



Grievance and Feedback Mechanism

LLF ESMS Annex T

CONTENTS

1.	INTRODUCTION	1
1.1	Purpose	1
1.2	Objective	1
2.	SCOPE	2
3.	TERMINOLOGY	2
4.	APPLICABLE STANDARDS AND GENERAL PRINCIPLES	3
5.	ROLES AND RESPONSIBILITIES OF GRIEVANCES MANAGEMENT	4
5.1	Institutional Level	6
5.1.1	Grievances Officer (GO)	6
5.1.2	Grievance Redress Committee (GRC).....	6
5.1.3	LLF Senior Management	7
5.2	Program or LL-level	8
5.2.1	Program-level Grievances Officer / Community Liaison Officer	8
5.2.2	Program or LL-level Senior Management	9
5.2.3	Third-party involvement	9
6.	ELIGIBILITY	9
7.	GRIEVANCE AND FEEDBACK MANAGEMENT	10
7.1	Informing Stakeholders about the Grievance Mechanism.....	13
7.2	Grievance Management Procedure	13
7.2.1	Reporting and Receiving Grievances.....	13
7.2.2	Recording and Processing of Grievances	14
7.2.3	Analysis and Investigation	15
7.2.4	Development of a Proposed Response	16
7.2.5	Grievance Resolution and Publication	17
7.2.6	Appeal.....	17
7.2.7	Grievance Close-Out	18
8.	MONITORING AND EVALUATION	18
8.1	Internal Monitoring	18
8.1.1	Evaluation of the Grievances and Feedback Mechanism	19
8.1.2	Improving the Grievances and Feedback Mechanism	20
8.2	External Monitoring.....	21

APPENDIX A GRIEVANCES SUBMISSION FORM

APPENDIX B GRIEVANCES CLOSE-OUT FORM

APPENDIX C GRIEVANCES REGISTER

ACRONYMS AND ABBREVIATIONS

Name	Description
CLO	Community Liaison Officer
E&S	Environmental and Social
EBRD	European Bank for Reconstruction and Development
ESDD	Environmental and Social Due Diligence
ESHS	Environmental, Health and Safety
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
GM	Grievances and Feedback Mechanism
GMC	Grievance Mediation Committee
GO	Grievances Officer
GRC	Grievance Redress Committee
IPLC	Indigenous peoples and local communities
IUCN	International Union for Conservation of Nature
KfW	KfW Development Bank
LL	Legacy Landscapes
LLF	Legacy Landscapes Fund
LLF GM	Legacy Landscapes Fund Grievances and Feedback Mechanism
PAPs	Project Program Affected Persons
UNGP	United Nations Guiding Principles (on Business and Human Rights)
WB	World Bank
WB ESS	World Bank Environmental and Social Standards
WWF	World Wide Fund for Nature

DOCUMENT HISTORY

Version	Revision	Prepared by	Reviewed by	Approved by	Date	Comments

1. INTRODUCTION

This LLF institutional level grievance and feedback mechanism (GM) outlines the LLF's approach to registering, validating, accepting, assessing, resolving, and monitoring grievances, comments, feedback and suggestions from those affected by the LLF funded programs and/or activities.

LLF acknowledges that seemingly minor complaints can quickly become major grievances if left unmanaged. Therefore, the GM enables LLF to learn about and resolve concerns before they escalate. This GM is designed to identify and address any legitimate concerns of those who may be adversely impacted.

LLF's GM can also serve as a guiding document for the development and/or improvement of program or LL-level grievance management¹. The LLF GM is developed based on the United Nations Guiding Principles on Business and Human Rights (UNGP) and World Bank Environmental and Social Standards (WB ESS). Further information on applicable standards for this grievances management process is outlined below.

1.1 Purpose

LLF's GM assesses and addresses concerns in situations in which, despite proactive stakeholder engagement, some stakeholders have concerns about the programs potential impact, or in which they feel that their rights have been impacted by the programs activities, or if they want to provide positive feedback to LLF and its grantees. LLF's GM complements the human rights due diligence process and allows stakeholders to claim remedy if the adverse effect has already been caused. Managing grievances, including avoiding and minimizing them, is an integral part of a sound stakeholder engagement strategy which is essential for a program's overall success.

The LLF GM is part of a suite of safeguard instruments of LLF's environmental and social management system (ESMS) that have been developed to address key environmental and social aspects arising in all programs and activities funded by LLF.

This document outlines the procedure that will be used to receive, register, screen and assess, track, respond to, document, and act upon external inquiries and complaints from the public and stakeholders regarding LLF's operations and its funded legacy landscapes (LL). It should serve as guidance tool and best practice for LLF funded programs to improve their LL-specific GMs.

1.2 Objective

The overall objectives of the LLF GM are:

- Address grievances and feedback promptly and effectively, in a transparent manner resulting in outcomes that are seen as fair, effective and lasting;
- Provide a grievance management process that is culturally appropriate and readily accessible to all relevant stakeholders, e.g., PAPs;
- Identify and manage stakeholder concerns and positive feedback, and thus support effective risk management and improved conservation practices for the programs;
- Enable a systematic identification of emerging issues facilitating remedy, including corrective actions and pre-emptive engagement;
- Build and maintain trust with all stakeholders as an integral component of the programs' community relations activities, thereby creating an enabling environment to operate²;
- Prevent adverse consequences of failure to adequately address grievances; and
- Provide guidance for the program-level GMs.

¹ Please note that for the purpose of this document program-specific GM means LL-specific GM.

² Communities, for the purpose of this document include indigenous people and local communities (IPLCs)

2. SCOPE

This GM is the institutional LLF grievance and feedback management system that applies to all programs and activities financially supported by the LLF. LLF will engage with stakeholders as an integral part of the organization’s environmental and social assessment. While each LLF funded program will have a LL-specific GM in place that will be aligned with the overall LLF GM and therefore with international best practices (including WB ESS 10), the LLF procedure will be available to all grievances that cannot be solved on a program level. Hence, all grievances and feedback will primarily be logged via the program or LL-specific GM. If a grievance cannot be solved through the program-specific GM, it will or can be delegated to the LLF GM or to jurisdictional/court level³. Furthermore, complainants have the option to skip the LL-specific GM and directly submit a grievance to the LLF GM. This will be an option in cases where complainants feel that the impartiality of the mechanism might be jeopardized or for non-program-specific grievances. Nevertheless, LLF can forward the submitted to LLF GM grievance and/or feedback to the program-level GM, if they could be better addressed and solved at the LL-level.

3. TERMINOLOGY

Table 3-1 below elaborates on key terms used in this GM.

Table 3-1 Key Terminology

Term	Definition
Communities	A group of people living in the same place or having a particular characteristic in common (e.g., sharing or having certain attitudes and interests in common). Indigenous people and local communities (IPLC) can be part of a community or build their own communities. For the purpose of this document the term communities entails IPLC.
Complainant	An individual, group or organization who submits a complaint to LLF or to LLF funded program.
Complaint/Grievance	An expression of dissatisfaction with LLF funded program and/or activities, typically referring to a specific source of concern and/or seeking a specific solution. For the purposes of this GM, a question or request may also be treated as a complaint/grievance. A grievance can result from either real or perceived impacts.
Contractor	An individual or firm that has entered into a contract to provide goods or services to LLF directly or to a LLF funded program (i.e., to the grantee).program The term covers parties directly contracted by LLF or an LLF funded grantee and those contracted by a contractor company, also referred to as subcontractors.
External Stakeholders	This includes everyone that is not directly employed by LLF amongst other: contractors, subcontractors, PAPs, NGOs, staff employed by programs, local communities etc.
Grantee	NGO(s) and/or party that is in contractual agreement with LLF and receiving grant funds through the grant agreement.
Grievance Submission Form	A form used to capture information about an incoming complaint.
Grievance Register/Log	A database for maintaining information about complaints received.
Grievance Close Out Form	A form used to capture information about the closure of a registered complaint.
Internal stakeholders	Employees directly employed by LLF (not including LL employees)

³ Please note, that whether a grievance/feedback will be delegated to the LLF GM or a national court will depend on a variety of factors, e.g., complainants preference of handling the case; capacity of national legal system, trust and accountability of the national legal system etc.

