

FIJI REDD+ Readiness Program
– supported by FCPF/World Bank

Developing a Feedback and Grievance Redress Mechanism (FGRM)
for the Fiji National REDD+ Programme

TERMS OF REFERENCE

1. INTRODUCTION

Fiji has a forest cover of almost 1.1 million hectares, covering about 56% of the total land mass. Almost 90% of the land is communally owned by customary land owning units. The Fiji National Forest Policy emphasizes the application of sustainable forest management principles and improving the livelihoods of rural forest owners. REDD+ is seen as an instrument to achieve these goals and will play an important role in Fiji's development path, as forests hold an important place in the country's culture, history, environment and economy. Fiji also recognizes REDD+ as an important opportunity to contribute towards global climate change mitigation while strengthening the socio-economic situation of its forest resource owners and protect and restore its forest ecosystems.

In 2010, Fiji Cabinet endorsed the Fiji National REDD+ Policy. The Policy provides the framework for the planning, coordination, and implementation of REDD+ activities. The implementation of activities is overseen by the National REDD+ Steering Committee (RSC). The committee is made up of twenty agencies from various sectors and coordinated through the REDD+ Secretariat. The Ministry of Forests is the lead national implementation agency for REDD+ and has a dedicated REDD+ Unit.

In May 2015, Fiji became a recipient of the Forest Carbon Partnership Facility (FCPF) REDD+ readiness grant amounting to USD3.8mil. An activity supported under this readiness financing is the development of a feedback and grievance redress mechanism (FGRM).

Feedback and grievance redress mechanisms (FGRMs) are organizational systems and resources established by national government agencies to receive and address concerns about the impact of their policies, programs and operations on external stakeholders. FGRMs act as recourse for situations in which, despite proactive stakeholder engagement, some stakeholders have a concern about a project or program's potential impacts on them.

FGRMs are intended to complement, not replace, formal legal channels for managing grievances. These mechanisms are not intended to replace the judiciary or other forms of legal recourse. It should also be recognized that not all complaints can be handled through a FGRM. For instance, grievances that allege corruption, and/or major and systematic violations of rights are normally referred to administrative or judicial bodies for formal investigation, rather than to FGRMs for collaborative problem solving.

Adapted from: Joint FCPF/UN-REDD Programme Guidance Note for REDD+ Countries: Establishing and Strengthening Grievance Redress Mechanisms, June 2015

1.1 A feedback and grievance redress mechanism for the Fiji National REDD+ Programme

The Fiji National REDD+ Programme needs a mechanism for responding to concerns, complaints, disputes, and any other contentious issues arising during the readiness and implementation phase of the programme. The mechanism should also facilitate two-way communication processes and an efficient outreach process to local communities. The clearly defined feedback and grievance redress mechanism (FGRM) needs to be available to stakeholders from the readiness phase in order to handle any request for feedback or complaint that stakeholders may have about readiness activities. This mechanism should enhance responsiveness towards concerns of REDD+ stakeholders. This FGRM is also expected to function complementarily with existing structures that serve to reduce conflict and promote mutually constructive relationships and trust.

Given the thematic overlap between REDD+ and current land management arrangements, the grievance redress mechanism for REDD+ can benefit from experiences made in existing mechanisms at the national level. Prominent examples include the iTaukei Land and Fisheries Commission (TLFC) where all grievances regarding iTaukei (customary) land are resolved through this institution.

2. OBJECTIVE OF THE CONSULTANCY

The overall objective is to develop a feedback and grievance redress mechanism (FGRM) for the Fiji National REDD+ Programme. The FGRM should effectively and efficiently receive and respond to the concerns, complaints and grievances that REDD+ stakeholders and other parties may have during both the REDD+ readiness and the implementation phase.

The developed FGRM should be:

- *Legitimate* – has clear, transparent, and sufficiently independent governance structures to ensure that no party to a particular grievance process can interfere with the fair conduct of that process.
- *Accessible* - must be publicized to those who may wish to access it and provide adequate assistance for aggrieved parties who may face barriers of access, including language, literacy, awareness, finance, distance, or fear of reprisal. It should be accessible to diverse members of the community, including more vulnerable groups such as women, youth, and people with disabilities and special needs.
- *Predictable* - must provide a clear and known procedure, with time frames for each stage; clarity on the types of process and outcome it can (and cannot) offer; and means of monitoring the implementation of any outcome.
- *Equitable* - must ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair and equitable terms.
- *Rights-compatible* - must ensure that its outcomes and remedies accord with internationally recognized human rights standards.
- *Transparent* - must provide sufficient transparency of process and outcome to meet the public interest concerns at stake and should presume transparency wherever possible.

