



Challenges and Ways Forward with Benefit Sharing

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Structure of the presentation

1. Challenges
2. Frameworks / instruments for tackling challenges
 - Legal instruments
 - Developing mechanisms





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“Challenges” ...

- Who should benefit?
.....rights, claims and interest

Multiple forms of rights

Multiple categories of holders of rights and interests





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“Challenges” ...

- How should benefits be distributed (basis and mechanism)
 - Effective, transparent and practical
 - Capacity
 - Existing institutional arrangements
 - Monitoring and reporting
 - Appropriate benefits





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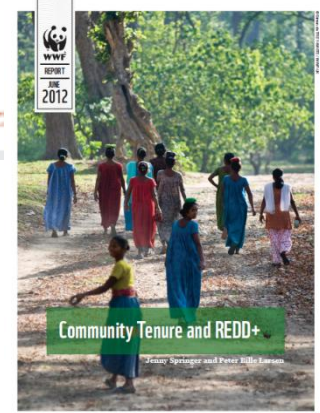
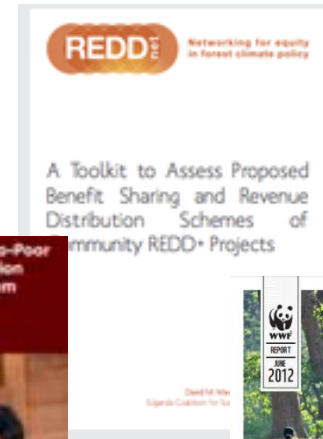
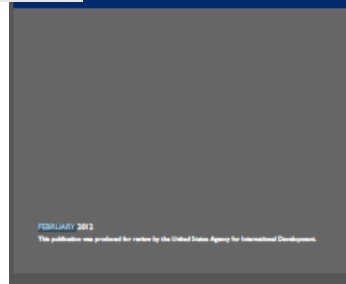
No simple solutions





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Frameworks / Instruments / Guidance





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Help equip stakeholders..





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An illustration



Identifying and working with beneficiaries when rights are unclear

Assessing options for effective mechanisms to share benefits



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An illustration



Identifying and working with beneficiaries when rights are unclear

Assessing options for effective mechanisms to share benefits



Identification of Beneficiaries

- Benefits of adopting a legal pluralism framework
 - Identify all beneficiaries
 - Equity and fairness
 - Incentivize behavior
- Steps for identifying beneficiaries
 - Participatory approach for identification
 - Legal framework analysis
 - Assessment of land/natural resource rights and interests, past/present/future benefit streams, etc.
 - Examination of governance institutions, local organizations



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Selecting legal instruments for working with beneficiaries

- Role for legal instruments
 - Provide clarity and predictability

- Primary legislation
- Secondary (delegated/subordinate) legislation
- Contracts
 - Formal
 - Informal
 - Tiered and nested



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An illustration



Identifying and working with beneficiaries when rights are unclear

Assessing options for effective mechanisms to share benefits



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What is the options assessment framework?