Term	Definition
LLF Grievance and Feedback Mechanism	The LLF institutional grievance and feedback mechanism, to which grievances can be referred to from the program-level or directly using the grievance submission forms.
LLF programs	Programs and/or activities funded by LLF
Serious incident	Any unplanned or uncontrolled event with an adverse effect on workers, community members or the environment within the program's area of influence or events that have the potential to have material or immaterial adverse effects on the project execution or give rise to potential liabilities or reputational risks.
Vulnerable Groups	A group that due to specific and unique characteristics is more disadvantaged and/or marginalized than other groups and is, therefore, likely to suffer more adverse impacts of programs than other groups. Considering intersectionality is crucial in identifying most vulnerable groups who might experience multiple effects of discrimination.

4. APPLICABLE STANDARDS AND GENERAL PRINCIPLES

The full list of applicable standards for this GM follows the list of standards identified in the LLF ESMS manual document. In particular the following standards were used for the development of the LLF GM:

- The UN Guiding Principles on Business and Human Rights (UNGP, 2011), including
 - Guidance Note on Grievance Redress Mechanisms;
- World Bank ESS10 on Stakeholder Engagement and Information Disclosure (WB, 2017) including:
 - ESS10 Guidance Note (WB, 2016);
 - Grievance Redress Mechanism Checklist (WB, 2016);
 - (WB, 2014);
- EBRD Grievance Management Guidance Note (EBRD, 2012)
- IUCN Guidance Note on the Assessment, Management and Monitoring of Environmental and Social Risks (IUCN, 2020); and
- World Wide Fund for Nature (WWF) Standard on Grievance Mechanism (WWF, 2021)

Furthermore, following applicable standards listed above as well as international best practices this LLF GM is designed with consideration of the general grievance mechanism principles:

- **Accessibility and awareness raising:** The GM needs to be accessible to all stakeholders and its existence and functioning needs to be communicated efficiently.
- **Based on engagement and dialogue:** Focus in the procedure is set on dialogue and engagement with all stakeholders.
- **Confidentiality:** All stakeholders have the right to confidentiality when submitting grievances.
- **Equity:** All stakeholders receive adequate help and services to have a reasonable access to all information to engage in the grievances process on fair and informed terms. All parties have the same right to withdrawal and appeal.
- **Gender sensitivity and addressing vulnerability:** Design of the GM ensures that women and vulnerable groups have a safe means to submit their grievances. If applicable, there is special engagement with those groups or a customized grievance procedure.

- Legitimate: All processes of the grievance procedure are legitimate and trusted by the people for whom it is intended. Design of the GM does not allow to interfere with its fair conduct. Stakeholders must be protected against retaliation. All procedures must comply with relevant data protection and privacy laws.
- Multi-channelled: Availability of several channels to raise grievances.
- No substitutes for judicial procedures: The GM is no substitute and should not obstruct judicial and administrative remedies.
- Predictability: All procedures, available outcomes, and means of monitoring and implementation are clear and publicly known, including well-defined timeframes.
- Rights compatibility: Outcomes and remedies are in accordance with internationally recognized human rights. Remedies should be adequate, effective, prompt, culturally appropriate and gender-sensitive.⁴
- Source of continuous learning: Lessons learned from the GM should be used for continuous improvement of the GM and related processes.
- Transparency and fairness: Process and outcomes of the procedure are transparent and fair, in harmony with the local culture and in the appropriate language. If possible, outcomes will be made publicly available. Written records increase transparency levels.

5. ROLES AND RESPONSIBILITIES OF GRIEVANCES MANAGEMENT

This chapter sets out the relevant roles for the LLF GM process and elaborates on responsibilities of each role. There are key roles for grievances management at both, program and institutional level. These include the grievance officer (GO)⁵, who is the first contact person for any grievances received, the grievances redress committee (GRC), monitoring the grievances officers work on and assisting in grievance solution, as well as upper management who will be involved in the process in case of severe incidents. In addition to that, third parties can be involved in the problem solving process, such as external experts or specialized committees on specific and complex topics or mediators, however, they constitute no fixed role in the LLF grievance management process.

Following sections provide an overview on roles and responsibilities within the LLF GM process, that are further elaborated on Figure 5-1 below.

⁴ Please note, that what constitutes an 'adequate' remedy depends on various factors, e.g., the LLF's involvement in the conflict, ability to influence potential outcomes, leverage towards causing party etc. In some instances it might not be possible to provide full remedy to all parties, e.g., in complicated legacy issues. In order to understand LLF's or the NGO's/grantees role in the provision of remedy please refer to the UNGP involvement framework.

⁵ Please note, that the GO or first point of contact can be an internal or external/third party, a multistakeholder committee, or other entity, depending on the site and LL specific GM. In addition, it might be possible that the GO is a focal point that has other functions/responsibilities, besides the handling of grievances.

