

October 3, 2013

Dear Members and Alternate Members of the Board of the Green Climate Fund:

We are organizations, movements and civil society groups from developing countries with decades of experience working for the rights and aspirations of peoples and communities. We are writing to express our unified call for the adoption of the most robust environmental and social protections at the Green Climate Fund.ⁱ We are joined in solidarity by the undersigned organizations based in developed countries.

Consistent with the United Nations Framework Convention on Climate Change (UNFCCC) and other relevant international agreements, developed countries are obligated to provide the necessary finance to enable affected peoples to deal with climate impacts, build resilience, and shift to more sustainable, equitable low carbon development pathways. Similarly, States have the obligation to their citizens and all peoples to use climate funds for these purposes effectively and responsibly in a democratic, accountable, and transparent manner that respects human rights and does not harm the environment.ⁱⁱ


The following principles, obligations, and standards must be upheld by and applied to the GCF, the governments that contribute to or receive GCF funds, members of the GCF Board, and non-State actors that receive funds or implement GCF funded projects. These principles, obligations, and standards must apply to all GCF activities -- operations, modalities, terms of financing arrangements, financial instruments, financial intermediaries, projects, sub-projects, programs, etc.

Sovereignty, self-determination, and the fulfillment of State obligations -- The GCF must respect the sovereignty and self-determination of developing countries and their peoples. GCF funding should not be used as leverage to impose on recipient governments conditionalities that are extrinsic to fiduciary terms and mutual obligations of financial arrangements. Likewise, States should not invoke sovereignty as a reason for failing to fulfill their obligations to deliver on the following principles, obligations and standards, which are not conditionalities and must be upheld and operationalized by the GCF as a public institution.

“Do no harm” principle -- GCF activities should not have harmful impacts, whether social, gender, economic, or environmental. To ensure and verify that harm is not done, the GCF must develop strict mandatory due diligence and review procedures for all access modalities and all Fund activities to ensure compliance with the “do no harm” principle and rigorous monitoring of directly and indirectly financed activities throughout their lifetime. Binding “do no harm” language must be included in all contracts, sub-contracts, and agreements. GCF finance must not trigger involuntary displacement (shelter and/or livelihoods), nor be used to fund fossil fuel projects.

Financial intermediaries (FIs) -- It is especially difficult for FIs and other conduits of indirect finance to ensure adherence to the “do no harm” principle, as was clearly demonstrated by a 2013 CAO audit carried out on the International Finance Corporation (IFC)’s large FI portfolio.ⁱⁱⁱ The IFC was proven unable to trace, understand or document the environmental and social impacts of its FI investments, presenting a dangerous risk to the environment and affected communities. We are opposed to the use of international FIs by the GCF. The use of domestic FIs, many of which are also opaque and non-transparent, must only be considered if directly proposed by recipient countries for their climate programs. In such cases, the GCF must then ensure due diligence in adequate assessment of the potential environmental and social impacts and risks associated with the FI’s existing and likely future portfolio; full public disclosure, consultation, and documentation of free, prior, and informed consent on all FI subprojects; and permanent transparent monitoring throughout the lifetime of projects and subprojects.

Financial integrity and anti-corruption -- Financial accounting and procurement practices should adhere to the highest international standards. The sources of funds must be demonstrably free of links to money laundering. There must be no use of secrecy jurisdictions/tax havens for domiciling funds flowing to or from the GCF. Any links



to public officials, their family members, or associates must be made public and publicly examined to ensure freedom from corruption. There should be no provision of immunity for violations of the law by those carrying out any service as part of the GCF.

Public consultations; fully documented free, prior, and informed consent (FPIC); and grievance mechanism --

The GCF must carry out regular public consultations about its operations, programs, and projects in a manner that is responsive and appropriate to the needs and concerns of affected groups and communities. These consultations should be transparent, inclusive, and in accordance with the international right of FPIC. The GCF should ensure upward harmonization with the highest standards and practices. Consultations should cover concept, design, and location of the projects and programs; assumptions, objectives, and methodologies; assessment of impacts and risks (economic, environment, gender, and social); and monitoring and evaluation. Information and all documents should be provided at least 120 days in advance of any funding decision -- in languages that communities understand and with concerted outreach to marginalized groups. Special attention should be paid to affected communities through processes that uphold their right to make decisions about matters affecting their lives, livelihoods, and/or environment. This must include the right to veto projects or programs, as well as protection from intimidation and coercion by project proponents and their supporters. Further, the GCF must provide an easily accessible independent complaints or grievance mechanism with civil society oversight.

