

Eligibility Statement

Project: PANORAMA: Solutions for a Healthy Planet Project
ICM Case: 2023-03
Date of eligibility decision: 20.11.2023

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1 INTRODUCTION

The Independent Complaint Mechanism (ICM) of the International Climate Initiative (IKI) was established to enable people who suffer (potential) negative social and/or environmental consequences from IKI projects, or who wish to report the improper use of funds, to voice their complaints and seek redress. The ICM Policy¹ dated 1 February 2022 sets out how the ICM deals with complaints from a person, group of persons, or community who may be/may have been negatively impacted by or during the course of an IKI project and/or would like to report significant adverse environmental impacts caused directly by the IKI project and/or that would like to provide evidence of economic crime or violations of budgetary or grant law by or in the course of an IKI project. Once a complaint is received, the ICM Policy requires the ICM to determine if the complaint is eligible. It is to be noted that this determination is procedural and that it does not represent a judgement on the merits of the case (Section 4.1.2 (g)).

2 SUMMARY OF ELIGIBILITY DETERMINATION

For reasons stated in this document, the ICM determined on 20 November 2023 that the complaint is **ineligible** under the ICM Policy.

3 COMPLAINT AND PROCEDURAL HISTORY

On 3 October 2023, the ICM received a complaint from Ms. Dolly Wong² regarding the PANORAMA: Solutions for a Healthy Planet Project (the Project).³ The Project includes a digital platform⁴ where users can upload 'solutions'. According to the platform, 'solutions' are "*specific, applied examples of successful processes or approaches. They can be entire projects or only aspects of a project, and typically encompass several steps or phases of activities.*"⁵ The complainant alleged that the platform operators unduly restricted the uploading of her proposed solution. As a result of her inability to upload the solution, her credibility and livelihood have reportedly been affected. Further, the complainant alleged that hindering the dissemination of good practices was detrimental to the environment. The complainant has also submitted a complaint to the complaint mechanisms of the current hosts of the PANORAMA secretariat – first to the International Union for Conservation of Nature (IUCN) and later to the German Corporation for International Cooperation (GIZ).⁶

The ICM acknowledged receipt of the complaint on 16 October 2023.

¹ Available at: https://www.international-climate-initiative.com/fileadmin/iki/Dokumente/Beschwerdemechanismus/IKI_ICM_policy_EN_202202.pdf.

² The complainant expressed the preference for her identity to be revealed.

³ More information on the project is available at: <https://www.international-climate-initiative.com/projekt/panorama-solutions-for-healthy-planet-project-19-iv-104-global-m-panorama-support/>.

⁴ <https://panorama.solutions/en>

⁵ <https://panorama.solutions/en/about-panorama-solutions-healthy-planet>.

⁶ According to the ICM Policy (Section 3.7) this does not affect the eligibility decision of the ICM.

The ICM thereafter contacted the complainant and obtained further details on the complaint, including during a conference call with her. In keeping with its policy,⁷ the ICM also exchanged with the responsible ZUG staff. The ICM established that the complaint directly related to an IKI project. IKI funding for supporting the Project amounts to EUR 2 million. Therefore, the ICM also contacted the IUCN to obtain additional background information on the solution proposed by the complainant and the reasons for not publishing the solution on the PANORAMA platform. The ICM also had a conference call with the GIZ compliance and integrity team, which had handled the complaint to GIZ.

According to the information submitted to the ICM, the complainant had been trying to upload her solution since 2021. She succeeded in publishing the solution in October 2021. However, in March 2022, the solution was deleted due to concerns of the platform operators that the content of the solution was plagiarized. The complainant then requested the IUCN project grievance mechanism to investigate and to review the decision. The IUCN investigation concluded by stating “*there are unresolved issues of intellectual property around some of the content.*” Subsequent attempts by the complainant to upload the solution were mostly rejected immediately. In September 2023, the solution was published again, but taken down on 2 October 2023, which prompted her complaint to the ICM.

