section 4: Officer, *complete this section only if the complaint was addressed in the customary system of redress.* / iTaukei

Please ask the complainant to provide any written documentation from the Village Council and attach to this form, if appropriate, and record the complainant's answers to the questions below. / iTaukei

Record of Grievance Process / iTaukei
Location of the grievance / iTaukei:
Date of the grievance / iTaukei:
What was the decision made and detail the steps taken towards resolution / iTaukei:
What assistance is now being requested / iTaukei:

Case Number:

Section 5: Officer, please have the Complainant sign and date, unless they wish to remain anonymous*. / iTaukei

Signatures / iTaukei	
Complainant / iTaukei:	Uptake Officer / iTaukei:
Print Name / iTaukei:	Print Name / iTaukei:
Signature / iTaukei:	Signature / iTaukei:
Date / iTaukei:	Date / iTaukei:

**Officer, if the Complainant wishes to remain anonymous inform them that they will not receive communication of the progress of the complaint, unless they contact the recording Officer and ask for the case number (once it has been logged into the database).*

Section 6: Officer, please check the applicable sections after speaking to the Complainant to determine if this is a REDD+-related grievance. Common examples have been provided below. / **iTaukei**.

N°	Nature of the Complaint	iTaukei	REDD+ Related / iTaukei ?
Land Disputes for REDD+ Sites			
1	Boundary description for REDD+ site is not clear and conflicts with oral evidence of community members or other LoU recorded boundaries		
	Conflicting interest of (member) over engagement in land for REDD+ purposes		
	Other? Please describe:		
Property Disputes			
	Destruction of property (individual) or community asset		
	Illegal logging in REDD+ site		
	Other? Please describe:		
REDD+/ Conservation Lease Terms and Enforcement			
	Lease terms for REDD+ site is not fit for purpose or is not being executed properly		
	Land use plan was not put in place and or is not being followed as intended		
	Disputing process of lease renewal without grant of member's consent (FPIC)		
	Dispute related to (un)authorized activities allowed on customary land		
	Other? Please describe:		
Environmental Impacts			
	Activities from REDD+ are impacting the environment resulting in degradation and/or damage of surrounding areas.		

Case Number:

N°	Nature of the Complaint	<i>iTaukei</i>	REDD+ Related / <i>iTaukei</i> ?
	Poor site maintenance of REDD+ site(s)		
	Water, air, and land surface pollution		
	Other? Please describe:		
Communication and Rights			
	Disagreement by community and REDD+ on details of project implementation		
	Information on REDD+ project activities and processes were/are not transparent		
	Dispute regarding the extraction of forest products on REDD+ land (access to those resources and/or permissible use)		
	Restriction of spaces to cultivate due to REDD+ project		
	Lack of drinking water related to the project		
	Other? Please describe:		
Benefit-sharing			
	Unequal distribution of benefits		
	Timeline for distribution and access to funds is not being followed		
	Compensation issues		
	Other? Please describe:		
Social Inclusion			
	Isolated or not included in decision-making regarding REDD+ activities or site management		
	Perceived discrimination or bias from REDD+ staff, government, or representatives		
	Access and/or requests for information		
	Other? Please describe:		

Case Number:

N°	Nature of the Complaint	<i>iTaukei</i>	REDD+ Related / <i>iTaukei</i> ?
REDD+ Institutions and Staff			
	Inappropriate staff behavior on site		
	Nonresponsive to previous grievances submitted		
	Previous resolution not enforced or has proven inadequate to resolve conflict		
	Other? Please describe:		
<p>If complaint does not fit into one of the categories above, but the complaint is likely REDD+ related please, briefly describe and then speak with the R+LO / <i>iTaukei</i></p>			
<p>If complaint is determined <u>NOT</u> to be REDD+ related please, briefly describe why / <i>iTaukei</i></p>			

ATTACHMENT 4: ACCOMPANYING INFORMATION



GRIEVANCE PROCESS TIMELINE / iTaukei

Fiji REDD+ PROGRAM

Officer, please include this timeline in-person or in the email or letter to the Complainant – walk through the timeline to ensure understanding and explain that this is an average, *not* a guaranteed estimate of time given for each step. Complainants cannot skip ahead in the process and it is important that they understand the process is progressive. / iTaukei

Step 1. Uptake / iTaukei	Timeframe / iTaukei
Point of Contact: Officer that recorded the grievance / iTaukei	
• Forest Officer or R+LO receives grievance from Complainant / iTaukei	NA
• Forest Officer or R+LO records grievance / iTaukei	1-3 working days
• Forest Officer or R+LO inputs grievance into centralized database and a case number is assigned / iTaukei	1-2 working days
• A copy of the resolution report (hard and/or electronic) is sent to Complainant as confirmation of receipt / iTaukei	1-2 working days

Step 2. Evaluate / iTaukei	Timeframe / iTaukei
Point of Contact: Officer you reported the grievance to and the R+LO / iTaukei	
• R+LO will review all documentation provided for the complaint / iTaukei	1-2 working days
• If the information provided is sufficient the R+LO will screen the case, make a determination of eligibility under the FGRM, and communicate that decision to the Complainant / iTaukei	1-2 working days
• If the information is not sufficient the R+LO will request that additional evidence be collected / iTaukei	2-5 working days
• Once eligibility is determined a relevant authority will be assigned / iTaukei	1 working day