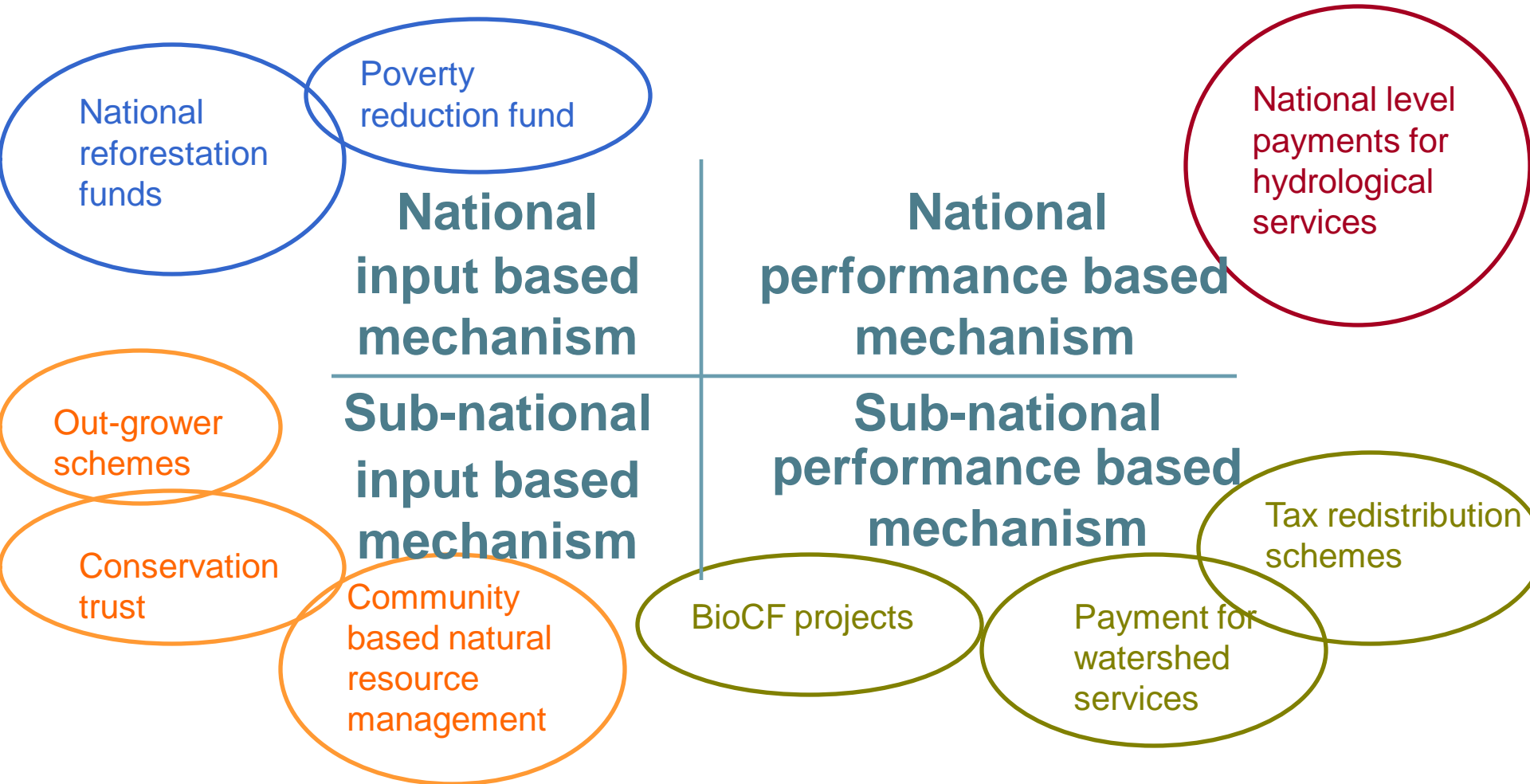
Assists in assessing how a specific (or range of) benefit sharing mechanism type(s) can be delivered effectively



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How to share benefits :

