



PINGO'S FORUM

THE GREEN CLIMATE FUND'S INDIGENOUS PEOPLES' POLICY

A SIMPLIFIED VERSION



ABOUT US



Pastoralists Indigenous Non Governmental Organisation's Forum (PINGO's Forum) is formed in 1994 and formally registered in 1996 as a membership organisation of more than 50 CSOs members working country-wide. PINGO's Forum is a national human rights organisation that advocates and promotes the rights of indigenous peoples; pastoralists and hunter-gatherers communities and amplifies their voices.

VISION

A just community of pastoralists and hunter gatherers with sustainable, recognised and respected rights

GOAL

A just society and sustainable livelihoods for Pastoralists and Hunter-Gatherers in Tanzania.

MISSION

To create a lasting solution for injustices and poverty to pastoralists and hunter gatherers communities.

PURPOSE

To consolidate and amplify the voices of pastoralists and hunter-gatherers communities for promotion & protection of their rights.

RESULT AREAS



/01

The rights of pastoralists and hunter-gatherers as reflected in governance principles, policies, laws and strategies.

/03

Pastoralists and Hunter-gatherers are engaged in climate change policy processes, adaptation, mitigation and are less affected by the impact of climate change.

/02

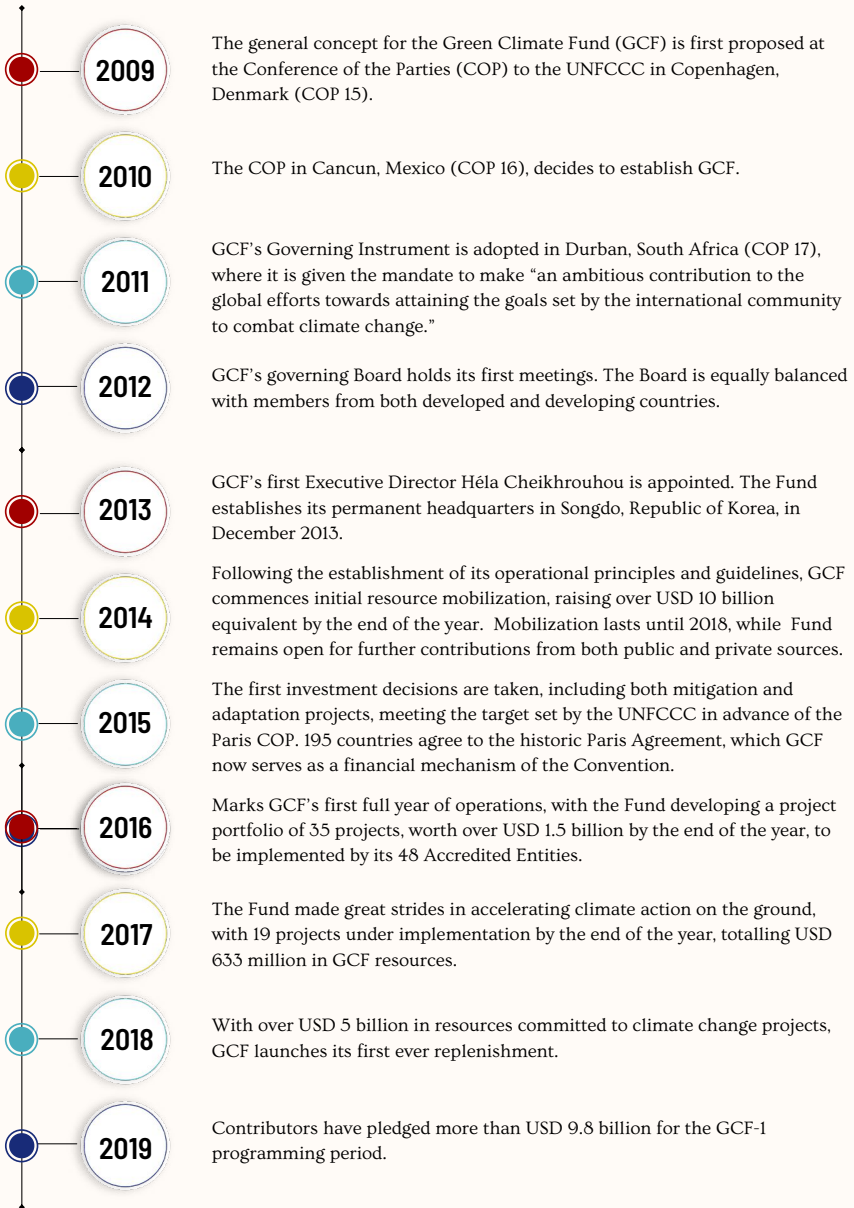
The socio-economic and political rights of women and youth as promoted and protected by Pastoralists and Hunter-Gatherers communities.

