UNDP Accountability Mechanism Complaint Template

This template has been created by Accountability Counsel to make it easier for communities or individuals harmed by a United Nations Development Programme (UNDP) project or programme to file a complaint with its Accountability Mechanism: the Social and Environmental Compliance Unit (SECU) and Stakeholder Response Mechanism (SRM). Accountability Counsel is not affiliated with UNDP, SECU, or SRM. This template does not constitute legal advice, and may require modification to meet the specific needs of your community. If you need help, please reach out to an advisor or organization you trust, or to Accountability Counsel at [accountabilitycounsel.org/advice](http://accountabilitycounsel.org/advice).

[date]

Attn: SECU/SRM, OAI, UNDP

1 U.N. Plaza, 4th Floor

New York, NY USA 10017

Email: [project.concerns@undp.org](mailto:project.concerns@undp.org) and [secuhotline@undp.org](mailto:secuhotline@undp.org)

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## **Complaint Against United Nations Development Programme Project**

We write to you to submit a formal complaint against a United Nations Development Programme (UNDP) project or programme that is causing or threatening environmental and social harm to communities or other impacted groups.

### **The Complainants & the Impacted Group/Communities**

We are: *[check the box that applies]*

* Members of a group/community who are, or who might be, harmed by a UNDP project
* Advisors and/or representatives of an impacted group/community. We have included evidence of our authority to file this complaint on behalf of the impacted group/community at the end of this complaint *[Complete Annex 1 & Section 2 below]*

**List of complainant(s):** *(only one is required, although a complaint may be considered more compelling if it comes from a group of affected people. If there are more complainants, add additional rows or annex your own list. There is an opportunity to request confidentiality later in this document)*

| **Name** | **Email** | **Phone** | **Country of Residence** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

**Why we are filing this complaint:**

| *Explain here, in summary, why you are filing this complaint (more details can be provided in the sections that follow):* |
| --- |

**Who is represented by this complaint:**

| *[Optional] If this complaint is being filed on behalf of a broader community, village, or other group of impacted people, please provide information about this broader group. Where are they located? How do they identify themselves (i.e. as Indigenous, tribe name, Afro-descendent, caste, fisherfolk, rural, urban, youth, etc.)? Include any other information that seems relevant for you. If possible, please identify or estimate the number of people that are represented by/included within this complaint.* |
| --- |

### **Advisors & Representatives**

We are filing this complaint with support from advisors and/or representatives, such as a non-governmental organization, community group, or another person who is not themselves directly impacted by the UNDP project or programme: (select one)

* Yes, we are filing this complaint with support from advisors and/or representatives
* No, we do not have advisors and/or representatives

If yes, please: (i) provide the information below, and (ii) complete Annex 1 to confirm that you have authorized your representative to engage with the UNDP SECU and SRM.

List of advisors/representatives:

| **Name** | **Email** | **Phone** | **Country of Residence** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |

| *[Optional] If you wish, please share more information about any advisors/representatives or other organizations involved in preparing this complaint, including their connection (if any) to a group or community impacted by the UNDP project:* |
| --- |

### **The Project**

The UNDP project or programme that we are concerned about is:

| *Describe the UNDP project, location, and why you believe UNDP is involved. If unsure, say so and describe why you suspect UNDP involvement. You can also mention if the UNDP project is linked to other projects in the area that are causing harm, whether or not those other projects are financed by the UNDP .*  *You can find information about projects on the UNDP’s website (*[*https://open.undp.org/projects-portfolios*](https://open.undp.org/projects-portfolios)*), or through the DeBIT tool (*[*https://debit.datascience.uchicago.edu/database*](https://debit.datascience.uchicago.edu/database)*) or the Early Warning System (*[*https://ews.rightsindevelopment.org/*](https://ews.rightsindevelopment.org/)*) (databases you can search). You can also submit an Access to Information request for information about the project at the relevant UNDP Country Office.* |
| --- |

### **The Harm**

We are concerned that the UNDP project or programme has caused or will cause substantial environmental and social harm to the impacted group/community/communities. We are specifically worried about: *[check any/all that apply]*