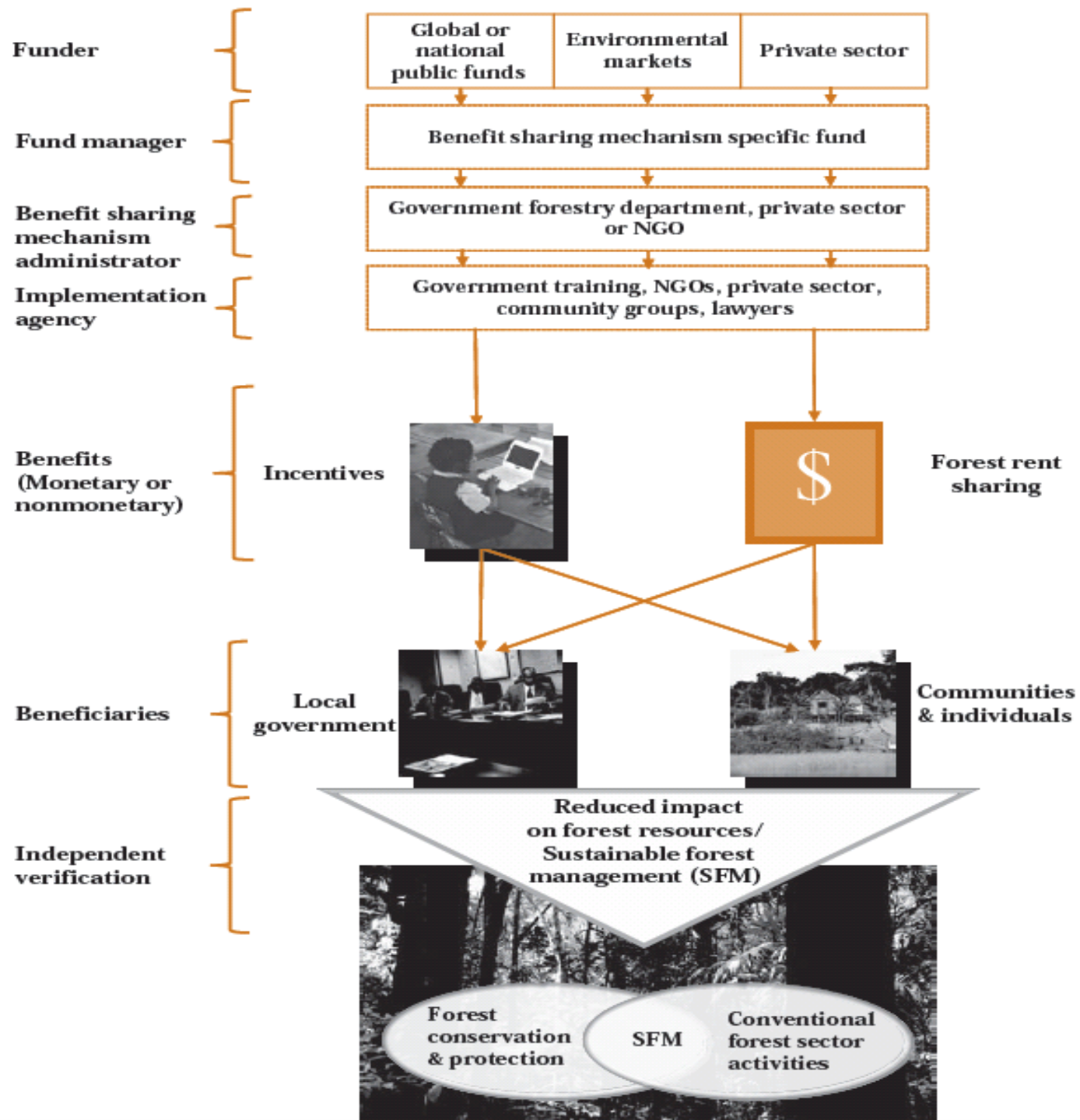
Four main types of benefit sharing mechanisms





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Who and what do these mechanisms involve?