/04

Adequately available, accessible and credible information for decision making by stakeholders on issues of human rights, women and youth empowerment, and climate change.

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TIMELINE OF EVENTS



DEFINED & MODUS OPERANDI

The Green Climate Fund is a fund established within the framework of the UNFCCC as an operating entity of the Financial Mechanism to assist developing countries in adaptation and mitigation practices to counter climate change.

Based in Songdo, Incheon, South Korea, It aims to expand collective human action to respond to climate change. The Fund aims to mobilize funding at scale to invest in low-emission and climate-resilient development on our home planet.

194 party countries were responsible to the founding of the GCF at the UN Framework Convention on Climate Change in 2010. It is designed as an operating entity of the Convention's financial mechanism.

The GCF is governed by a 24 Board member Board, representing countries, and receives guidance from the Conference of the Parties to the Convention (COP). Created by the United Nations Framework Convention on Climate Change (UNFCCC), the Fund aims to support a paradigm shift in the global response to climate change as it allocates its resources to low-emission and climate-resilient projects and programmes in developing countries.

The Fund pays particular attention to the needs of societies that are highly vulnerable to the effects of climate change, in particular Least Developed Countries (LDCs), Small Island Developing States (SIDS), and African States. Indigenous peoples are neither sidelined as there is a policy governing the GCF for engaging with them.



GCF KEY FEATURES

01 THE GCF IS COUNTRY DRIVEN

A core GCF principle is to follow a country-driven approach, which means that developing countries lead GCF programming and implementation. Country ownership of GCF financing decisions enables developing countries to turn NDC ambitions into climate action. GCF's country-driven approach is underpinned by capacity-building support through its Readiness Programme that is available to all developing countries, Tanzania inclusive.

02 AN OPEN, PARTNERSHIP ORGANIZATION

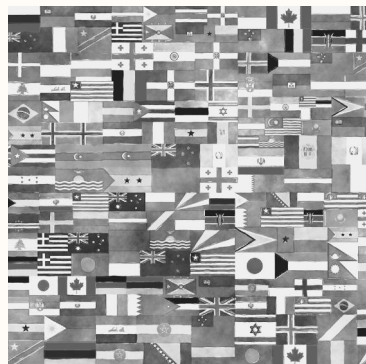
GCF operates through a network of over 200 Accredited Entities and delivery partners who work directly with developing countries for project design and implementation. Our partners include international and national commercial banks (including CRDB from Tanzania), multilateral, regional and national development finance institutions, equity funds institutions, United Nations agencies, and civil society organizations. This open partnership enables the Fund to foster unprecedented coalitions between private investors, development agencies and civil society organizations to achieve transformative change and support harmonization of standards and practices.

03 A RANGE OF FINANCING INSTRUMENTS

GCF can structure its financial support through a flexible combination of grant, concessional debt, guarantees or equity instruments to leverage blended finance and crowd-in private investment for climate action in developing countries. This flexibility enables the Fund to pilot new financial structures to support green market creation.