Step 3. Respond / iTaukei	Timeframe / iTaukei
Point of Contact: R+LO / iTaukei	
<ul style="list-style-type: none"> Selection of a proposed resolution approach by an Officer of the FGRM / iTaukei 	1-2 working days
<ul style="list-style-type: none"> Formulation and delivery of proposed resolution approach to Complainant / iTaukei 	2-3 working days

Step 4. Implement / iTaukei	Timeframe / iTaukei
Point of Contact: R+LO / iTaukei	
<ul style="list-style-type: none"> IF – R+LO convenes an Independent Assessment Group (IAG) to conduct further assessment work and evaluate the grievance / iTaukei 	8-10 working days
<ul style="list-style-type: none"> IF – IAG is unsuccessful in their evaluation, the issue is considered too complex, or the Complainant seeks an appeal, the grievance is elevated to determination by a majority vote of the RSC – who may ask for additional assessment work or a new IAG / iTaukei 	5 working days

Step 5. Close / iTaukei	Timeframe / iTaukei
Point of Contact: R+LO / iTaukei	
<ul style="list-style-type: none"> Complainant may receive survey or other follow-up to support monitoring and closeout / iTaukei 	<ul style="list-style-type: none"> NA

ATTACHMENT 5: FGRM IAG SELECTION AND SCOPE OF WORK

EDUCATION

- **Minimum** of an undergraduate degree in environmental economics, resource management, forestry, climate change, sociology, agriculture, law, human rights, agriculture, gender, or related major
- **Preferred** certification in conflict resolution

EXPERIENCE AND SKILLS

- **Minimum:**
 - Five (5) years experience in strategic planning, program development, monitoring and evaluation, economic development, and/or cross-cultural communications
 - Conflict resolution, facilitation, or mediation experience
 - Community consultation and stakeholder engagement expertise in Fiji
 - Sufficient knowledge of REDD+ policies, procedures, and regulations
 - Excellent written and oral communication skills
 - Gender sensitized and aware of gender issues in Fiji land use management
 - Adequate knowledge of diverse culture in Fiji especially of the iTaukei
- **Preferred:**
 - Conflict resolution experience on natural resource activity
 - Understanding of GRMs in Fiji and common processes for grievance redress
 - Understanding of customary ownership issues
 - Demonstrates integrity and accountability in conduct of duties

CONFLICT OF INTEREST

- **Required:**
 - Must be able to sign a *Non-disclosure Agreement* and *No Conflict Statement*
 - Pass a reference check

EVALUATION AND SELECTION PROCESS

The evaluation of each candidate will be determined on the above criteria and weighted based on the submission of supporting documentation. Total scores will be used to rank each candidate and a passing score of 75% is needed to be included on the roster for the Independent Assessment Group (IAG). The breakdown for scoring is: Education 25%, Experience and Skills 65%, and Conflict of Interest 10%. The selection of each applicant will be based on a set of selection criteria related to the specific issues in the case and in consultation with the registered Complainant.

ATTACHMENT 6: FGRM STAFF QUALIFICATION

Recommended capacities for new FGRM Unit Team Members and additional capacities for existing officers that will support and be involved in the FGRM.

NEW FGRM UNIT STAFF

Grievance Director

Level of Effort: 100%

Reports to: REDD+ Secretariat

Minimum Requirements:

- degree in social science, forestry, agriculture, environment, and/or resource law
- experienced manager with proven capacity building expertise
- strong leadership and organizational skills
- highly developed communication skills and writing
- five (5) years of conflict resolution experience
- experience with developing policies and procedures
- monitoring and reporting experience
- negotiator that is respected by other institutions, but must not have worked for TLTB or TLFC (to avoid due bias or influence)

Preferred Requirements:

- advanced degree in social science, forestry and/or resource law
- conflict resolution certification
- awareness of the context of REDD+
- understanding of gender mainstreaming effort in land use in Fiji
- experience in Boardroom process and running review of Boards

REDD+ Liaison Officer (R+LO)

Level of Effort: 100%

Reports to: Grievance Director

Minimum Requirements:

- degree in social science, law, forestry, agriculture, environment, resource management
- experienced manager with proven capacity building expertise

- strong leadership and organizational skills
- strong analytical and communication skills and writing
- experience in conflict resolution, including mediation and facilitation
- monitoring and evaluating experience

Preferred Requirements:

- understanding and awareness of the context of REDD+
- ability to maintain and manage a database

EXISTING FGRM SUPPORT STAFF, EXPANDED RESPONSIBILITIES

Forest Officer

Level of Effort: 15%

REDD+ Coordination POC: R+LO

Minimum Requirements:

- degree in forestry and/or related major
- sound REDD+ knowledge
- strong organizational and reporting skills
- effective communication skills

Additional Skill Requirements:

- obtain training certificate on mediation and conflict resolution
- learn database and basic computer skills

REDD+ Project Coordinators

Level of Effort: 10%

REDD+ Coordination POC: R+LO

Minimum Requirements:

- sound REDD+ knowledge
- strong organizational and reporting skills
- effective communication skills

Additional Skill Requirements:

- obtain training certificate on mediation and conflict resolution
- monitoring and tracking for FGRM operational and process issues in communities

Roko Tui

Level of Effort: 5%

REDD+ Coordination POC: R+LO and Grievance Director

Minimum Requirements:

- sound REDD+ knowledge
- strong organizational and reporting skills
- effective communication skills

Additional Skill Requirements:

- obtain training certificate on mediation and conflict resolution