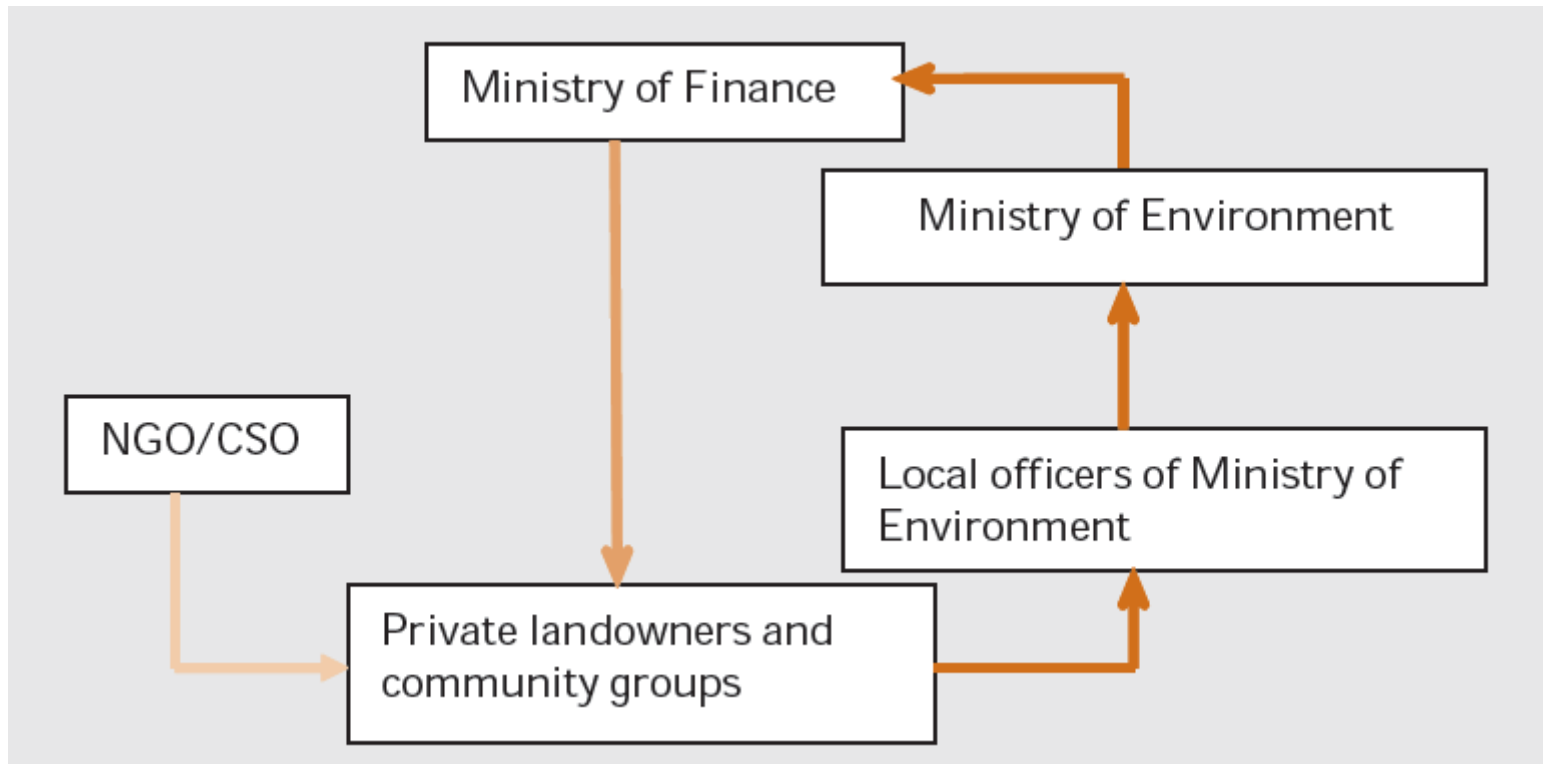




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A mechanism in practice

(Socio Bosque, Ecuador)





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Building blocks of mechanisms for sharing benefits

- I. Adequate Government, Civil Society and Private Sector Institutional Capacity
- II. Appropriate National or Subnational Legal Framework Relevant to REDD+
- III. Strong Financial Management Capacity and Experience
- IV. Strong Monitoring Capacity and Experience*



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What is part of a building block?

I. Adequate Government, Civil Society and Private Sector Institutional Capacity

- i. Capacity of benefit sharing mechanism implementing agency
- ii. Capacity of CSOs
- iii. Capacity of communities
- iv. Capacity of private sector



What is part of a building block (cont.)

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- I. Adequate Government, Civil Society and Private Sector Institutional Capacity
 - i. Capacity of benefit sharing mechanism implementing agency
 - Effective cooperation with national and subnational government agencies working on SFM
 - Ability to engage with CSO and private sector in forest policy development
 - Physical presence
 - Working relationship with Ministry of Finance or Treasury
 - Capacity in SFM, community development
 - Prior experience in benefit sharing





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Why use an options assessment framework?