Non-state mechanisms should be transparent about the receipt of complaints and the key elements of their outcomes.

3. TASKS

The following tasks will be carried out to meet the objectives of the consultancy

i) Identify potential grievances and conflicts that may arise as a result of REDD+ and analyze existing processes and mechanisms that could be utilized to address these

More specifically, the activities include:

- In close consultation with targeted local communities, the REDD+ CSO platform, and key stakeholders, identify potential conflicts and contentious issues that may arise from the various REDD+ activities and identify issues that are specific to certain target groups (e.g. women, leaseholders)
- Assess the scope and effectiveness of existing formal (including legal, policy and regulatory frameworks) and informal (including non-legal frameworks and traditional structures) FGRMs at national, sub-national and local levels and document lessons that can contribute to a robust FGRM for REDD+.
- In close consultation with the REDD+ CSO platform, targeted local communities, and key stakeholders, determine whether existing structures are adequately addressing the feedback and grievance redress needs of each REDD+ target group and stakeholders (local communities, women, youths, land users under different tenements, etc.) identified in bullet point 1 above
- From the above assessments (but not limited to these), identify and develop interventions and mechanisms and where required, make adjustments and additions, to strengthen the existing FGR structures (formal and informal) to support the REDD+ FGRM. Existing structures should be utilized wherever possible and should be integrated and sustainable.
- Identify various approaches and structures against the various types of issues and target groups to allow for appropriate responses to different grievances.

ii) Identify actions and strategies to enable the Fiji National REDD+ institutions to support the successful and sustainable implementation of the Fiji REDD+ FGRM

- Assess existing REDD+ institutional and management structures and processes ((REDD+ Steering Committee, REDD+ Divisional Working Groups, REDD+ Secretariat, REDD+ Unit etc.) including:
 - identifying the roles and responsibilities of the institutions in the implementation of REDD+ FGRM
 - identifying the strengths, weaknesses and capacity needs, (including the institutional, human, and financial resource needs to implement the FGRM) of the institutions in order to carry out their roles in supporting successful and sustainable implementation of the Fiji REDD+ FGRM

- From the above, determine actions and strategies to strengthen the national REDD+ structures and processes
- Assess how the Consultation and Participation processes can be strengthened to support the implementation of the FGRM

iii) Develop the feedback and grievance redress mechanism

The development of the FGRM will be carried out in close consultation with local communities, the various REDD+ key stakeholders and target groups, under the guidance of the REDD+ Steering Committee.

The FGRM will be developed based on the consultations and assessments carried out in tasks i) and ii) above and incorporate the principles mentioned under ‘Section 3 Objective’.

- When developing the FGRM, the following elements need to be included:
 - *A transparent grievance receipt and registration system* to provide ways for community members to register complaints and confirm they have been received
 - *Grievance eligibility assessment* to determine if the issues raised in the complaint fall within the mandate of the grievance mechanism and the complainants have standing
 - *Grievance evaluation* to clarify the issues and concerns raised in the complaint, to gather information on how others see the situation, and to identify whether and how the issues might be resolved
 - *Several choices for solving problems, with or without the assistance of independent, third parties*
 - *Internal decision-making processes*, whereby issues are handled by designated officers/ structures, using stated standards and criteria, to develop and propose a response to the grievance and to allow for an appeals process
 - *Joint problem solving*, in which the REDD+ programme and the complainant engage in direct dialogue
 - *Third-party decision making* to offer a solution when a voluntary agreement is not possible
 - *Grievance tracking, monitoring, and reporting to the community*
 - *REDD+ programme-community feedback and information sharing* to strengthen grievance resolution processes
 - *Organizational learning* and identification of systemic problems and the need for changes to policies and procedures to prevent recurrent future disputes.
- The FGRM should take account of the specific issues, cultural context, local customs, and project conditions and scale. Where possible, local, customary ways of grievance resolution should be evaluated and incorporated into the system.
- The design and operation of the grievance mechanism should consider 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.