Equity, non-discrimination and inclusion -- The GCF must develop principles, criteria, and a clear system and indices for equitable and fair allocation of climate finance across countries, founded on consensus and agreement by developing countries with full input by civil society groups from developing countries. The GCF should not finance activities that reinforce inequities and discrimination across and within countries. No country, or population group within a country, should suffer discrimination, exclusion, or marginalization on the basis of economic status, gender, race/ethnicity/caste, religious belief, or other social constructs. All GCF activities and measures must be based on an equitable assessment of capacities, potential, vulnerabilities, and the needs of countries, peoples, and groups. Inclusion as an operational guideline logically extends from diligent compliance with principles of equity and non-discrimination.

Transparency -- The Governing Instrument of the GCF mandates it to operate in a transparent and accountable manner.^{iv} Maximum transparency – to the public, and especially to those most affected by the climate crisis – and avoidance of the use of “business confidentiality” clauses^v are prerequisites for compliance with the aforementioned principles, standards, and obligations. Live web streaming of the GCF Board Meetings is a fundamental first step for transparency.

Compliance with international law and upward harmonization with the highest national and international standards: The GCF must operate in compliance with international law and binding obligations pertaining to human rights (including economic, social, cultural, gender, indigenous, and labor rights, among others), and the environment. In addition, all GCF activities must meet or exceed the highest of national and international standards on transparency, social and environmental protection, labor, gender, and Indigenous Peoples rights. Standards should account for gender segregated baseline information, and assessment of direct, indirect, induced, cumulative, and long term social, gender, and environmental impacts and risks associated with proposed financing. Further, there must be recognition that human and environmental rights obligations have primacy over financial obligations.

Thank you for your serious consideration of these most important matters.

Sincerely,

SIGNATORIES


GLOBAL SOUTH and REGIONAL SOUTH NETWORKS and ORGANIZATIONS

Jubilee South – Asia/Pacific Movement on Debt and Development (JSAPMDD)
Africa Jubilee South
African Biodiversity Network
African Forum and Network on Debt and Development (AFRODAD)
Asia Indigenous Peoples Pact
Asian Indigenous Women's Network
Asian Regional Exchange for New Alternatives (ARENA)
Association of African Women for Research and Development
Climate Action Network (CAN) South Asia
Focus on the Global South
Friends of the Earth International
Global Alliance for Incinerator Alternatives
Global Forest Coalition
IBON International
Indigenous Peoples' Global Partnership on Climate Change and Forests
Interamerican Association for Environmental Defense (AIDA)
International Trade Union Confederation (ITUC)
LDC Watch
Migrant Forum in Asia (MFA)
NGO Forum on the ADB
No REDD in Africa Network (NRAN)
Pan African Climate Justice Alliance (PACJA)
Red SUSWATCH (Observatorio de la Sostenibilidad)
South Asia Alliance for Poverty Eradication (SAAPE)
Third World Network

NATIONAL NETWORKS and ORGANIZATIONS

ASIA and the PACIFIC

Aksi for Gender, Social and Ecological Justice, Indonesia
Aksyon Klima Pilipinas, Philippines
Alyansa Tigil Mina, Philippines
Ateneo School of Government, Philippines
Bangladesher Jatiyo Sramik Jote-BJSJ, Bangladesh
Bangladesh Krishok Federation
Centre for Environmental Justice/Friends of the Earth Sri Lanka
Campaign for a Life of Dignity for All (KAMP), Philippines
Campaign for Climate Justice (CCJN), Nepal
All Nepal Peasants Federation
All Nepal Women's Association
Centre for Community Economics and Development Consultants Society (CECOEDECON), India
Citizens' Institute for Environmental Studies, Korea
Climate & Energy Group, Beyond Copenhagen collective (BCPH), India
Coastal CORE, Inc, Philippines
Cooperation of Small Islands - MIMAROPA, Philippines
debtWATCH Indonesia
Ecological Society of the Philippines
EcoWaste Coalition, Philippines
Environment Support Group, India



