

Annex C: Overview of Grievance Redress Mechanisms

As part of the REDD+ RBP retroactive alignment review of safeguards,, the country's institutional arrangements should demonstrate that a national feedback and grievance redress mechanism are effectively in place to demonstrate that systems were available to stakeholders to receive and address any complaints or disputes related to REDD+ activities for which payments are being sought.

National Level mechanisms

The Republic's General Office of the Ombudsman was created in 1995, and is currently called the Union General Office of the Ombudsman (OGU). It has the competence for the technical coordination of the Federal Executive Branch ombudsman segment. In 2004, the Constitutional Amendment # 45 was promulgated, which establishes the creation of the Office of the Ombudsman in the Judiciary Branch and in the Public Prosecutor's Office for the Union, States, Federal District and Territories. The Union General's Office of the Ombudsman has a website with information about all Offices of the Ombudsman, legislation, statistics, guidelines, among others¹.

Currently, the Federal Executive Branch has more than 250 Offices of the Ombudsman (*Ouvidoria*), distributed throughout the various agencies and entities and dealing with different issues. Complaints may be received directly to the ombudsman of the relevant ministry, secretariat, or other government body, serving as a channel of communication between society and governance institutions.

At Federal executive level, there is an ombudsman system that is used by all Offices of the Ombudsman to record feedback from citizens² (e-Ouv). It allows citizens to complain, to suggest, denounce, praise and to request measures and the simplification of services to public ombudsmen. This system ensures that the rights of users of public services are respected. Once receiving the complaint, the federal ombudsmen will analyze it and respond or find a solution to the problem with the responsible areas of the organs and entities that provide services within up to 20 days, extendable only once for 10 days.. In addition, ombudsmen are always working to transform individual problems into collective solutions: all the information about the manifestations they receive is constantly treated and analyzed in order to detect problems and propose improvements to managers, so that we can all have a public service each better.

In the Forestry sector, Brazilian Forest Service (SFB) an autonomous body and part of the structure of the Ministry of the Environment (MMA), and was created by Law No. 11,284, of March 6, 2006 – which provides for the management of public forests for sustainable production. The SFB has an ombudsman's office, where “anyone can make a statement, send a request, complaint, complaint, suggestion and praise about SFB and its activities”³, which are documented in annual reports. In addition to the typical activities of the ombudsman (approved internal and external demands regarding the request, complaint, complaint, suggestion and compliment), the SFB Ombudsman is mandated to perform the following duties:

- coordinate the Information Citizen Services (SIC), ensuring access to information in an efficient and appropriate manner, as envisaged in the Law on Access Information - LAI
- channel service flows and queries related to Register Rural Environment (CAR).

The number of complaints received by the SFB ombudsman office over the last decade is outlined in Table 1. The SFB implemented a series of measures to focus on better public service in relation to the SICAR, as well as availability of strategic information related to the CAR, resulting in a reduction in the number of complaints after 2016.

To ensure access to information and transparency of public administration activities, the Sistema Eletrônico do Serviço de Informações ao Cidadão (e-SIC) allows “any person, physical or legal, to forward requests for access to information, follow the deadline and receive the response of the request made to agencies and entities of the Federal Executive”. The number of requests made in the last decade are outlines in Table 1. Accessing the e-SIC

¹ <http://ouvidorias.gov.br/>

² <https://sistema.ouvidorias.gov.br/publico/Manifestacao/RegistrarManifestacao.aspx> .

³ <http://www.florestal.gov.br/ouvidoria>

system, a report on the grievances and complaints made to BNDES (Banco Nacional de Desenvolvimento Econômico e Social) can be evaluated for the period between 2012 and 2018, demonstrating that over 3795 complaints were received (see Figure at the end of this annex).

Tabela- demandas totais recebidas (2010-2017)

Ano	Ouvidoria	SIC	CAR*	TOTAL
2010	85	---	---	85
2011	101	---	---	101
2012	293	47	---	340
2013	149	37	---	186
2014	518	39	213**	770
2015	380	49	2.380	2.809
2016	316	79	930	1.325
2017***	244	25	46	315

*Com a adesão, em fevereiro/17, ao sistema e-Ouv, as demandas relativas ao CAR passaram a ser categorizadas como "típicas de ouvidoria" e, nessa condição, registradas como demandas de Ouvidoria.

** a partir do 2º semestre de 2014.

*** Janeiro-Junho.

In addition to the Brazilian Forestry Service, MMA has created within its organizational structure an office of the ombudsman for the Brazilian Environment and Renewable Natural Resources Institute and Chico Mendes Institute for Biodiversity Conservation (both autonomous federal agencies).

State-level systems

In Acre, the pioneering System of Incentives for Environmental Services (SISA, see Annex C Overview of Stakeholder Engagement) involved the establishment of an ombudsman office within the CEVA (Comissão Estadual de Validação e Acompanhamento) to deal specifically with grievances related to REDD+ activities. This office works in parallel to the state-level ombudsman office within the Office of the Attorney General, such that stakeholders can make complaints can either office. Furthermore, the design of the GRM for REDD+ SISA in the State of Mato Grosso is expected to be based on a network of ombudsman offices from different relevant ministries and other state-level organs/entities to coordinate complaints registry and resolutions in an effective manner.