- To accommodate differences in personal and cultural preferences, the grievance mechanism should offer a variety of grievance resolution approaches—not just a single grievance procedure.
- The mechanism should be able to address multi-party and multi-issue complaints.
- The mechanism should be open to a wide range of concerns: both those based in factual data and those arising from perceptions or misperceptions.
- The mechanism should be responsive, respectful, and predictable—clearly laying out an expected timetable for key process milestones.
- The mechanism should identify procedures for multiple points of entry, including face-to-face meetings, written complaints, telephone conversations, or e-mails.

iv) Strengthen the local iTaukei FGRM structures including training

In close consultation with the Ministry of iTaukei Affairs and the Ministry of Rural and Maritime Development and National Disaster Management Office, and working from existing processes, the following activities are to be carried out:

- Develop a standard feedback and grievance redress form (or template) for iTaukei village headmen (*Turaga ni-koro*) to record and reporting issues and grievances for both the readiness and implementation phase
- Develop a standard feedback and grievance redress form (or template) for forestry officers and other relevant field officers for recording issues and grievances relating to REDD+ activities under their authority
- Explore appropriateness of engaging village committees in recording and reporting grievances to the villages.
- Conduct a training of trainers for the above target groups on the use of the forms/template. This will be carried out in collaboration with the REDD+ Secretariat.

v) Develop a plan to continuously improve the FGRM

- Develop an effective and efficient procedure/tool to systematically document/record the frequency, patterns, and causes of grievances and the strategies and processes used for feedback and grievance resolution
- Determine a system to systematically review the overall effectiveness of the mechanism and identify procedures to improve the FGRM. The identification of these procedures will need to include the involvement of the relevant REDD+ stakeholders

vi) Communicate and finalize the proposed FGRM mechanism to stakeholders.

- Facilitate stakeholder consultation workshops on the proposed FGRM

- Incorporate relevant comments and feedback from the consultation and finalise the proposed FRGM

4. APPROACH

The assessments and development of the FGRM framework should actively engage concerned stakeholder groups and supporting institutions. The team is expected to spend sufficient time on field visits. Participatory appraisal techniques should be applied where relevant to obtain quantitative and qualitative information.

The process requires information from a variety of sources that include (and not limited to):

- Literature review of existing legislation, policy, regulations, and procedures on grievance redress and conflict resolution in Fiji.
- Assessment of national programs and actions associated with grievance redress and conflict resolution
- Comprehensive community consultations and field visits to communities currently undertaking REDD+ activities or are potential REDD+ sites.
- Comprehensive consultations at national, divisional and local level with various stakeholders and different ethnic land users and land owning communities
- Review of informal and local cultural practices for grievance redress and conflict resolution

The consultancy requires regular communication with the REDD+ Secretariat to ensure an effective feedback process with the REDD+ Steering Committee. Consultants are expected to facilitate national stakeholder consultation workshops and report to the REDD+ Steering Committee when required.

All stages of reporting will be presented to the relevant working group of the National REDD+ Steering Committee for feedback and validation. This will be organized through the REDD+ Secretariat.

5. SCHEDULE AND DELIVERABLES

The commencement of the services shall come into force and effect on the date (the “Effective Date”) of the Client’s notice to the Consultant instructing the Consultant to begin carrying out the services.

The overall timeframe (from the Effective Date) for the development of the Feedback and Grievance Redress Mechanism will be 17 weeks. The consultants should spend at least seven weeks at study sites.

All draft reports will be submitted to the REDD+ Secretariat who will be responsible for organizing the reviews with the RSC. All comments from the RSC will be sent to the

consultants within a maximum time period of two weeks from the date of submission of the draft.

A workplan to describe how the study will be carried out including the work schedule and methodology to be used for data and information collection, analysis and reporting of each specific task, is to be submitted within 10 days from the Effective Date. The work plan, will be presented to the REDD+ Steering Committee for finalization and endorsement.

The table below summarizes the schedule for the consultancy.