* A lack of meaningful and inclusive consultation
* People being forced to leave their homes, shelter, or land (including problems with compensation)
* People losing their jobs or their livelihoods (economic displacement)
* Pollution (air, soil, or water)
* Reduced access to, or availability of, water
* Harm to forests, plants, or animals
* Climate change impacts
* Other harm to the environment
* Impacts on peoples’ health and safety, or movement
* Reduced access to education
* Harm to Indigenous peoples
* Damage to cultural heritage
* Labor violations, including problematic workplace conditions, workplace injuries or deaths, exploitative or unsafe child labor, or forced labor
* Private property damage
* Public property damage
* Violence against the community (actual or feared), by security forces or others acting in the interests of the project
* Retaliation for raising concerns about this project (actual or feared)
* Gender-based or sexual violence, exclusion, or discrimination

*Note: The boxes below provide an opportunity to provide additional details about any of the harm identified above. This is also a good opportunity to identify any relevant documents that support your concerns, or to incorporate direct testimony (retelling of events witnessed) from impacted community members, workers, or other witnesses.*

| ***If relevant:*** *please add more details of any failure to meaningfully consult communities on the project here, including any failure to disclose project information in a format or language that is accessible to communities:* |
| --- |

| ***If relevant:*** *please add more details of any loss of shelter, homes, or land, compensation concerns, or other impacts on livelihoods* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any environmental concerns here (such as air, soil, or water pollution, harm to forests, plants, or animals, climate change impacts, or other harm to the natural environment)* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on community health and safety, access to education or healthcare, or movement of people* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any private or public property damage* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on Indigenous peoples or cultural heritage* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on specific impacts on women, girls, and sexual and gender minorities* ***and how the project caused this****:* |
| --- |

| ***If relevant:*** *please add more details of any impacts on specific impacts on project workers:* |
| --- |

| ***If relevant:*** *please add more details of any violence, intimidation, or retaliation towards impacted groups/communities* ***and how the project caused this****:* |
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| *Please add anything else you’d like SECU/SRM to know about the harm that impacted groups/communities are experiencing and/or fear and how the project caused this:* |
| --- |

**Prioritization of issues *[optional]***

Of the impacts/types of harm we have described above, the following are our **highest priorities** for resolution: *[we recommend that you list up to three, but you can add more if they are highly important to you and the communities or groups you represent]*

|  |
| --- |

### **UNDP’s Contribution to the Harm**

We believe that UNDP has contributed to this harm by not following its environmental and social safeguards. The following is a non-exclusive list of our concerns about the project.

| *Explain, as best you can, what you think went wrong with this project. What did UNDP do wrong, or fail to do?* |
| --- |

***[The rest of section 5 is optional. You may delete it and continue with section 6. Or, if you need help using it, reach out to an advisor or organization you trust, or to Accountability Counsel at*** [***accountabilitycounsel.org/advice***](http://accountabilitycounsel.org/advice)***]***

Although it is not required by the SECU’s Investigation Guidelines, below we have identified some of the ways in which UNDP has violated its environmental and social safeguards.[[1]](#footnote-0) *[check all that apply]*

**Due diligence**

* The project should never have been approved because it is inconsistent with UNDP’s commitments to do-no-harm, respect human rights, promote gender equality, address climate change, and advance sustainability (SESP; SES, para 9-29)
* The project’s environmental and social assessments were incorrect or incomplete (SESP)
* The project does not comply with national and/or international law (SES, para 30)

**Consultation & information disclosure**

* Project information was not disclosed in timely way, and in a manner (format, language, location) that is culturally appropriate, understandable, and readily accessible to impacted group/community/communities (Information Disclosure Policy; SESP para 60; SES para 31; “Part C: Social and Environmental Management System Requirements”; and specific SES standards as relevant)
* Impacted groups/communities were not inclusively and meaningfully consulted before or during the project (SES para 14; “Part C: Social and Environmental Management System Requirements”; and specific standards as relevant)

**Labor**

* The project fails to respect and protect workers’ rights and otherwise provide safe, fair, healthy, and non-discriminatory work conditions (SES Standard 7)
* The project (and/or its supply chain) is employing exploitative or unsafe child labor (SES Standard 7)
* The project (and/or its supply chain) is employing forced labor (SES Standard 7)

**Environment**

* The project is causing environmental pollution and waste (SES Standard 1, 2, 3, and 8)
* The project unsustainably consumes energy, water, as well as other resources (such as soil, forests, pasture, and fisheries) (SES Standard 1 and 8)
* The project is contributing, and/or increasing our vulnerability, to climate change (SES Standard 1, 2, 3, and 8)
* The project fails to safeguard natural habitats, ecosystems, and biodiversity (SES Standard 1, 2, 3, and 8)
* The project fails to manage risks of, and/or increases vulnerability to, natural hazards or disasters (SES Standard 2 and 3)