Equity BD, Bangladesh
Federation of Community Forestry Users Nepal (FECOFUN)
Freedom from Debt Coalition-Eastern Visayas, Philippines
Freedom from Debt Coalition, Philippines
Green Convergence for Safe Food, Healthy Environment and Sustainable Economy, Philippines
Haburas Foundation/Friends of the Earth East Timor
Himalaya Niti Abhiyan, India
Human Rights Alliance Nepal
Indian Social Action Forum
Institute for Climate and Sustainable Cities, Philippines
Institute for Essential Services Reform, Indonesia
Jagaran Nepal
Jagrata Juba Shangha (JJS), Bangladesh
Jatio Sramik Jote, Bangladesh
Kalayaan, Philippines
Keystone Foundation, India
KFEM/Friends of the Earth Korea
Kitanglad Integrated NGOs (KIN), Philippines
Koalisi Anti Utang, Indonesia
Maleya Foundation, Bangladesh
mines, minerals and People, India
Nabodhara, Bangladesh
National Coastal Women's Movement, India
National Forum for Advocacy, Nepal (NAFAN)
Pakistan Fisherfolk Forum, Pakistan
Pakistan Kissan Rabita Committee, Pakistan
Pambansang Koalisyon ng Kababaihan sa Kanayunan (National Rural Women Congress), Philippines
Partnership for Clean Air, Inc. Philippines
Philippine Movement for Climate Justice, Philippines
Philippine Rural Reconstruction Movement
Pro Public/ Friends of the Earth Nepal
Project Survival Pacific: Fiji's Youth Climate Movement, Fiji
Public Advocacy Initiative for Rights and Values in India (PAIRVI), India
Resource Integration Centre, Bangladesh
River Basin Friends, India
Rural Reconstruction Nepal
Sanlakas, Philippines
Sarilaya, Philippines
Save Our Urban Lakes (SOUL), India
Sibuyan Island Sentinels League for Environment Inc., Philippines
Solidaritas Perempuan (Women's Solidarity For Human Rights) - Indonesia
Stree Mukti Sanghtana, India
Taiwan Youth Climate Coalition
Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education) - Philippines
The Ecological Justice, Indonesia
Vasudha Foundation, India
VOICE, Bangladesh
WOCAN (Women Organizing for Change in Agriculture and NRM), Thailand

AFRICA

Abibiman Foundation, Ghana
Alliance Nationale de lutte contre la Faim et la Malnutrition (ACFM), Niger



Alternative Information and Development Center (AIDC) , South Africa
AMASOT (Association pour le Marketing Social au Tchad), N'Djaména (Tchad)
Association Nigérienne des Scouts de l'Environnement (ANSEN), Niger
Center for 21st Century Issues, Nigeria
Centre for Civil Society, Durban, South Africa
Daughters of Mumbi Global Resource Center, Kenya
Environmental Rights Action/Friends of the Earth Nigeria
Ethiopian Consumer Society
Friends of the Earth-Ghana
GrassRootsAfrica, Ghana
groundwork/Friends of the Earth South Africa
Health of Mother Earth Foundation (HOMEF), Nigeria
Jamaa Resource Initiatives, Nakuru, Kenya
Jeunes Volontaires pour l'Environnement (JVE-Togo)
Justica Ambiental (JA!) / Friends of the Earth Mozambique
Labour, Health and Human Rights Development Centre, Nigeria
Le Forum National sur la Dette et la Pauvreté de Côte d'Ivoire
Malawi Economic Justice Network (MEJN), Malawi
Million Climate Jobs Campaign, South Africa
NGO Coalition for Environment, Calabar, Nigeria
Niger Delta Women's movement for Peace and Development
Organisation de Bienfaisance et de développement, Djibouti
PAEDD, Senegal
SEATINI, Uganda
Social Forum Senegal
Somali Organisation for Community Development Activities (SOCDA)
Worldview-The Gambia
Youth Network for MDG, Madagascar
Zambia Climate Change Network