Task	Deliverable	Schedule
1. Draft work plan on how the assignment will be carried out 2. Draft a consultation plan	Draft inception report including workplan and consultation plan submitted to REDD+ Secretariat	Within 7 days from the Effective Date
3. Facilitate inception workshop - Presentation and discussion of work plan, methodology and data collection with RSC	Endorsed inception report including workplan and consultation plan	Within 10 days from the Effective Date
4. Assessment of existing structures, processes, potential grievances and recommended actions - Tasks (i) and (ii)	1st draft report on assessment and recommendations of existing issues and structures submitted for review	Within 6 weeks from the Effective Date
5. RSC review of assessment report	Reviewed report of assessment and recommendations of existing issues and structures	Within 8 weeks from the Effective Date
6. Incorporation of RSC comments and finalisation of report	Final report of assessment and recommendations of existing issues and structures	Within 9 weeks from the Effective Date
7. Draft report of proposed FRGM - Task (iii) & plan for review and improvement – Task (v)	1st draft report on proposed FRGM submitted for review	Within 13 weeks from the Effective Date
8. Develop reporting forms for iTaukei village headman and government field officers and conduct training – Task (iv)	Reporting forms and training of trainers	Within 14 weeks from the Effective Date
9. RSC review of proposed FRGM including plan for review and improvement	Reviewed FGRM	Within 15 weeks from the Effective Date
10. Incorporation of RSC comments 11. Validation workshop(s) and finalisation of report – Task (vi)	Final report on FGRM for Fiji REDD+ programme	Within 17 weeks from the Effective Date

At the end of the consultancy, the **following products are expected:**

1. A comprehensive report on the current grievance redress structures, processes, and frameworks in including structures and processes relevant for REDD+ concerns
2. A proposed FGRM for the Fiji National programme including a plan on the ongoing review and improvement of the mechanism
3. Training report on a reporting process for the iTaukei village headman and government field officers including reporting forms for the iTaukei village headman and government field officers to record and provide feedback on issues , complaints and grievances.

All reports are to be submitted to the REDD+ Secretariat in 5 hardcopies each and electronic versions in WORD and PDF format.

6. PAYMENT SCHEDULE

This will be a short-term consultancy and payment is scheduled accordingly.

Output	Payment (%)
Inception report including workplan and consultation plan	10%
Assessment report from tasks (i) and (ii)	40%
Training report & Final proposed FGRM	50%

The costs for the national validation workshops and national RSC meeting consultations will be covered separately.

7. REQUIRED EXPERTISE

The assignment will be conducted by a team of international and national experts possessing knowledge and working experience on grievance redress and conflict resolution issues and approaches.

The following expertise and working experiences are required:

Key Expert	Minimum Qualification	Additional skills that will be an advantage
K-1: Team Leader	<ul style="list-style-type: none"> • Master's degree in dispute and conflict resolution, sociology or similar • At least ten years working experience undertaking analytical studies relating to conflict resolution and the development of feedback and redress mechanisms • Experience in the area of social conflicts 	<ul style="list-style-type: none"> • Understanding of the institutional governance framework of the national REDD+ programme in Fiji

Key Expert	Minimum Qualification	Additional skills that will be an advantage
	<p>in the natural resource sector</p> <ul style="list-style-type: none"> • Experience and sound understanding of REDD+ safeguard requirements 	
K-2: Social development expert	<ul style="list-style-type: none"> • Master's degree in sociology or related field. • At least eight years working experience in the field of social research, social development, community development or a related field • In lieu of a Master's degree, a relevant bachelor's degree with at least 12 years working experience in the field will be accepted. • Familiar with local social structures in Fiji and various forms of conflicts and disputes especially in the land use sector 	<ul style="list-style-type: none"> • Understanding of REDD+ safeguard issues • Understanding of gender related issues in Fiji • Familiar with the application of participatory tools
K-3: Legal expert	<ul style="list-style-type: none"> • Bachelor's degree in Law • At least five years working experience in the field of environmental law • Familiar with legal, policy, and institutional frameworks on conflict and dispute resolution in Fiji • Familiar with international and national policies and legislation on human rights 	<ul style="list-style-type: none"> • Understanding of the institutional governance framework of the national REDD+ programme in Fiji • Knowledge and understanding of land tenure arrangements and issues in Fiji • Understanding of REDD+
K-4: Communications expert	<ul style="list-style-type: none"> • Master's degree in communication or a related field • At least five years working experience in the field of communications or similar • In lieu of a Master's degree, a relevant bachelor's degree with at least ten years working experience in the field will be accepted. • Experience in the development of communication plans and strategies • Working familiarity of various communication tools and media 	<ul style="list-style-type: none"> • Understanding of REDD+ • Familiar with participatory tools for consultations and facilitation skills at all levels

CONTACT

For further information on these terms of reference please contact:

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