4 ELIGIBILITY ASSESSMENT

The ICM examined the eligibility of the complaint against the ICM Policy. As described above and in more detail in the ICM Policy, the ICM “*investigates breaches of environmental and social safeguards, budgetary law, incidents of financial crime, reprisals and threats against complainants that fall under the scope of the IKI’s funding activities.*”⁸ Complaints must relate to one of the categories of complaints outlined in the ICM Policy.

The ICM assessed whether the complaint could constitute a safeguards complaint. To constitute a complaint about IKI safeguards, there needs to be a plausible connection to the applicable IKI safeguards. The PANORAMA platform is curated in that proposed solutions are reviewed by the coordinators of the respective thematic portal to ensure consistent quality standards on the platform. For example, only when a final description of the solution is accepted, will it be published on the platform. The nature and application of the quality standards applied by the platform operators⁹ are only subject to ICM review if they potentially violate IKI safeguards.¹⁰ The ICM could not identify a potential violation of the applicable IKI safeguards by the platform operators’ decision to prevent the publication of the complainant’s proposed solution. Without such a potential connection to the applicable IKI safeguards, the complaint does not constitute an IKI safeguards complaint.

⁷ IKI ICM Policy, Section 4.1.2(c).

⁸ IKI ICM Policy, Section 1.

⁹ Explained in the PANORAMA manual available at: <https://panorama.solutions/en/manual-page/panorama-manual#mind>.

¹⁰ At the time of the funding agreement, the IKI Safeguards Policy was not yet in place. The IKI Safeguards Policy is in force since 15 January 2023 and available at: <https://www.international-climate-initiative.com/en/about-iki/safeguards/>. The applicable IKI safeguards at that time were the safeguards of the Green Climate Fund which in turn refer to the Performance Standards of the International Finance Corporation (IFC). However, Standard 1 of the IFC Performance Standards was not applicable because it was considered to contain requirements for the IFC that were not generally applicable to IKI projects.

The complaint does also not fall under any other complaint category within the ICM's mandate since it does not indicate any potential economic crime or violation of budgetary law, or threats or reprisals against the complainant.

Criterion	Yes/No/Not applicable	Reason(s)
Was required information provided to the ICM (see Sections 3.4 and 3.5 of the ICM Policy)?	Yes	The complainant has provided all required information as set out in Section 3.4 and 3.5 of the ICM Policy.
Does IKI have a funding relationship with the project (whether past, present or future)?	Yes	The project involved is financed by IKI.
Is there a link between the IKI-funded project and the subject of the complaint?	Yes	The complainant is concerned about not being able to upload her solution to the digital platform of the Project
Are there grounds for exclusion (Section 3.7) of the complaint?	No	The complainant has also submitted a complaint to the GIZ and previously to the IUCN project grievance mechanism. As per Section 3.7 of the ICM Policy, this does not affect the eligibility decision of the ICM.
Is there at least one (1) complainant.	Yes	
Does the complaint relate to safeguards	No	As elaborated above, the complaint does not constitute a safeguards complaint.
If so, (a) have the complainants credibly demonstrated that either they themselves or third parties are impacted or are likely to be impacted by an IKI project? ¹¹ (b) Does the complaint include information about (potentially) significant (not) indirect adverse effects or risks to complainants or third parties?	<i>Not applicable</i>	

¹¹ Exception: in case of negative environmental impacts, this criterion of individual concern may be waived if the environmental impacts are direct, are significant, and are directly caused by the IKI project.

Does the complaint relate to economic crime or violations of budgetary or grant law	No	
If so, has the complainant provided evidence of criminal acts or violations of German budgetary law?	<i>Not applicable</i>	
Does the complaint relate to reprisals or threats against complainants	No	
If so, have specific incidents of reprisals or threats been included in the complaint?	<i>Not applicable</i>	

5 ELIGIBILITY DETERMINATION

Considering all the evidence available at this initial procedural stage, the ICM concludes that the complaint falls outside the mandate of the ICM. The ICM consequently determines that the complaint is **ineligible**.

The ICM has informed the complainant on 22 November 2023 of its decision. The ICM will further inform the supervisory body that the complaint was deemed ineligible.¹²

This decision will also be published on the ICM website.

Issued by the ICM Independent Expert Panel

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¹² IKI ICM Policy, Section 4.1.2 (f).