- To learn from experience - 17 key learning points for successful benefit sharing mechanism
- Assess levels of readiness within country for implementing particular benefit sharing mechanism types
- Inform discussions on the mechanism types to pursue
- Identify key enabling actions to prioritize



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No prescriptions / for adapting and informing



LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity
☸☸☸ ☸☸☸☸☸☸

Ministry of Agriculture and Forestry

Department of Forestry

Sustainable Forestry for Rural Development Project -
Additional Financing (SUFORD - AF)

Assessment of the Forest Resource Development Fund of Lao PDR
for New Financing Sources

An Application of the PROFOR Options Assessment Framework for Benefit Sharing

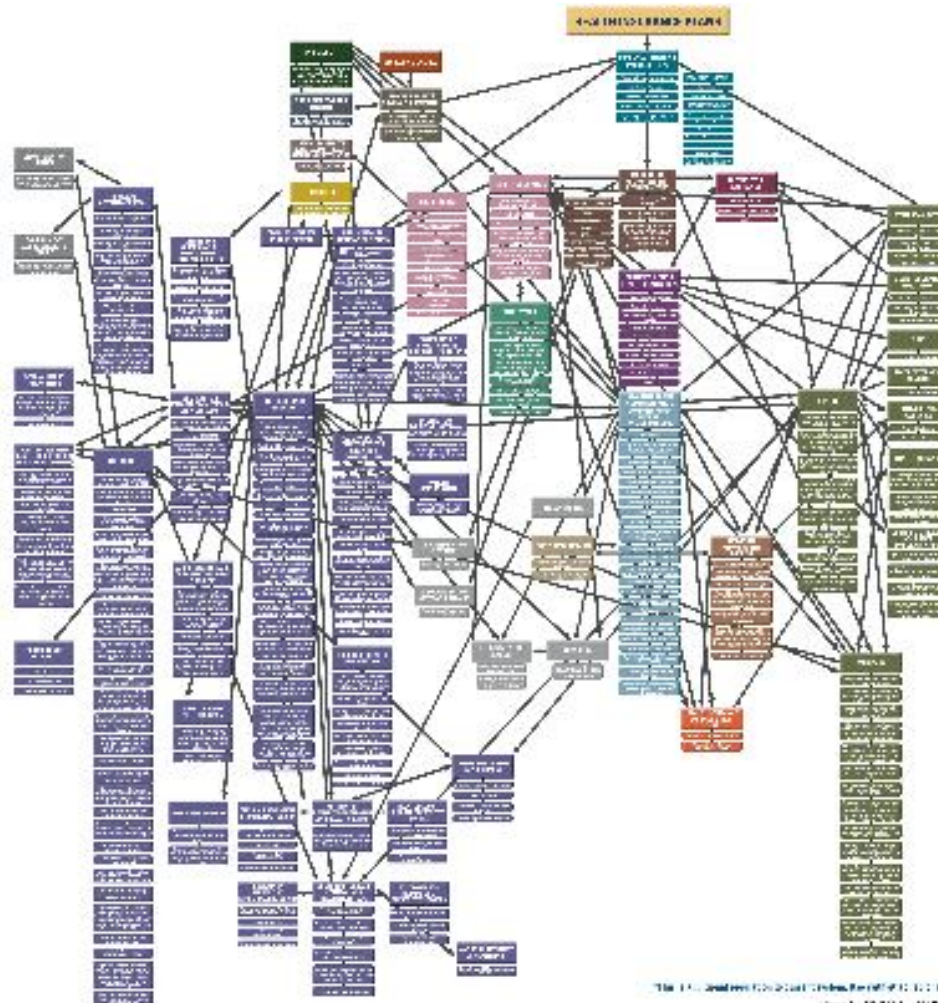


Majella Clarke
Karolina Lindroos
Dalouny Sanaphanh
Malaisouk Sinbandith



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It is complicated





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No “one size fits all”





Help frame and inform process

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Your Community is rich!

Let's have a fair share!



Knowing your rights about natural resources empowers your community.

Get free information about your rights regarding natural resources through **SAMFU**, local advocacy groups and your local authorities.



IRE

Take it live!