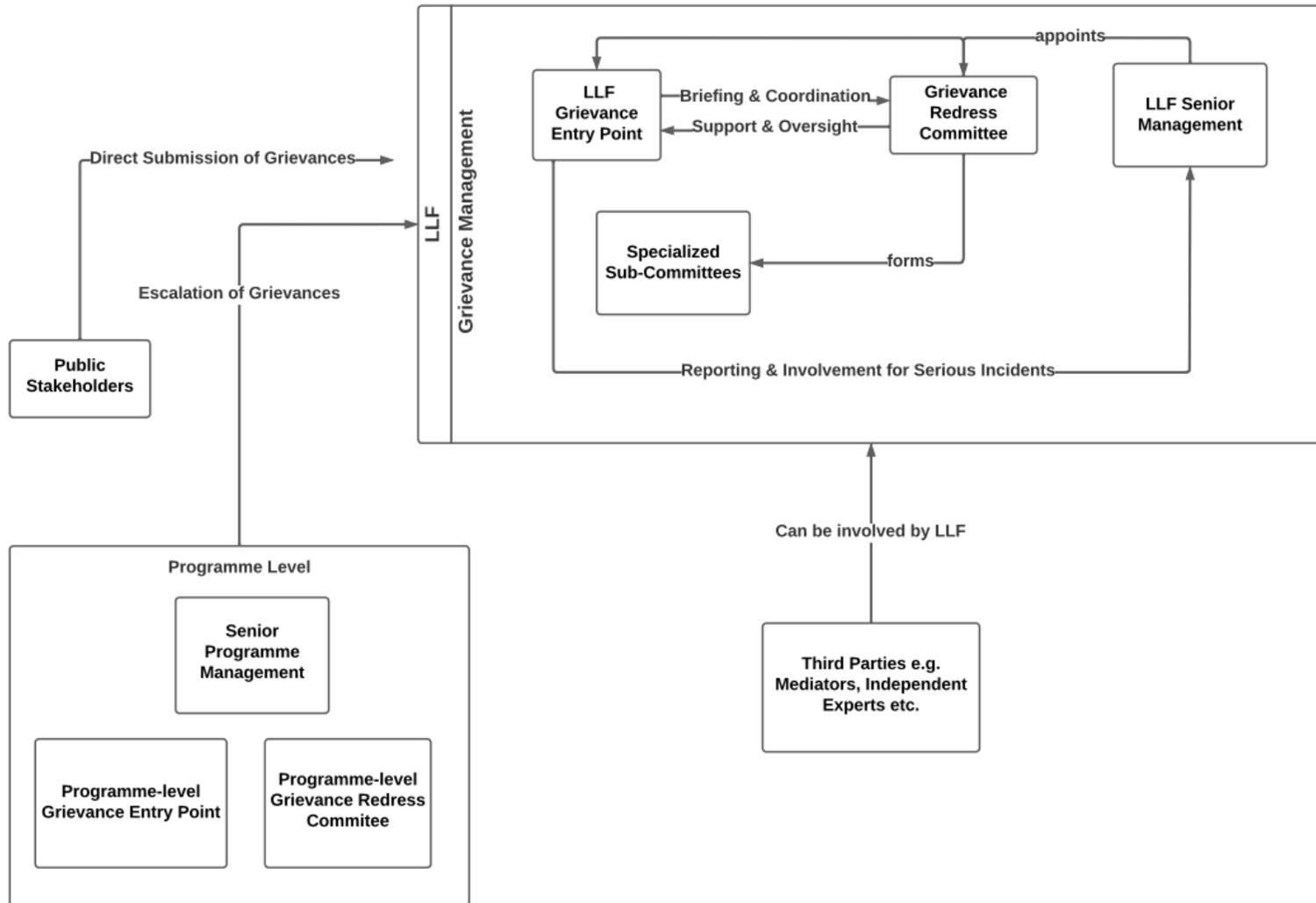


Figure 5-1 Roles and Responsibilities within the Institutional LLF GM Process

5.1 Institutional Level

5.1.1 Grievances Officer (GO)

The role of a designated grievances officer⁶ (GO) for the purpose of the LLF GM is entrusted with LLF’s environmental and social safeguard (ESS) coordinator. The GO is the main contact person for grievances received from the public and stakeholders as well as from the program-specific GMs that could not be solved on LL-level.

GO is overall responsible for action and reporting on grievances received by LLF. In the period when only one GO will be in place, LLF will ensure that in situations where women or men might feel uncomfortable discussing a grievance with a person of the opposite sex (e.g., in sexual harassment cases), there will be the option to submit and discuss grievances to a person of the same sex. If LLF’s team will grow and there will be more than one GO, LLF will ensure to have at least one officer of each gender, so that stakeholders can choose with whom they feel most confident to submit a grievance. Furthermore, when several officers will be available, other factors than gender will be considered, such as ethnic background or age group, in order to ensure diversity. Key tasks of the GO are as presented on Figure 5-2:

General tasks:	Tasks involving the grievance redress committee (GRC):	Monitoring and reporting tasks:
<ul style="list-style-type: none"> ■ Collection of grievances, feedback and suggestions; • Registration of grievances; • Grievances categorization; • Forwarding serious incidents to the LLF senior management (fast track procedure); • Grievances analysis and investigation; • Liaise with relevant government agencies to solve issues as practicable 	<ul style="list-style-type: none"> ■ Briefing of new registered issues to the relevant GRC or sub-committee for further instructions; • Implementation of decisions taken by GRC; • Grievances record in soft and hard filing (digital files and hard copies); • Follow up of pending issues with the responsible sub-committee (if applicable); • Participate in all GRC meetings; • Coordinate the activities of the GRC and initiate the creation of specialized committees if needed (e.g., if many disputes about access and use restrictions, there should be an access and use restrictions committee); • Recommend appropriate social safeguards trainings for GRC members at global and local level. 	<ul style="list-style-type: none"> • Providing feedback to complainants; • Compile and prepare consolidated semi-annual grievance redress monitoring reports and report those to LLF senior management; • Liaise with the program-specific grievances officers to ascertain if the GMs established for each LL are functioning appropriately; • Ensure that all grievances procedures are followed at the global level ; • Collect appropriate grievance redress performance and monitoring indicators to input into the monitoring and evaluation reporting

Figure 5-2 Grievance Officer Responsibilities

5.1.2 Grievance Redress Committee (GRC)

In addition to the GO, there is a grievances redress committee (GRC) whose activities are coordinated by the chairperson of the GRC. The purpose of the GRC is to oversee the GOs work and ensure the independence of the mechanism. The chairperson of the GRC is the LLF ESS director. Other members of the GRC should be respective program directors or subject matter experts that will be appointed by the chairperson. Tasks of the GRC are outlined below and include the following:

- Ensure that handling of grievances is in accordance with relevant national laws, institutional policies and the environmental and social requirements listed in chapter 4;
- Ensure that follow-up actions in response to grievances are taken within an agreed time-frame;

⁶ Please note, that the GO or first point of contact can be an internal or external/third party, a multistakeholder committee, or other entity, depending on the site and LL specific GM. In addition, it might be possible that the GO is a focal point that has other functions/responsibilities, besides the handling of grievances.

- Report on resolved or unresolved grievances on a bi-annual basis or as part of serious incident reporting to LLF donors;
- Assign tasks to different committee members;
- Oversee the work of the GO;
- To ensure that project implementation does not slow down due to grievances;
- Reduce/resolve grievances that are referred to them;
- Provide guidance and advise to the GO.

5.1.2.1 Chairperson of the Grievances Redress Committee

Person within LLF who is responsible for the implementation of this GM. This includes serving as custodian of the complaints process, including promotion or communication about the mechanism to stakeholders. The chairperson is responsible for the coordination with relevant stakeholders on the efficacy and usefulness of the grievance procedures and propose recommended changes if any required to LLF. The GRC chairperson is supporting the investigation and implementation of mitigation measures, and managing the closure or resolution of grievances (i.e., implementation of the grievance steps, etc.). As needed, the GRC chairperson will review the process and suggest changes to policies or practices based on lessons learned.

5.1.2.2 Specialized Sub-Committees

The GRC will form sub-committees based on the arising needs, appoint members to these committees and determine roles and responsibilities for each sub-committees and member to the sub-committee. All sub-committees and members to these sub-committees will provide feedback to the GRC on the timeframe indicated by the GRC. The sub-committee will be provided with an appraisal of all issues/complaints/claims/grievances. Furthermore, the sub-committees will be provided with progress status of grievance resolution, and shall address issues referred to them through the GO. It shall endeavour to mediate on cases that have possibility of going to court and provide guidance on complaints resolution where required/ necessary.

5.1.2.3 Grievance Mediation Committee (GMC)

The grievance mediation committee (i.e., one of the sub-committees) will be convened, as required, to review complaints that cannot be resolved through the grievance investigation and mitigation process. The GMC will be composed of the GRC chairperson, LLF Executive director, the program level's complaint owner (i.e., LL grievance officer), a representative of the affected stakeholder or third party, a representative of the supervisory board as needed). The GMC will be convened as needed, for example when a grievance is not considered closed for more than 3-6 months, or in the case that no resolution can be identified. All meeting proceedings will be documented by the GRC chairperson and retained by LLF for any follow up.

5.1.3 LLF Senior Management

LLF senior managements, hence members of the management board get involved when serious incidents (see chapter 7.2.3) are referred to the LLF GM or when a grievance cannot be resolved based on the GOs and GRCs combined efforts in developing a corrective measure or mediate the issue at stake.. Their responsibility is to assess the information provided for by the GO on the issue and provide their input on how to further proceed with handling the incident. After their input, the complaint can be re-evaluated in a subsequent mediation session or referred to other authorities (such as national courts).