04 BALANCED ALLOCATION

GCF is mandated to invest 50% of its resources to mitigation and 50% to adaptation in grant equivalent. At least half of its adaptation resources must be invested in the most climate vulnerable countries (SIDS, LDCs, and African States). The GCF programming strategy recognizes that we must scale up both mitigation and adaptation efforts. GCF aims to leverage synergies and minimize potential trade-offs between adaptation and mitigation.



...GCF KEY FEATURES

05 RISK-TAKING, PATIENT CAPITAL

GCF adds value to its partners by enabling them to raise the ambition of their climate action. By leveraging the risk management capacity of our partners and our own set of investment, risk and results management frameworks, GCF can accept higher risks to support early-stage project development as well as policy, institutional, technological and financial innovation to catalyse climate finance. This capacity to take risk is backed up by a robust second level due diligence system.



RATIONALE OF IPS POLICY

1. Indigenous peoples are unique and a distinct stakeholder of the GCF. The rights of indigenous peoples are affirmed by international human rights instruments, including binding treaties and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Indigenous peoples have invaluable and critical contributions to make to climate change mitigation and adaptation. Yet they are also facing serious threats to the realization of their rights from climate change actions.

2. The importance of engaging with indigenous peoples in climate change policies and actions has been recognized by the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC), including in the Cancun Agreement (decision 1/CP.16). The preamble of the Paris Agreement also acknowledges that Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on, inter alia, the rights of indigenous people. The COP decision adopting the Paris Agreement (decision 1/CP.21) recognized the need to strengthen practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change and operationalized the local communities and indigenous peoples platform to help do this. The COP has further requested GCF consider a recommendation “to enhance [its] consideration of local, indigenous and traditional knowledge and practices and their integration into adaptation planning and practices, as well as procedures for monitoring, evaluation and reporting.”

3. This GCF Indigenous Peoples Policy (hereafter Policy) recognizes that indigenous peoples often have identities and aspirations that are distinct from mainstream groups in national societies and are disadvantaged by traditional models of mitigation, adaptation and development. In many instances, they are among the most economically marginalized and vulnerable segments of the population. The economic, social and legal status of indigenous peoples frequently limit their capacity to defend their rights to, and interests in, land, territories and natural and cultural resources, and may restrict their ability to participate in and benefit from development initiatives and climate change actions. In many cases, they do not receive equitable access to project benefits, or benefits are not devised or delivered in a form that is culturally appropriate, and they are not always adequately consulted about the design or implementation of activities that would profoundly affect their lives or communities.

...RATIONALE

4. The Governing Instrument for the GCF, as well as other policies such as the interim environmental and social safeguards (ESS) and the draft environmental and social management standard (ESMS), reflect the importance of fully and effectively engaging with indigenous peoples in the design, development and implementation of the strategies and activities to be financed by GCF, while respecting their rights.

5. At the fifteenth meeting of the Board (B.15), in decision B.15/01, the Board requested the Secretariat to develop a Fund-wide Indigenous Peoples Policy.

6. This Policy will assist GCF in incorporating considerations related to indigenous peoples into its decision-making while working towards the goals of climate change mitigation and adaptation. The Policy allows GCF to anticipate and avoid any adverse impacts its activities may have on indigenous peoples' rights, interests and well-being, and when avoidance is not possible to minimize, mitigate and/or compensate appropriately and equitably for such impacts, in a consistent way and to improve outcomes over time. These elements of the Policy will be integrated with other business processes and governance frameworks, particularly the ESMS, and will be utilized across the organization of GCF. The Policy will evolve and continue to mature as GCF operations develop.

7. In developing this Policy, GCF has been guided, as relevant, by principles set forth in: UNDRIP; International Labour Organization (ILO) Convention 169 and the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the outcome document of the high-level plenary meeting of the United Nations General Assembly, known as the World Conference on Indigenous Peoples; and the International Covenant on Civil and Political Rights.