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THANK YOU

For more information on these frameworks please visit

www.profor.info/node/2010

If you have questions, please contact:

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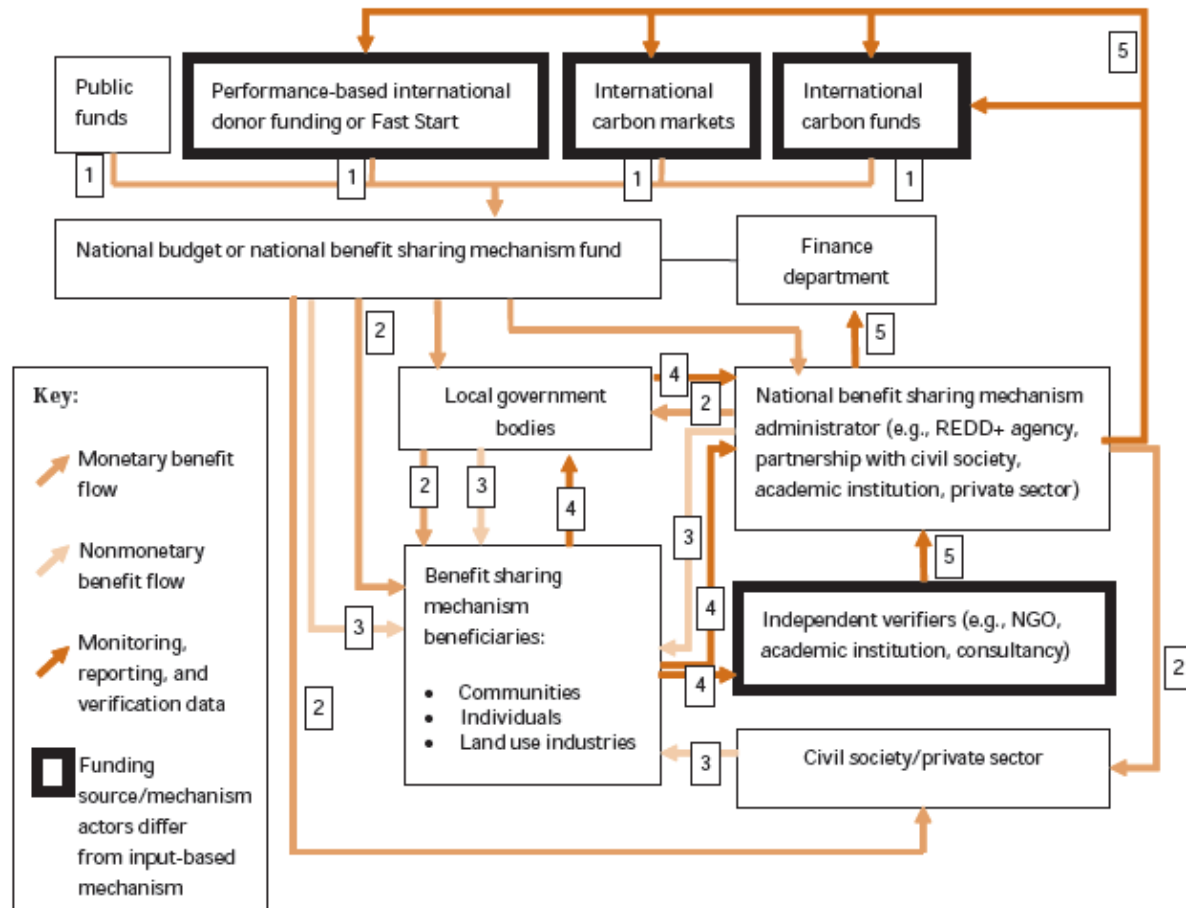
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EXTRA SLIDES (MORE FYI)



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Framework of a national performance based mechanism





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What is the options assessment framework?

Assists in assessing how a specific (or different) benefit sharing mechanism type(s) can be delivered effectively



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What is part of a building block?

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How is the assessment done?

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Users score the country context against each component (0 = absent, 1 = partially present, 2 = present).

i. Capacity of benefit sharing mechanism implementing agency	Score
Effective cooperation with national and subnational government of SFM	0-2
Ability to engage with CSO and private sector in forest policy development	0-2
Physical presence	0-2
Working relationship with Ministry of Finance or Treasury	0-2
Capacity in SFM, community development	0-2
Prior experience in benefit sharing	0-2

What is the options assessment framework?