5.2 Program or LL-level

5.2.1 Program-level Grievances Officer / Community Liaison Officer

At the program or LL-level the grievances officer community liaison officer⁷ (CLO), or a third party entity or multi-stakeholder committee or other is the main entry point to receive, log and register grievances from complainants. Generally, the key difference between the grievance officer at LLF institutional level versus program/LL-level is, that the program-level grievances officer or entry point is expected to be constantly in direct contact with local stakeholders and follow a more hands-on approach to grievances management.

Key tasks of the entry point entity/focal point are outlined on Figure 5-3 below.

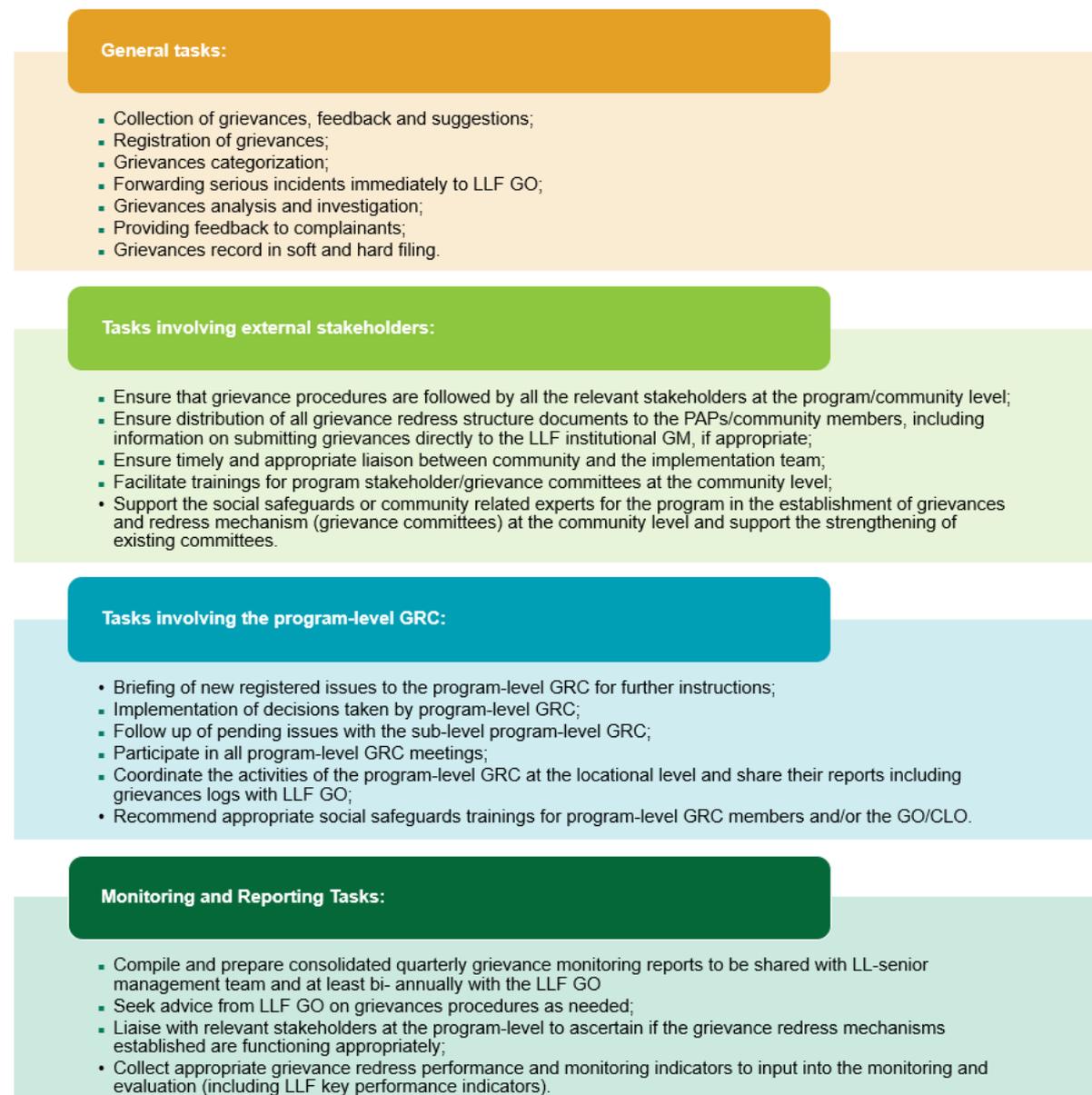


Figure 5-3 Program-level Grievance Officer's Responsibilities

⁷ Please note, that the GO or first point of contact can be an internal or external/third party, a multistakeholder committee, or other entity, depending on the site and LL specific GM. In addition, it might be possible that the GO is a focal point that has other functions/responsibilities, besides the handling of grievances.

5.2.2 Program or LL-level Senior Management

Program or LL-level senior management gets involved in serious incidents that are forwarded to them within site- specific agreed timeframes or latest within 48 hours by the program-level GO/CLO. Program-level GO/CLO task is to provide LL-level senior management with the main information about the incident and seek their input on how to resolve the issue most efficiently. Senior managements' role is to assess the incident and decide, whether the issue at stake can be addressed at program-level (which should be the preferred option) or whether it should be escalated to the LLF institutional GM. In any case, LLF GO should be informed of any serious incidents on LL level within 48 hours via at least an initial notification email, followed by a serious incident report (as referred to in the Grant Implementation Guide) within 7 workdays after first notification. In case senior management decides the issue can be addressed at program-level it will be re-assessed with management input, if needed in a subsequent mediation session. If the grievance can still not be resolved or the resolution will be appealed, senior management can refer the issue to the LLF GM or might also decide on other potential resolutions or deferrals, e.g. on the national or judicial level.

5.2.3 Third-party involvement

It should be noted that in addition to the abovementioned grievance procedure set up, there are other potential set ups that do not involve a GO/CLO and/or GRC at the program level, as outlined above. A LL can decide to set up a GM that is partially or completely run by an independent third party, a multi-stakeholder platform addressing grievances in the LL or community-based settings. All such alternative set-ups have to comply with the applicable standards and general principles referred to in chapter 4.

6. ELIGIBILITY

This chapter sets out the criteria that make a submitted grievance eligible, thereby determining which grievances proceed through the LLF grievance procedures and which ones do not.

Generally, program-related grievances should be dealt with through the LL-specific grievances mechanisms and only escalated to the LLF institutional GM if they cannot be resolved at a program-level and there are no other appropriate deferral options, e.g., on a national or judicial level. Nonetheless, any PAP could submit a grievance directly to LLF GM. In particular, if local stakeholders have general non-program related concerns, or if they believe there is a conflict of interest with program-level grievance management staff. This needs to be clearly stated when submitting the grievance to the LLF institutional GM.

Despite the GM (institutional or program-specific), complaints must meet the following criteria in order for a grievance to be considered eligible:

- Any community, organization, project stakeholder or affected group (including individuals) who believe it is or may be negatively affected by any LLF funded program and/or activity implemented by LLF (including contractors⁸) and/or owing to the program's failure to follow the LLF and partner NGOs environmental and social safeguards and other compliances as set out in the ESMS, during the design or implementation of the program activity is considered a "Program Affected Person" and is entitled to submit a complaint.
- Negative impacts can include all forms of program impact, including direct and indirect impacts of program activities. As with the scope of application of the LLF ESMS, negative effects are not restricted to the activities of the supported grantee (i.e., NGO) but include the effects of activities

⁸ According UNGP 13 (b) the responsibility to respect human rights requires that business enterprises seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts. Hence, grievances submitted in relation to contractors (including sub-contractors) should also be assessed via the LLF GM.

of program partners (including collaborating program partners such as protected area authorities) that are financially or technically supported by the LL.

- Representatives (a person or local organization) can submit a complaint on behalf of a PAP, but they must provide concrete evidence of authority to represent them.
- A grievance may be filled out and submitted anonymously and those complains will be also considered.