**Displacement**

* Displacement has not been avoided or minimized, and is being carried out in a way that it is unfair, unsafe, and reducing community members’ standard of living (SES Standard 5, and 6 if relevant)

**Community health & safety & other social impacts**

* The project is causing social impacts (including impacts on peoples’ movement, health, safety, and access to healthcare and education) (SES Standard 3)
* The project is causing damage to private or public property (SES Standard 3 and 5)
* The project fails to protect and respect cultural heritage (SES Standard 4 and 6)

**Impacts on Indigenous Peoples, women, & other vulnerable or marginalized groups**

* The project is violating the specific rights and interests of Indigenous Peoples, including the right of Indigenous Peoples to give or withhold Free, Prior, and Informed Consent (SES Standard 6)
* The project is causing gender-related risks and impacts, and reinforcing or exacerbating existing gender inequalities (SES, paras 10, 18, and 20; Standard 3 and others as relevant)
* The project is contributing to the exclusion of, discrimination against, or disproportionate impacts on vulnerable groups (SES, paras 10 and 14; SES Standard 3 and others as relevant).

**Violence & retaliation**

* The project failed to protect workers and/or communities from violence, retaliation, intimidation and/or coercion perpetrated by security forces or other entities or individuals acting in the interests of the project (SES “Part C: Social and Environmental Management System Requirements”; SES Standard 3)

**Benefit-sharing**

* The project failed to provide opportunities for the impacted community to equitably share in the benefits of the project (SES, para 11; SES Standard 1, 4, 5, and 6 as relevant)

**Supervision & monitoring**

* The project does not have a functioning, safe, accessible, and effective project-level grievance mechanism and/or grievances raised are not responded to or managed appropriately (SES, para 31; “Part C: Social and Environmental Management System Requirements”; and SES Standard 2 if relevant)
* UNDP failed to properly monitor the project and supervise its client, including by responding appropriately to any issues or concerns that are raised about the environmental and social impacts of the project, and remedying any harm caused (SES para 31; “Part C: Social and Environmental Management System Requirements”).

### **Previous Attempts to Resolve These Concerns**

We understand that, in order to access the mediation/dispute resolution function of the SRM, the SRM Guidance Note requires complainants to first engage with UNDP project staff and/or its implementing partner(s), unless you fear retaliation or face other barriers such as safety, language, or access barriers. In our case: *[check the box that applies]*

* We have previously contacted UNDP and/or its partner(s) and they did not respond.
* We have previously contacted UNDP and/or its partner(s) and we are dissatisfied with their response.
* We have not reached out to UNDP and/or its partner(s) because we fear retaliation/being harmed or threatened.
* We have not reached out to UNDP and/or its partner(s) because of other barriers (explained below).

*Note: if you wish to engage with UNDP, we recommend emailing your concerns to:*

* *UNDP Social and Environmental Standards team* [*info.ses@undp.org*](mailto:info.ses@undp.org)*; and/or*
* *The relevant country office.*

**Evidence of prior efforts:**

| *If you have previously contacted UNDP and/or its partner(s), please describe who you contacted, when, and the response. You can attach copies of that communication to the complaint, if you wish. Note that even a single email or phone call is relevant, even if they did not respond.* |
| --- |

| ***Optional -*** *If you have previously contacted the government or other authorities about the project**(rather than the UNDP and its partner(s)), please add details here. Who did you contact, when, and how did they respond? Note that even a single email or phone call is relevant, even if they did not respond.* |
| --- |

**Barriers to communication:**

| *If you have not contacted UNDP and/or its partner(s), please explain why. Include any information about fears of retaliation or safety risks, any barriers to communicating with the UNDP (such as distance from their offices, lack of access to phones or the internet, or language barriers), any urgency around the complaint filing, and/or any bad experiences engaging with project stakeholders in the past.* |
| --- |

**Previous complaints about the same project (if known):**

| *If you are aware of a previous complaint to UNDP, about the same project, please explain why this further complaint process is needed:* |
| --- |

### **Security Concerns & Confidentiality**

We: *[check the box that applies]*

* **REQUIRE** that our identities or other details contained in the complaint are kept confidential during this process. If you check this box, SECU/SRM will not share your identity (or any other details that you identify as confidential) with anyone else outside SECU/SRM (such as with UNDP management, the government, or the project partner), unless you want them to.
* **DO NOT REQUIRE** that our identities or other details contained in the complaint are kept confidential during this process.