Relatório de recursos e reclamações

(*)Informações adicionais para o correto entendimento do relatório podem ser encontradas na última seção.

Órgão(s) de Referência: BNDES – Banco Nacional de Desenvolvimento Econômico e Social

Período de Consulta: 8/2012 até 1/2018

1. Quadro geral dos recursos

Pedidos	Recurso ao chefe hierárquico	Recursos à autoridade máxima	Recursos à CGU	Recursos à CMRI
3795	215	45	25	8

Observações:

(1) Os dados referentes a recursos à CGU que foram registrados antes da inclusão da funcionalidade de interposição desse tipo de recurso no e-SIC (ocorrida em 22 de Agosto de 2012) estarão, provisoriamente, disponíveis em relatório estático à parte, acessível a partir do item de menu "Relatórios Estatísticos".

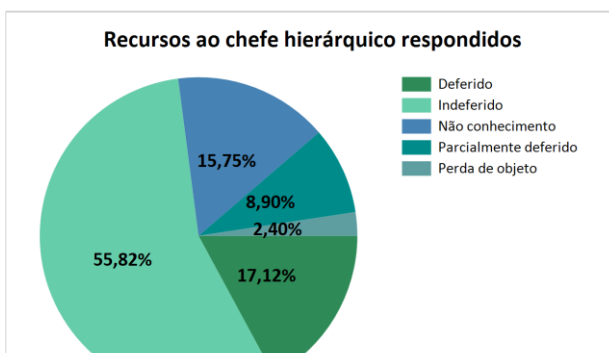
(2) Os dados referentes a recursos à CMRI que foram registrados antes da inclusão da funcionalidade de interposição desse tipo de recurso no e-SIC (ocorrida em 31 de janeiro de 2014) estarão, provisoriamente, disponíveis em relatório estático à parte, acessível a partir do item de menu "Relatórios Estatísticos".

2. Recursos ao chefe hierárquico

% de pedidos respondidos que geraram recursos ao chefe hierárquico: 5,67%

Recursos recebidos no período: 215

Recursos ao chefe hierárquico respondidos		
Total de recursos respondidos	214	99,53%
Deferido	37	17,29%
Indeferido	122	57,01%
Não conhecimento	32	14,95%
Parcialmente deferido	21	9,81%
Perda de objeto	2	0,93%



Informação incompleta	98	45,58%
Informação recebida não corresponde à solicitada	48	22,33%
Outros	31	14,42%
Justificativa para o sigilo insatisfatória/não informada	26	12,09%
Ausência de justificativa legal para classificação	10	4,65%
Informação recebida por meio diferente do solicitado	2	0,93%
TOTAL	215	

Ausência de justificativa legal para classificação	10	4,65%
Informação recebida por meio diferente do solicitado	2	0,93%
TOTAL	215	

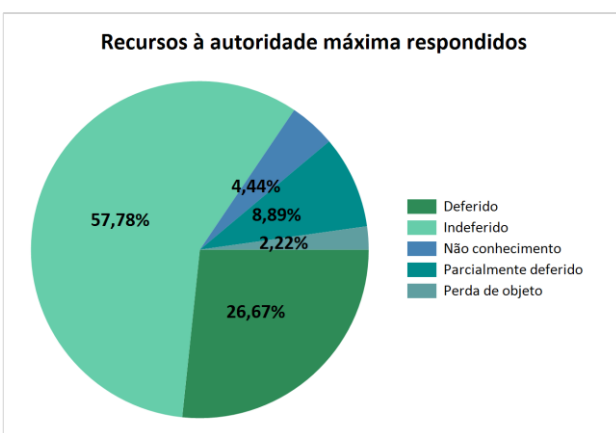
3. Recursos à autoridade máxima

% de pedidos respondidos que geraram recursos à autoridade máxima: 1,19%

% de recursos ao chefe superior que geraram recursos à autoridade máxima 20,93%

Recursos recebidos no período: 45

Recursos à autoridade máxima respondidos		
Total Respondidas:	45	100%
Deferido	12	26,67%
Indeferido	26	57,78%
Não conhecimento	2	4,44%
Parcialmente deferido	4	8,89%
Perda de objeto	1	2,22%



Motivos para interposição de recursos à autoridade máxima			
Motivo	Quantidade	%	
Informação incompleta	19	42,22%	
Justificativa para o sigilo insatisfatória/não informada	10	22,22%	
Outros	9	20%	
Ausência de justificativa legal para classificação	4	8,89%	
Informação recebida não corresponde à solicitada	3	6,67%	
TOTAL	45		

4. Recursos à CGU

Recursos recebidos no período: 25

% de pedidos respondidos que geraram recursos à CGU: 0,66%

% de recursos ao chefe hierárquico que geraram recursos à CGU: 11,63%

% de recursos à autoridade máxima que geraram recursos à CGU: 55,56%

Recursos à CGU respondidos		
Total Respondidas:	25	100%
Deferido	1	4%
Indeferido	13	52%
Não conhecimento	7	28%
Parcialmente deferido	1	4%
Perda de objeto	3	12%