On the other hand, a grievance might be considered ineligible if the following criteria apply:

- Complaints with respect to actions or omissions that are not technically or financially supported by the LLF funded program⁹, or about parties that are not partners or collaborating partners in the program; this includes grievances related to previous program activities;¹⁰
- Complaints about issues outside of the LLF funded program scope, including outside of the program area¹¹;
- Complaints that relate to the laws, policies, and regulations of the country in which the LL is located, unless this directly relates to the LLF partner's obligation to comply with the program's ESMS principles, standards and procedures; and
- Complaints submitted by the same claimant on matters they submitted to the GM earlier, unless new evidence is provided, or the program has not responded to this complaint in an adequate timeframe.

7. GRIEVANCE AND FEEDBACK MANAGEMENT

This chapter describes LLF's grievance and feedback management procedures, including the process of submitting a grievance and how it is addressed. While this document focuses on the external grievances procedure, it acknowledges that LLF internal stakeholders (employees directly employed by LLF) might also follow the procedures indicated in this GM.

Despite distinguishing between grievances procedures from internal and external stakeholders, there will be two different grievances procedures for external grievances, namely the program-specific grievances procedures, as well as the LLF institutional grievances procedure that is outlined in this document. While LLF funded programs (or NGOs) must have their own grievances procedures in place, these should align with the principles of the overall LLF GM that is intended as guiding document for program-specific GM development. Figure 7-1 below illustrates the grievances process of the LLF GM. For further guidance on the program-level GM, please refer to the Annex Q – Program-level Grievance & Feedback Mechanism of LLF ESMS documents.

The emphasis is on registering and resolving grievances as much as possible at a program-level, and only grievances where no resolution is identified or any other appropriate deferral option exists locally, these will be escalated and forwarded to the LLF GM. Resolution at a program-level reflects the fact that LL program management, local and country authorities often have better information on and understanding of the causes of disputes arising from program implementation. 'Deciding together' approaches between PAPs and local program management are usually the most accessible, natural, unthreatening and cost-effective ways for communities and program management to resolve

⁹ Please note: If LLF, however, can have an influence on the resolution in such cases, respective grievances might be receivable and can be considered eligible.

¹⁰ Please note: Legacy injustices constitute a large part of complaints raised to LLs. How to handle and proceed with grievances received concerning legacy injustices will be decided on a case by case basis. While it is impossible in most cases to address all legacy issues, it might be essential for the overall success of a project to engage with people having faced legacy injustices. However, this might face future conflict if some legacy injustices are addressed and others not. Therefore, it is suggested to engage in open dialogue and focus on future solutions that profit all communities having faced legacy injustices, rather than compensating selected communities/individuals.

¹¹ Program area is defined by the scope of LLF grant given to the specific LL. More information provided in LLF ESMS.

differences. Nevertheless, all grievances related to the LLF funded programs should be communicated to LLF (through the reporting requirements outlines in LLF ESMS documentation, Annex R – ESAP Implementation & ESHS Reporting), even if they are resolved at the program-level.

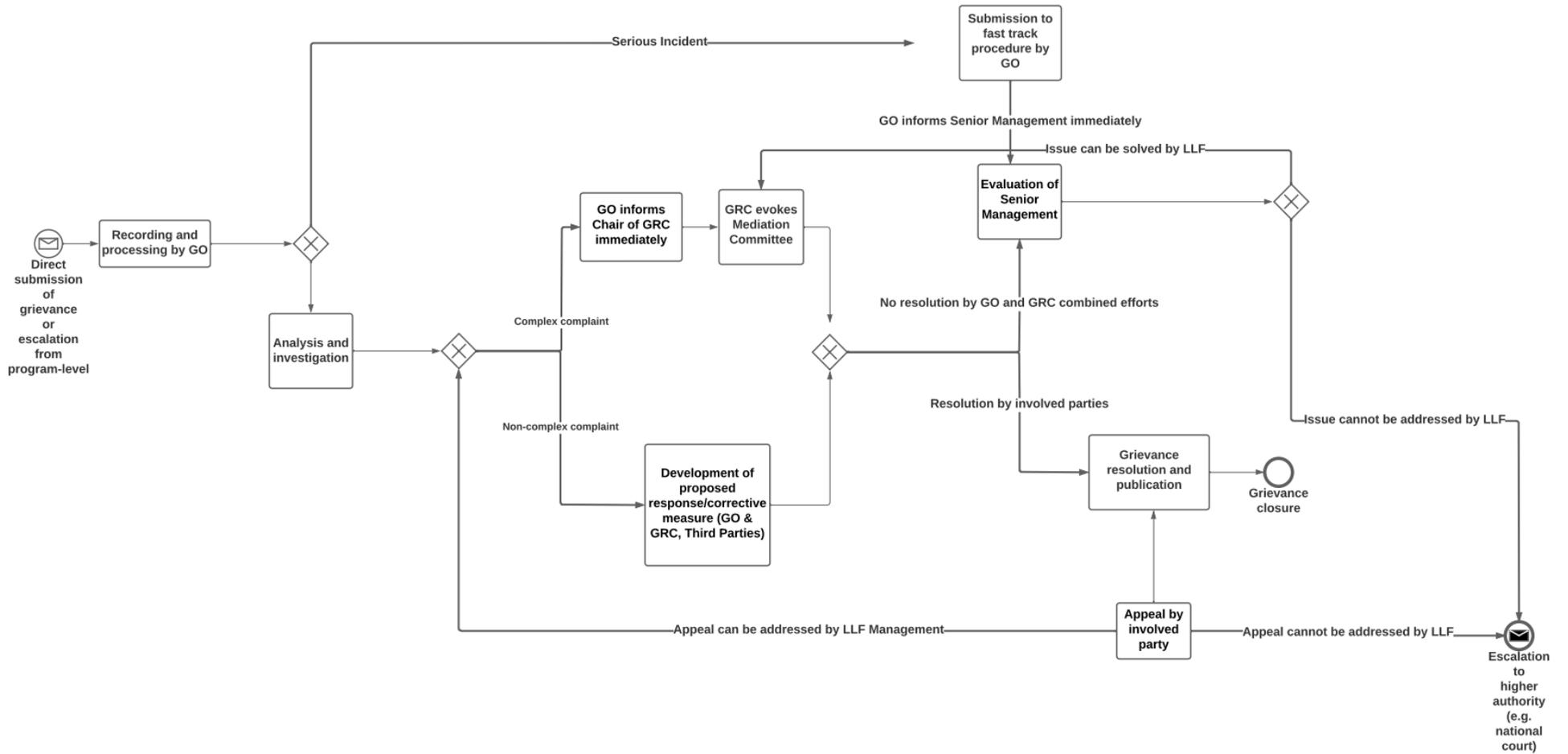


Figure 7-1 Grievances Process from Program-Level to LLF institutional Level

7.1 Informing Stakeholders about the Grievance Mechanism

As outlined in the general principles, the existence of a GM needs to be communicated to all stakeholders in a clear and culturally appropriate manner. How the GM is communicated to internal and external stakeholders may vary. While for internal stakeholders the process will be communicated in internal discussions, external stakeholders will be informed during stakeholder engagement activities. Moreover, written documents outlining the process should be used. This chapter describes how stakeholders will be made aware of the grievance procedure and in turn, how the procedure will be made accessible to all stakeholders.