8. This Policy has been developed with the participation and support of a wide range of indigenous peoples organizations.

POLICY OBJECTIVES

The overall objective of this Policy is to provide a structure for ensuring that activities of GCF are developed and implemented in such a way that fosters full respect, promotion, and safeguarding of indigenous peoples so that they (a) benefit from GCF activities and projects in a culturally appropriate manner; and (b) do not suffer harm or adverse effects from the design and implementation of GCF-financed activities. The Policy will allow GCF to promote its approach in a consistent way and improve outcomes over time.

SPECIFIC OBJECTIVES

- To support and promote the welfare, positive contributions and leadership of indigenous peoples to climate change mitigation and adaptation, based on their traditional knowledge systems, livelihoods, sustainable resource management systems and practices, in a manner that is accessible, rights-based, gender-responsive, culturally appropriate and inclusive;
- To enable the critical role of indigenous peoples in assisting GCF to ensure more effective, sustainable and equitable climate change results, outcomes and impacts and to enable them to be active leaders and participants in the process;
- To enable indigenous peoples present in, or with collective attachment to, the areas where GCF-financed activities are implemented (or activities proposed for GCF-financing will be implemented) to be fully informed and consulted about, and have opportunities to actively participate in, project design and the determination of project implementation arrangements;
- To provide a framework for GCF to anticipate and avoid any adverse impacts of its activities on indigenous peoples' rights, interests and well-being, and when avoidance is not possible to minimize, mitigate and/or compensate appropriately and equitably for such impacts;
- To pay particular attention to the different challenges faced by women and girls and other groups within indigenous communities, and to promote the participation and leadership of women in GCF activities, given their role as traditional knowledge holders and custodians of cultural and spiritual heritage and values;
- To enable and further realize full respect for the rights, dignity, aspirations, identity, culture, lifestyle, autonomy, protagonism, and natural resource-based livelihoods of indigenous peoples and territory management in the whole spectrum of activities and initiatives of GCF, and follow the principle in paragraph 22(c) [first item of second column of grievance mechanism in this booklet] of this Policy and the applicable international and regional instruments, where appropriate, such as ILO Convention 169 and UNDRIP;
- To promote and respect indigenous peoples' rights to own, use, develop and control the lands, territories, and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those that they have otherwise acquired;
- To recognize, respect and preserve the culture, knowledge and practices of indigenous peoples, and to provide them with an opportunity to adapt to changing conditions in a manner and in a timeframe acceptable to them;

The GCF IPs Policy

...SPECIFIC OBJECTIVES

- To foster full respect of as well as promote and preserve indigenous peoples' cultural and spiritual heritage and values, traditional knowledge, natural and economic resource management systems and practices, occupations and livelihoods, customary institutions and overall well-being;
- To recognize and effectively apply the principle of free, prior and informed consent, as described in this Policy;
- To establish and maintain continuing engagement based on fully informed consultation and effective participation of the indigenous peoples – including indigenous women, youth and elders – affected by GCF-financed activities throughout the implementation of the activities;
- To ensure that all grievance mechanisms associated with GCF activities are effective in addressing issues raised by indigenous peoples and are accessible, fair, transparent and culturally appropriate; and
- To recognize and operationalize indigenous peoples' equitable access to the benefits of GCF-funded activities.

SCOPE

With the policy in place, it then applies to all GCF-financed activities and to both public and private sector entities. Further to it, the policy will also apply to approved GCF-financed activities to the extent reasonably possible. Activities include programs, projects, sub-projects. To clarify it even more, the financial instruments vary and may include grants, concessional loan, guarantees and equity investments.

Generally this policy applies to indigenous peoples herein referred to as a distinct social and cultural group possessing the following characteristics in varying degrees despite their different names based on their countries; whereas some are called "IPs and local communities", "local communities", "indigenous ethnic minorities", "sub-Saharan African historically underserved traditional local communities", "ethnic groups", "aboriginals", "hill tribes", "vulnerable and marginalised groups", "minority nationalities", "scheduled tribes", "first nations", "tribal groups", "pastoralists", "hunter-gatherers", "nomadic groups", or "forest dwellers". So basically whatever the name is, they are mostly identified by traits below.