LATIN AMERICA and the CARIBBEAN

ACICAFOC, Honduras
Bolivian Climate Change Platform, Bolivia
CEMDA, Mexico
Centro Humboldt, Nicaragua
CTS EMBARQ Mexico
Dejusticia, Bogota, Colombia
Derecho Ambiente y Recursos Naturales DAR, Peru
Eco Sitio, Argentina
Equidad, Mexico
Fronteras Comunes, Mexico
FUNAM, Fundación para la defensa del ambiente, Argentina
Fundacion Solar, Guatemala
Instituto de Políticas para el Transporte y el Desarrollo, Mexico
Instituto del Tercer Mundo of Montevideo, Uruguay
La Fundación de Iniciativas de Cambio Climático, Honduras
LIDEMA, Bolivia
M´Biguá, Ciudadanía y Justicia Ambiental, Entre Ríos, Argentina
Programa de Integridad en el Financiamiento Climático, Mexico
Taller Ecologista, Argentina

ⁱ For further background, see “Submission to the GCF Board, Jubilee South – Asia/Pacific Movement on Debt and Development,” March 11, 2013.

ⁱⁱ The Paris Declaration on Aid Effectiveness and the Accra Agenda for Action highlight the fact that governments should be inclusive in setting up national policies and plans -- including through consultation with CSOs; should be consistent with their international commitments on gender equality, human rights, disability, and environmental sustainability; fight corruption; and be transparent and accountable to people in developing and donor countries. <http://www.oecd.org/dataoecd/11/41/34428351.pdf>.

ⁱⁱⁱ CAO Audit of a Sample of IFC Investments in Third-Party Financial Intermediaries. Office of the Compliance Advisor-Ombudsman, World Bank Group, February 2013.

^{iv} Governing Instrument of the Green Climate Fund, paragraph 3 under Objectives and guiding principles.

^v “Confidentiality” should be narrowly defined and applied only to strictly limited and specific data contained in project documents (e.g. home addresses of project proponents, a specific formula calculated for a specific project, etc.).

Annex

ENDORSERS from DEVELOPED COUNTRIES

Global and Regional Networks

ActionAid International
BirdLife International
CARE Poverty, Environment and Climate Change Network (CARE PECCN)
Conservation International
European Network on Debt and Development (Eurodad)
Feminist Task Force
Food & Water Europe in Europe
Food & Water Watch in North America
Global Witness
Greenpeace
International Forum on Globalization
Women in Europe for a Common Future (WECF)
Women’s Environment and Development Organization (WEDO)
WWF International

National Networks and Organizations

North America

American Environmental Health Studies Project, USA
Bank Information Center, USA
Center for Biological Diversity, USA
Center for International Environmental Law, USA
Disciples Justice Action Network, USA
Earthjustice
Ecumenical Peace Institute/Clergy and Laity Concerned, Northern California, USA
Environmental Investigation Agency USA
Environmental Investigation Agency, US
Friends of the Earth Canada
Friends of the Earth US
Green Chalice (Disciples of Christ), USA
Heinrich Boell Foundation North America
Institute for Agriculture and Trade Policy
Institute for Policy Studies, Climate Policy Program, USA
International Rivers

Jubilee USA Network

Labor Network for Sustainability, USA

Maryknoll Office for Global Concerns, USA

Missionary Oblates of Mary Immaculate, Justice, Peace/Integrity of Creation Office , USA

Oil Change International

Pacific Environment, USA

Rainforest Action Network, USA

SF Bay Area Jubilee Coalition, USA

Sierra Club, USA

'Ulu Foundation, USA

Europe

11.11.11 - Coalition of the Flemish North-South Movement, Belgium

Alliance Sud, Switzerland

Both ENDS, The Netherlands

Bretton Woods Project, UK

CAFOD, UK

Centre national de coopération au développement, CNCN-11.11.11, Belgium

Christian Aid, UK

Ecologistas en Acción (Spain)

Forest Peoples Programme, UK

Friends of the Earth England, Wales and Northern Ireland

InspirAction (Christian Aid), Spain

Jubilee Debt Campaign, UK

KULU - Women and Development, Denmark

Naturvernforbundet/Friends of the Earth Norway

NOAH Friends of the Earth Denmark

Réseau Action Climat-France

Tearfund, UK

United Kingdom Without Incineration Network (UKWIN), UK

World Development Movement, UK

Pacific

Alliance for a Clean Environment, Australia

ATTAC Japan

Climate Action Network Australia

Climate Justice Programme, Australia

Friends of the Earth Australia

Jubilee Australia