For the GM to be effective and accessible, LLF will inform the grantee and will closely monitor, that the grantee will inform all relevant LLF funded program stakeholders of the existence and scope of it and about the relevant provisions of the ESMS. This could be achieved by integrating information and sensitization on the LLF GM whilst promoting the LL specific GM in stakeholder engagement processes, awareness raising, publications at key locations (such as park headquarters, community centers or alike) and more generally integrating it in the communication and engagement strategy about the LL GM. During ESDD processes at the designing phase, external consultants could also inform and sensitize stakeholders they engage with of the LLF and LL GMs. It is vital that stakeholders are aware of the eligibility criteria for a grievance and the mechanism for grievance submission. Informing grantees about the LLF GM will be done on the initiation stage of each program as well as communicated regularly during the further collaborations. LLF published this GM on the website and will be regularly updating it. In addition, the GM should be explained to stakeholders as part of engagement activities.

As mentioned before, in cases where the program-level grievance mechanism is not sufficient for the complaints, they can address their grievance to the LLF GM. On a program-level GO/CLO or other trained staff appointed by the senior management will be responsible for informing stakeholders about the LLF GM. Generally, simple language should be chosen for the procedure and all relevant communication of it, so that the LLF GM procedure can be easily understood by all potential stakeholders. Furthermore, GO/CLO or other must ensure that the information about the LLF GM is delivered in a culturally appropriate way reaching all relevant stakeholder groups, including women, youth, indigenous people and vulnerable groups.

7.2 Grievance Management Procedure

7.2.1 Reporting and Receiving Grievances

The designated GO is responsible for receipt and administration of all grievances forwarded to LLF. Grievances directed to LLF can be submitted in the following formats:

- Written: by email (see template grievance form in Appendix A) or via the contact form on the Contact page on LLF's webpage (see Table 7-1); and/or
- Orally: in person or via telephone.

For illiterate persons, a grievance can also be submitted via a trustworthy representative (refer to chapter 6). Grievances can be submitted in English, French, Spanish or Portuguese (orally, written) or in relevant local languages (written).

Table 7-1 LLF Contact information

Contact Details:	
Contact page:	<i>(under development)</i>
Grievance officer:	André Takeshi Matsubara Environmental and Social Safeguards Coordinator
Email:	grievances@legacylandscapes.org
Phone:	<i>(under development)</i>

In the case that a complainant wants to submit an anonymous complaint, there is an option to provide the complaint details in the Grievance Form (refer to Appendix A), which does not require personal disclosure.

Grievances received by email and telephone or in person, as well as through the Grievance Form will be documented by LLF GO in the Grievance Register and get an individual reference number (see Appendix C). Stakeholders who submitted a grievance shall be informed by GO with a written statement of the receipt of the grievance, including the reference number and when to expect further steps/notifications.

7.2.2 Recording and Processing of Grievances

As mentioned above, once a grievance is received, no matter if verbally or written, it will be officially recorded and classified in a grievance register by the GO (written and/or electronic). This register will be maintained in a location accessible only to the responsible staff members and will be not shared with outside parties, in order to keep all records confidential.

All grievances will be screened and prioritized as soon as they are received, in order to flag serious incidents and forward them immediately to LLF senior management (see section 7.2.3). Generally, the receipt of serious and/or non-serious grievances will be registered and communicated to the complainant within maximum two (2) working days and/or maximum five (5) working days respectively after receiving the grievance. Should additional time be required, this needs to be justified and communicated to the complainant.

Table 7-2 provides significance criteria that will be considered when screening and prioritizing grievances received.

Table 7-2 Significance Criteria

Level	Description
Level 1 Complaint:	A complaint where potential impacts and/ or consequences are low that can be resolved quickly (e.g., changing office hours).
Level 2 Complaint:	A complaint which is widespread and repeated (e.g., improve working conditions).
Level 3 Complaint:	A complaint that could potentially result in a serious breach of LLF policies, consent on development principles (including FPIC), national law or affect LLF program performance (e.g., serious human rights abuses) and reputation.

Generally, Level 1 complaints should be directly resolved by the Grievances Officer, while Level 2 complaints will need further investigation and potential input of the GRC. Level 3 complaints are serious incidents that should be directly referred to the Chair of the GRC who informs and involves senior management (refer to section 7.2.3 below).

7.2.3 Analysis and Investigation

7.2.3.1 Serious Incidents (Fast Track Procedure)

The serious incidents will require immediate action, therefore the GM will provide a fast track procedure that will be invoked once such grievance will be registered. Please note that while this section applies to LLF, the steps outlined below can be a guidance for the program-level who can adapt the following approach depending on the individual set-up of their sites and mechanisms in place.

A serious incident in this context is defined as: “*any unplanned or uncontrolled event with a materially adverse effect on workers, community members or the environment within the program area¹² or events that have the potential to have material or immaterial adverse effects on the program execution or give rise to potential liabilities or reputational risks*”¹³.

Serious incidents can include, but are not limited to:

- Fatalities, serious injuries and accidents at work;
- Fatalities, serious injuries and accidents affecting local communities and others;
- Violations of human rights, including sexual and gender-based violence and harmful child labour;
- Complaints about senior leaders' behavior;
- Forced evictions;
- Conflicts, disputes and disturbances leading to loss of life, violence or the risk of violence; and
- Environmental impacts.

Further information regarding types and LLF requirements on the serious incidents reporting is provided in the LLF ESMS document, **Annex S – Serious Incident Reporting**.

When a grievance about the serious incident is submitted and received by the GO, it should be fast tracked to ensure the involvement of LLF senior management at an early stage. Hence, before any further steps are taken in the grievances management process, the issue will be forwarded immediately and latest within 24 hours and with high priority to chairperson of the GRC who informs and involves the management board. Since there might not be detailed information available on the serious incident, a draft report can be submitted to the senior management that will be updated as soon as further information has been investigated. This update should include information if the issue will be subject to criminal investigation or legal proceedings. All steps further elaborated in this GM are then being followed for the serious incident, however with careful documentation and involvement of senior management or other relevant authorities at all stages.

7.2.3.2 All grievances (Serious and Non-serious Incidents)

All reported grievances will be taken seriously and handled accordingly. While the serious incidents require immediate involvement of the senior management, non-serious grievances will be analyzed and investigated by GO first. After the grievance is logged in the grievances register or recorded, the GO will proceed to:

- Analyze the issue;
- Try to identify the root cause(s) of the problem;
- Identify the potential solution;

¹² Program area is defined by the scope of LLF grant given to the specific LL. More information provided in LLF ESMS.

¹³ International Union for Conservation of Nature (IUCN), 2020, Guidance Note on Reporting Serious Incidents, Retrieved from: [esms-reporting-serious-incidents-guidance-and-template.docx \(live.com\)](#), Accessed in August 2022.

- Make necessary investigations of the issue (e.g. this might involve communication with the program-level grievances management);
- Assess the cost and feasibility of potential solutions;
- Make the necessary arrangements to resolve the problem (or remediate).

This analytical approach identifies the most feasible solutions, as well as the most appropriate solution for the specific type of grievance. The GRC (or relevant sub-committees) should be involved in the analysis and final decision-making process, especially for cases that might not be straight forward, but more complex. LLF by analyzing trends and patterns in the grievances that have been submitted to the LLF GM, will identify systemic problems and adapt future practices accordingly. Information that may tend to reveal the possibility of sector-specific or systemic issues should be communicated to respective LLF departments.

LLF acknowledge that women and men might report different issues, therefore staff responsible for handling the complaints should be aware to avoid subjective value judgements that may lead to playing down the seriousness of the grievance submitted.

7.2.4 Development of a Proposed Response

After analyzing and investigating the grievance at stake, the Grievances Officer will determine whether the grievance can be addressed directly through a simple action (e.g. change of office hours), or whether the issue is more complex and requires additional assessment and engagement with involved parties, in a mediation setting.