CHARACTERISTICS

1. Self-identification as members of a distinct indigenous social and cultural group and recognition of this identity by others;
2. Collective attachment to geographically distinct habitats, ancestral territories, or areas of seasonal use or occupation as well as to the natural resources in these areas;
3. Customary cultural, economic, social, or political systems that are distinct or separate from those of the mainstream society or culture; and
4. A distinct language or dialect, often different from the official language or languages of the country or region in which they reside. This includes a language or dialect that has existed but does not exist now due to impacts that have made it difficult for a community or group to maintain a distinct language or dialect.

GUIDING PRINCIPLES

The guiding principles of the existing and proposed policies of GCF will apply to this Policy. And in addition to that, guiding principles for this policy will include;

Develop and implement free, prior and informed consent.

GCF will ensure and require evidence of the effective consultation and application of free, prior and informed consent through appropriate procedures and in particular through their representative institutions whenever consideration is being given to GCF-financed activities that will affect indigenous peoples' lands, territories, resources, livelihoods and cultures or require their relocation as described in section 7.2;

Respect and enhance the rights of indigenous peoples to their lands, territories and resources.

All GCF activities will fully respect and support indigenous peoples' rights related to land, territories and resources, and rights related to cultural and spiritual heritage and values, traditional knowledge, resource management systems and practices, occupations and livelihoods, customary institutions, and overall well-being;

Respect and recognize traditional knowledge and livelihood systems.

GCF recognizes, respects and values indigenous peoples' cultural heritage as well as traditional knowledge held by indigenous peoples and the indigenous ways of ownership and knowledge transmission, and will promote the participation and leadership of traditional knowledge holders in GCF-financed activities;

Recognize key international human rights and principles.

All GCF activities will respect the principles set forth in UNDRIP and other relevant international and regional instruments relating to the rights of indigenous peoples and individuals, including, where applicable but not limited to, ILO Convention No. 169, the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of All Forms of Racial Discrimination;

Respect the right of indigenous peoples under voluntary isolation.

GCF will respect the prerogative of indigenous peoples living in voluntary isolation, or remote groups with limited external contact, also known as peoples "in voluntary isolation", "isolated peoples" or "in initial contact", to remain isolated and to live freely according to their culture. Activities that may affect these peoples, their lands and territories, or their ways of life will include the appropriate measures to recognize, respect and protect their lands and territories, environment, health and culture, and to avoid contact with them as a consequence of the activity;

Enhance the capacity for indigenous peoples issues within GCF.

GCF will develop its advisory and decision-making capacities to understand and properly address indigenous peoples' issues and rights, including developing the capacity of Board members and Secretariat management and staff;

...GUIDING PRINCIPLES

Facilitate access to GCF resources for indigenous peoples.

GCF will encourage national designated authorities and accredited entities to engage with and be inclusive of indigenous peoples. GCF may consider taking actions to better meet the needs and priorities of indigenous peoples to support their initiatives and efforts for climate change mitigation and adaptation actions.

Respecting the system of self-government.

GCF should promote respect for the right of indigenous communities to freely pursue their economic, social and cultural development and their right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous.