| *If you require confidentiality, please explain what information should be kept confidential:* |
| --- |

| *Please share any security concerns or fears of retaliation that you want to share with SECU/SRM:* |
| --- |

### **What We Want to Achieve**

We are bringing this complaint because we want: *[check all that apply]*

* Disclosure of project information
* Meaningful and inclusive consultation
* A Free, Prior, and Informed Consent process for Indigenous communities
* Independent studies to confirm the harm (or not)
* Investigation into whether the bank’s policies were met (or not)
* Changes to the project to avoid future harm
* Pausing or stopping the project
* Fair, safe, and dignified resettlement
* Fair compensation for land, assets, or resources lost
* Support to improve livelihoods
* Other forms of social support (such as support for health, education, infrastructure, sanitation, safety, etc)
* Remedying environmental harm (such as addressing water or soil pollution)
* Better monitoring of project impacts
* Establishment of, or improvements to, a project-level grievance mechanism
* Changes to employment conditions
* Compensation for workplace injuries
* An opportunity to equitably share in the benefits of this project (such as access to water, power, or revenue from the project)
* Measures to restore or protect cultural heritage
* Recognition of our individual or community rights (such as recognition of our land rights)
* An apology
* Changes to UNDP practices to avoid similar harm in the future
* Other: explain

*Note: this is a tentative list intended to provide you with an indication of our goals. It may change as the complaint process progresses, if our circumstances change, or if we obtain additional information or advice. We understand that outcomes differ case-to-case and depend on a range of factors.*

### **Temporary Project Suspension**

We understand that the Lead Compliance Officer of SECU has the power to make a recommendation to the UNDP Administrator that UNDP should take interim actions, including a suspension of the project, while the SECU process is underway if serious, irreversible harm would result from the project’s continued implementation. We understand that this recommendation is discretionary, and the final decision will be made by the Administrator.

We: *[optional]*

* Request that the Lead Compliance Officer considers making a recommendation for interim actions, including to temporarily suspend the project, under paragraph 55 of the SECU Investigation Guidelines.
* Do not have an opinion, or do not request such a recommendation at this time.

| *If you are requesting interim actions, including temporary project suspension, please explain what “serious, irreversible harm” will occur if the project continues during the SECU process:* |
| --- |

### **Complaint Pathway**

We are: *[check all that apply]*

* Interested in a dispute resolution process facilitated by SRM, that brings the community, the company or government implementing the project, and/or UNDP together in a facilitated discussion, to find solutions that everyone can agree on (known as stakeholder response). If you mark YES to this question, please also indicate:
  + I am content for SRM to handle this process at the country level
  + I would prefer that SRM handle this process at UNDP Headquarters in New York, because we fear that it cannot be handled safely or effectively at the country level
* Interested in an investigation by SECU into whether the UNDP has complied with its environmental and social policies (known as compliance review)
* Interested in both stakeholder response and compliance review
* Unsure what is the best complaint pathway for us and would like further advice before deciding.

| *Please share any other information you wish to share about your preferences for how this complaint is handled, including any urgency.* |
| --- |

We look forward to your prompt registration of this complaint, and to receiving more information about the eligibility process.

Sincerely

| *Insert names and signatures of the complainants:* |
| --- |

**Annex 1: Representation Authority**

*Only fill out if you are filing or supporting this complaint as representatives of an impacted group/community/communities, rather than as directly impacted people.*

We are directly impacted by [insert name of the project causing harm].

We hereby authorize [names of representatives] to act as our advisors and/or representatives in this complaint to SECU/SRM about that project. We grant permission to SECU/SRM to communicate with us through our advisers/representatives.

This representation agreement shall continue until the complaint to SECU/SRM has been resolved, or at any time that either party terminates the representation in writing.

**Signed by the directly impacted group/community/communities:**

| Name:  Date: |
| --- |
| Name:  Date: |

**Additional names can be added below, if desired:**

1. The list describes “the project’s” failures in accordance with the logic that observed non-compliance at the project level is indicative of UNDP breaches of its due diligence and supervision obligations under its Social and

   Environmental Standards (SES) and Social and Environmental Screening Procedure (SESP). It also refers to UNDP’s overarching commitment that “no activities that may cause adverse social and environmental impacts are to proceed until assessments are completed and appropriate mitigation and management measures are in place” (SESP para 24), and that “where implementation of the SES is found not to be adequate, UNDP will undertake appropriate measures to address shortcomings” (SES, para 4; and “Part C: Social and Environmental Management System Requirements”). [↑](#footnote-ref-0)