For less complex complaints, that can be resolved directly, the Grievances Officer will draft a proposed solution and communicate it to all involved parties, including a written response to the complainant. The LLF GO will present a proposed resolution no later than 30 working days upon receipt of the grievance. The period can be prolonged if investigations, especially in the case of serious incidents require longer time for resolution. Upon receipt of proposed resolution, the complainant should be asked to approve or disapprove the suggested measures within 10 working days, so that the grievance can be either closed out or be considered for further investigation/mediation.

7.2.4.1 Mediation

Mediation may be necessary for grievances and assure satisfaction of all parties involved in more complex issues. Once the analysis of the issue is completed by the GO and possible solutions are mapped out, the GO, will proceed with the mediation. In case of mediation meetings, invitations should be circulated written and orally and with sufficient handling time, so all involved parties can assure to be present. All invitations will clearly indicate day, place (can also be virtual) and time of the meeting, as well as anticipated meeting attendees.

Stakeholders will be also informed about their right to bring a trusted person to the mediation meeting, such as a family member, worker's representative, village head etc. In order to assure impartiality, the GRC should attend mediation meetings.

During the mediation meeting all parties should be encouraged to express their views on the situation and elaborate on the written/oral complaint. The GO will present the issue to the plenum and the analysis of the issue as well as possible solutions/remedies. The complainant will be given a chance to interfere at all stages and contribute with explanations and feedback on whether the analysis has been consistent and accurate. In addition, the complainant will be given the opportunity to suggest a solution, if they wish to. If deemed necessary, other parties (such as health and safety agent, mental health professional etc.) will be invited to the mediation. At the end of the mediation meeting(s) the GO or a responsible member of the GRC will present the final solution of the grievance and seek the complainant's approval. Minutes will be taken at all meetings and recorded together with a list of attendees.

Some conflicts will need more than one mediation meeting. Depending on the severity of the issue at stake, there might be several mediation rounds necessary to solve it, including individual meetings with all parties involved prior to meeting in a group (especially when two “opposing parties” are involved in the conflict, such as victim and offender). How many meetings will be primarily scheduled will be part of the GO’s analysis and assessment and can be discussed with the GRC.

The timeframe for mediating an issue might vary depending on parties involved and complexity of the issue. Nonetheless, LLF will aim at resolving the issue as fast as possible and to the satisfaction of all parties involved. If the grievance cannot be resolved after two mediation sessions, it is referred to senior management for further input.

7.2.4.2 Third-Party Involvement

For some grievances of very complex nature (e.g., cases concerning cross boundary parks (involving multiple governments, stakeholders etc.) or cases involving land acquisition or indigenous peoples¹⁴ LLF might involve an external party for such cases. The third party will be expected to provide expert opinion on the issue or guide the mediation procedure. This way, the independence of the mechanism can be guaranteed. In case of anonymous complaints, the GO will meet with the GRC and other relevant authorities and discuss possible solutions to address the anonymous grievance. Mediation in cases of anonymous complaints might consist of general awareness raising of a certain issue or enrolling all employees for a certain training program (e.g., health and safety training, gender – sensitivity training etc.). Specialized trainings can be conducted by external professionals.

7.2.5 Grievance Resolution and Publication

In case of a successful proposed solution that can resolve existing grievances, the final agreement will be documented and signed off by the attendees. Required actions that were agreed during the mediation will be implemented in a timely manner. Ideally, a timeframe for the implementation of respective actions has been set and documented during the mediation or in the immediate response to the issue prior to the mediation.

If possible, the grievance resolution will be made publicly available, in order to keep other stakeholders informed about the process and its outcomes. However, this will be decided in accordance with the privacy preferences of all parties involved. The GO and GRC are responsible for overseeing implementation of action agreed in order to resolve the grievance.

7.2.6 Appeal

After the grievance resolution, there might be still various grounds for disagreement, such as about the analysis and proposed corrective actions, a delay in the implementation of agreed upon corrective measures, or a stakeholder may raise an additional complaint if he/she believes to be victimized or harassed in the way that his/her grievance has been addressed. These are all considered valid grounds for appeal. Misuse of the grievance mechanism to victimize or harass stakeholders will be disciplined (including dismissal of the responsible party, e.g., supervisor, manager etc.) as this behavior questions the GM’s integrity.

The GO together with other relevant authorities will register the appeal and investigate the stakeholder’s complaint immediately. This might include collaboration with the program-level grievances management. If senior management is not involved already, the GO will notify senior management about the appeal of the grievance resolution and seek for guidance and input on how to proceed with the issue. The GRC or relevant sub-committees can also be involved in this decision. If all involved management parties believe that the issue can be solved within the LLF GM, the grievance shall be submitted for renewed mediation and/or a new corrective measure/response shall be drafted and agreed upon together with the complainant, so that the grievance can be closed-out. If

¹⁴ Land acquisition or Involvement of IPs often gives rise to a considerable number of complaints and disputes, particularly if land records are not up to date and land markets not fully developed.

LLF senior management assesses that the issue most likely cannot be solved within the LLF grievances management process (e.g. serious human rights abuses), the issue should be referred to higher authorities (e.g., respective national courts). It is possible, that affected stakeholders opt for other ways of addressing their grievance, using channels outside of the LLF GM. Relevant labor laws may define legal dispute mechanisms. Since the GM is no substitute for judicial proceedings, those can be commenced at all stages in addition to the LLF GM process.

7.2.7 Grievance Close-Out

After implementation of the measures agreed upon in the process of grievance resolution and if there has been no appeal within a reasonable timeframe (some corrective measures might need more time in order to judge their effectiveness and if they finally solved the grievance to the complainant's satisfaction), the grievance can be closed-out. All closed-out grievances should be registered using the grievance close-out form (see Appendix B). A copy of the grievance close-out form will be forwarded to all stakeholders involved in the submission of the complaint to inform them about the official closure of the process.

8. MONITORING AND EVALUATION

Monitoring and reporting is essential for measuring the effectiveness of the GM and the efficient use of resources. LLF acknowledge, that reporting enhances determination of trends and recurring problems so that they can be resolved proactively before they become points of contention. Monitoring and reporting also create a base level of information that can be used to report back to communities.

8.1 Internal Monitoring

The GO shall keep an updated grievance register of the complaints received and prepare statistical analysis, of their nature and those resolved and closed including satisfaction levels. Also, the number of anonymous complaints should be tracked carefully. All grievances should be categorized as relevant to the specific program and relevant topic (e.g., human rights, compensation, safety etc.). Furthermore, data on gender, age and location of the grievances logged will be gathered, in line with data protection laws and only, if the complainant agrees with submitting this data to the GM. Monitoring criteria that will be reported by the GO to the senior management include, but are not limited to:

- Number of complaints;
- Number of anonymous complaints;
- Number of rejected/ non-eligible complaints;
- Type of grievances (suggestion, feedback or complaint);
- Topics of the complaints;
- Number of complaints satisfactorily resolved;
- Time needed to resolve grievance;
- Number of serious incidents;
- Number of complainants referred to a government body;
- Means of communication and language used for grievance submission.

The GO will also determine and present any trends (derived from the abovementioned criteria) periodically for the engagement of the complainant and the stakeholders. These will form a basis of

engagements on grievance management in LLF funded programs, as well as compare with previous reporting periods to indicate progress or future demand for grievance resolution.

The GO will also facilitate a periodic case management meeting for all grievances received. This will be undertaken in a multi-stakeholder forum that will seek solutions for the issues that will be pending and affirm the cases resolved for their closure.