ACCREDITED ENTITIES

OVERVIEW OF ROLES & RESPONSIBILITIES

In the case of activities proposed for GCF financing

- Ensuring free, prior and informed consent has been properly sought and meaningful consultation has been undertaken in line with the requirements of this Policy;
- Implementing a management system to manage the risks and impacts associated with the activities, including meaningful and inclusive multi-stakeholder consultation and engagement throughout the project cycle with indigenous peoples, taking into account the particular situations of other vulnerable groups and populations (including women, children and people with disabilities), appropriate to its role as an implementing entity (which may include a project execution role), an intermediary entity, or both, maintaining or improving the management system on which its accreditation was approved;
- Ensuring that activities proposed for GCF financing are properly screened, assigned appropriate risk categories, and that the risks and impacts are properly and sufficiently assessed;
- Cooperating with GCF in its due diligence of the activities proposed for GCF financing;
- Ensuring that measures to avoid, minimize or mitigate adverse impacts, to compensate for residual impacts, and to provide for restoration are planned and adequately supported in the activities proposed for GCF financing;
- Disclosing information on GCF-financed activities and component subprojects pursuant to the GCF Information Disclosure Policy, and developing and implementing ongoing stakeholder engagement, including entity-level and activity-level grievance mechanisms; and
- Ensuring that remedial actions stipulated by the Board on the recommendation of the independent Redress Mechanism in response to a complaint from people affected by the activities are respected and promptly implemented.

...ACCREDITED ENTITIES

OVERVIEW OF ROLES & RESPONSIBILITIES

In the case of GCF-financed activities

- Ensuring that free, prior and informed consent, IPPs and IPPFs are implemented, monitored and continuously improved as needed;
- Monitoring and reporting on the progress and performance of GCF-financed activities to GCF and its stakeholders throughout the implementation of the GCF-financed activities, in accordance with this Policy and any IPP and IPPF.

The accredited entities will confirm that the measures to implement this Policy, including, as relevant, free, prior and informed consent, meaningful consultation, information disclosure, stakeholder engagement and grievance redress, are incorporated in the agreements with executing entities including tendering documents and contracts.

The accredited entities are responsible for compliance with all applicable laws, including the laws, regulations and standards of the state(s) in which the activities are located, and the obligations of the state(s) directly applicable to the activities under relevant international treaties and agreements.

Entities that are functioning as financial intermediaries are responsible for managing the risks associated with the supported activities. The intermediaries will review all subprojects and delegated activities to identify where the entities and GCF could be exposed to potential risks and take necessary actions, including the development and operation of management systems to oversee and manage these risks. The accredited entities acting in intermediary functions will require and ensure that all component subprojects and activities meet the requirements of this Policy. The accredited entities will also guarantee that the borrowers, grantees and investees have the adequate management systems, processes and capacity to manage the implementation of this Policy and the impacts of GCF-funded activities and will ensure: that the individual subprojects and delegated activities are properly screened, assessed, and assigned an appropriate risk category; that free, prior and informed consent and meaningful consultation are met and subjected to due diligence and oversight; and that the implementation and outcomes are monitored and reported.

The accredited entities will be responsible for ensuring that the communities affected or potentially affected by the activities are properly consulted in a manner that provides them with opportunities to express their views on all aspects of the activity and allows the accredited entities to consider and respond to their concerns. In ensuring the meaningful and effective consultation and participation of the affected communities and vulnerable populations, the accredited entities will align their processes to best practices and standards and will make publicly available the relevant information on the activities according to the requirements of the GCF Information Disclosure Policy and this Policy.

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GRIEVANCE MECHANISM

The green Climate Fund has in place a grievance redress mechanism, made in different languages (Swahili included) so that anyone may be able to use properly the set-up channels for addressing any arise dmatter.

All GCF-financed activities affecting indigenous peoples will establish an effective grievance redress mechanism at the project level to address indigenous peoples' project-related concerns. The mechanism will be designed in consultation with the affected or potentially affected communities of indigenous peoples. The mechanism will facilitate the resolution of grievances promptly through an accessible, fair, transparent and constructive process. It will also be culturally appropriate and readily accessible, at no cost to the affected communities, and without retribution to the individuals, groups, or communities that raised issues or concerns. Where feasible and suitable for the project, the grievance mechanism will utilize existing formal or informal grievance mechanisms, supplemented as needed with project-specific arrangements. The mechanism will not prejudice the access to judicial or administrative remedies that may be available through the state systems, acknowledging that these localized systems may provide more robust information and better reflect the context of the issues on the ground. It will also not impede access to the GCF independent Redress Mechanism or the accredited or executing entities' grievance redress mechanism. The mechanism will take into account the "effectiveness criteria" for non-judicial grievance mechanisms outlined in Article 31 of the United Nations Guiding Principles on Business and Human Rights in order to maximize effectiveness.

THE GRIEVANCE REDRESS MECHANISM WILL INCLUDE;

- Different ways in which indigenous peoples can submit their grievances, and taking into account language barriers/limitations and the need for anonymity if a complainant fears retaliation or submission by an authorized representative or civil society organization;
- Provision to keep complainants' identities confidential, especially in instances where the complainants fear retaliation;
- Provision for interpretation/translation to overcome language barriers/limitations;
- A log where grievances are registered in writing and maintained as a publicly available database. The database should include information about the complaint and the resolution of the complaint, including the remedy provided, taking into consideration that complainants' identities can be kept anonymous if requested. This database should also be shared with the GCF independent Redress Mechanism;
- Publicly advertised procedures, identifying the means for submitting grievances, setting out the length of time users can expect to wait for acknowledgment, response, and resolution of their grievances, descriptions of the transparency of the procedures, and the governing and decision-making structures;
- An appeals process to which unsatisfied grievances may be referred when the resolution of grievance has not been achieved;
- Information about other available grievance mechanisms, including the GCF independent Redress Mechanism and the accredited and implementing entities' grievance mechanisms; and
- Measures in place to protect complainants from retaliation.

WASILIANA NASI

**INDEPENDENT
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**GREEN
CLIMATE
FUND** | Independent
Redress
Mechanism



Image credit: Nadi Rahner

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SCAN THE CODE FOR ACCESSING THE MECHANISMS ON YOUR DEVICE

TERMS

Indigenous Peoples plan (IPP)

Different ways in which indigenous peoples can submit their grievances, and taking into account language barriers/limitations and the need for anonymity if a complainant fears retaliation or submission by an authorized representative or civil society organization;

Livelihood

Refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering;

ESS Standards

Refers to the environmental and social safeguards (ESS) standards of GCF and the interim ESS standards of the GCF, which pertain to the International Finance Corporation's Performance Standards and were adopted by the Board;

Cultural Heritage

Defined as resources with which people identify as a reflection and expression of their constantly evolving values, beliefs, knowledge and traditions;

Environmental & Social Assessments

Refers to the assessment of environmental and social risks, impacts and opportunities undertaken by the accredited entities in a manner that follows good international industry practices, identifies best alternatives and allows for an integrated and balanced view of the environmental and social risks and impacts pursuant to the GCF ESS standards and requirements of the accredited entities;

Board

Means the Board of GCF, established pursuant to the provisions of the Governing Instrument;

Accountability Units

Means the Independent Evaluation Unit, the Independent Integrity Unit and the independent Redress Mechanism of GCF;

Accountability Units

Means physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, including those that lead to loss of income sources or other means of livelihood), or both, caused by project-related land acquisition or restrictions on land

Meaningful Consultation

Refers to a two-way process, that: (a) begins early in the project planning process to gather initial views on the project proposal and inform project design; (b) encourages stakeholder feedback, particularly as a way of informing project design and engagement by stakeholders in the identification and mitigation of environmental and social risks and impacts; (c) continues on an ongoing basis, as risks and impacts arise; (d) is based on the prior disclosure and dissemination of relevant, transparent, objective, meaningful and easily accessible information in a timeframe that enables meaningful consultations with stakeholders in a culturally appropriate format, in relevant local language(s) and is understandable to stakeholders; (e) considers and responds to feedback; (f) supports active and inclusive engagement with project-affected parties; (g) is free of external manipulation, interference, coercion, discrimination, and intimidation; and (h) is documented and disclosed



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