To ensure smooth operation of the GM including on LL level, LLF senior management and/or ESS or program managers will conduct supervisions and monitoring missions onsite (minimum once every 2 years), including monitoring the grievances handling system in place to ensure the GM is functioning and included in regular reporting mechanisms. The progress status of GM will also be incorporated in the periodic reports including quarterly and bi-annual reports. Therefore, the GO will prepare quarterly grievance redress monitoring reports.

The following activities will be conducted by the GO in order to assure effective monitoring and evaluation activities:

- Monitor the grievance register on a quarterly basis in terms of
 - Response times to address complaints logged as well as the recurrence of complaints over time;
 - Number of grievances that are required to be escalated via higher instances (e.g. legal court);
- Regular update of the stakeholder register whenever additional stakeholders are identified;
- Keep records of all stakeholder engagement activities considering grievances. This will be populated with details on information presented, questions, responses and commitments made and actions, and meeting evaluation results, when appropriate. The database will also be used to track frequency of meetings;
- Keep a library (electronic or hard copy) of all communication material. This will include all communication received from the identified programs stakeholders and also from media monitoring (press, radio stories relevant to the programs);
- Develop and assess performance in terms of key performance indicators (KPIs) as per monitoring framework (# and % of cases/feedback documented, investigated, resolved within time bound period for a) internal (staff) and b) external stakeholders (IPLC, other); # and % of complaints about abuse of force, refence to LLF ESMS documents, Annex R – ESAP Implementation & ESHS Reporting) and as additionally determined by the senior management (e.g., number of engagements held per month; incorporation of stakeholder views into project design and relevant management plans;; and time for resolution of grievances);
- Annually review GM performance (based on quarterly reports) and revise policies, procedures and actions accordingly, with the aim of reducing the number of grievances, improving the process of resolution and improving overall performance.

8.1.1 Evaluation of the Grievances and Feedback Mechanism

The GM will be regularly evaluated on its effectiveness. To do so, GO will regularly share a GM questionnaire with grantees The questionnaire aims to obtain a feedback, evaluate and improve the LLF and LL GM. Questions will target the performance or the GM and lessons learned from cases of grievances that have emerged. Grantees´ should incorporate their responses in reports to LLF.

Following questions could be used as guideline, and the responses will be considered in annual LLF GM performance review:

- Does the GM enable complainants to raise their concerns, engage in a fair process, and obtain a satisfactory settlement to their issues (when appropriate)?

- Is the GM accomplishing its purpose and goals? How can this be improved?
- Is the GM reducing risks and how?
- Does the GM stick to agreed timeframes? Are set timeframes reasonable?
- What is and is not working? How can this be improved?
- Is the GM known, accessible and easily understood? Do people know where to go in order to access it?
- Are all complaints registered properly with all relevant information?
- Can complainants readily determine the status of their complaint and how the LL/LLF is responding?
- How well is the GM used by a wide cross-section of men, women, and youth from the community? Are there many anonymous complaints? Why could that be?
- How well does the GM address the power imbalance between LL/LLF and complainant and assure that the complainant is not always merely receiving a judgment from LL/LLF?
- Does the GM provide adequate opportunities for face-to-face participation and/or virtual participation and discussion and joint development of mutually acceptable solutions to issues in question?
- What conflict trends, community issues, and program operations could influence the kinds of conflicts that might be expected in the future? Is the GM set up to handle such issues?
- How could the GM be more effective? What would need to be amended/changed?
- Are complainants advised of their rights to seek redress outside of the GM if they disagree with the outcome of the GM? If not, how could this be improved?
- How many grievances remain unresolved? What are the causes? How could this be addressed?

Furthermore, the GO will rise following questions targeted toward organizational learning and improving LLF policies, procedures, and operations in preparation of the annual management board meetings:

- What kind of demonstrable change and improvement is the GM producing in, management systems and for stakeholders (program operations and benefits for communities)?
- Does the GM facilitate identification of root causes of conflict? How? How can this be improved?
- What actions has LL/LLF taken to address these root causes? Is LL/LLF adopting any structural changes?

8.1.2 Improving the Grievances and Feedback Mechanism

Based on the annual GM performance review the GM will be evaluated and changes for its improvement will be suggested by the GO supported by the GRC and approved by LLF management board. Decisions on changes to the mechanism will be followed up with a clear implementation plan. The plan will explain in detail what is to be done, when, where, how, and by whom. The GM will be responsible for the development of the plan and can be supported by members of the GRC. Stakeholders should be informed about relevant changes of the GM and how this will potentially affect them.

8.1.2.1 Trainings

LLF will ensure that all personnel involved in the grievances management process are provided training which enables them to effectively participate in grievance resolution in a time-sensitive and cooperative manner. The GM can suggest relevant training e.g., for him/herself and members of the

GRC. Some specific training guidance, that is relevant for the GO are outlined in the LLF guidance note (refer to LLF ESMS documentation, Annex J – Human Rights Due Diligence Training Requirements).

8.2 External Monitoring

To help maintain accountability and trust in the process, the GM and meetings of associated committees such as the GRC will be monitored by the supervisory board or trusted third parties. Monitoring can be oriented towards the organizing learning questions outlined in chapter 8.1.1. This will be done as part of an annual ESMS monitoring.

APPENDIX A GRIEVANCES SUBMISSION FORM

GRIEVANCE SUBMISSION FORM

Reference No. (To be assigned by Grievances Officer):

Preferred language for communication **English**
 Other, please specify: _____

Please enter your contact information and grievance. This information will be dealt with confidentially.

Please note: If you wish to remain anonymous, please enter your comment/grievance in the box below without indicating any contact information

Full Name _____

Anonymous submission **I wish to raise my grievance anonymously**
 I request not to disclose my identity without my consent

Please mark how you wish to be contacted (mail, telephone, e-mail). **By telephone (please provide telephone number):** _____
 By e-mail (please provide e-mail address): _____

Description of incident or grievance: What happened? Where did it happen? Who did it happen to? What is the result of the problem?

(if the provided space is not enough for the description, please use a separate sheet and attach it to this form) _____

Date of incident/grievance: **One time incident/grievance (date _____)**
 Happened more than once (how many times? _____)
 On-going (currently experiencing problem)

What would you like to see happen to resolve the problem?

APPENDIX B GRIEVANCES CLOSE-OUT FORM

GRIEVANCE CLOSE OUT FORM

Reference No. (To be assigned by Grievances Officer):

Preferred language for communication

- English
 Other, please specify:

Grievance at stake:

Short summary of the situation/incident/grievance

- One time incident/grievance (date _____)
- Happened more than once (how many times? _____)
- On-going (currently experiencing problem)

Officer in charge:

Measures taken to close the grievance:

Short description of measures taken to close out the grievance:

How satisfactory was the proposed/implemented solution? What could have been done better?

Date of incident/grievance resolution:

Please note: Closing grievances with this form is not sufficient on its own. Please attach to this form any kind of documented evidence, indicating processes that were undertaken and any documents to prove the grievance was resolved. Such evidences can include receipts, bank statements, photographs, official letters, decisions of certain commissions that carry out appraisal etc. Please list the attached evidence below.

Attachments:

What additional steps have been taken for avoiding the future occurrence of this problem?

Please note: The right to access information is crucial to the proper functioning of this grievances mechanism. Hence, if not submitted anonymously, affected parties should be informed about measures taken to solve their grievances and further steps taken to prevent reoccurrence of future incidents. Therefore, this form, including attachments, should be made available to affected parties, as proof that their grievances have been properly handled and been resolved.

APPENDIX C GRIEVANCES REGISTER

Grievance Register

Reference Number	Date	LL Program (if applicable)	Registered by (LLF GO)	Name of Grievant	Contact Details	Grievant information (Name, gender, age, etc.) OR anonymous complaint	Description of Grievance	Referred to Person/ Department	Action Taken	Close Out