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What does the aggregate score tell us?

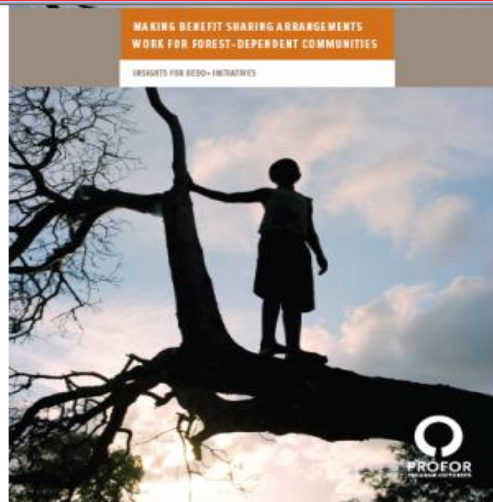
% score is obtained based on country's total score/maximum score

Scoring Range	Benefit Sharing Mechanism Type Feasibility	Level of Enabling Action Required
<p>Lowest</p>	<ul style="list-style-type: none"> REDD+ benefit sharing mechanism type not currently feasible given the country context. 	<ul style="list-style-type: none"> Very high level of enabling action required across all building blocks.
	<ul style="list-style-type: none"> REDD+ benefit sharing mechanism type not currently feasible but may become so over the long term (3–5+ years) if appropriate enabling actions are undertaken. 	<ul style="list-style-type: none"> Very high level of enabling action required for a selection of building blocks or High level of enabling action required across all building blocks.
	<ul style="list-style-type: none"> REDD+ benefit sharing mechanism type may become feasible over the medium term (2–3 years) if appropriate enabling actions are undertaken. 	<ul style="list-style-type: none"> High level of enabling action required for a selection of building blocks or Moderate level of enabling action required across all building blocks.
	<ul style="list-style-type: none"> REDD+ benefit sharing mechanism type may become feasible over the short term (1–2 yrs) if appropriate enabling actions are undertaken. 	<ul style="list-style-type: none"> Moderate level of enabling action required for a selection of building blocks or Low level of enabling action required across all building blocks.
	<ul style="list-style-type: none"> REDD+ benefit sharing mechanism appears ready to be feasible. 	<ul style="list-style-type: none"> Low level of enabling action required across a small number of building blocks.
<p>Highest</p>		



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To use or learn more about the Options Assessment Framework



Making Benefit Sharing Arrangements Work for Forest-Dependent Communities -- Insights for REDD+ Initiatives

CHALLENGE

Partnerships and benefit sharing arrangements between local and outside partners have gained prominence in recent years for several reasons. More forest areas are being designated for use by local communities and indigenous peoples. Private investors are interested in establishing and maintaining positive working relationships with local communities in order to gain access to natural resources, local skills and labor. And there is a growing recognition that the eventual success of afforestation and reforestation activities and programs to reduce greenhouse gas emissions from deforestation and forest degradation (REDD+), including sustainable forest management (SFM) and forest restoration, will rest in large part on the effective cooperation and support of forest-dependent people.

However the range of possible mechanisms by which benefits could be transferred is vast. Identifying who owns the rights to forest carbon is also a

<http://www.profor.info/node/2010>

agreement on benefits to share. How can these be navigated?

APPROACH

PROFOR commissioned three studies to inform the design of benefit sharing arrangements in REDD+ initiatives. The first provides practical guidance on how to identify and work with beneficiaries when rights are unclear. The second clarifies how mechanisms that transfer benefits are structured and helps identify which mechanism type may be most suited for a country's context. The third builds on a report titled Rethinking Forest Partnerships and Benefit Sharing: Insights on What Makes Collaborative Arrangements Work for Communities and Landowners and field work in Latin America and Africa -- it discusses how to set up agreements among parties and determine benefits.

Download/View

- + Brief (Nov. 2011)
- + Overview of Insights for REDD+ Initiatives (Feb. 2012)
- + Identifying and Working with Beneficiaries When Rights Are Unclear (Bruce, 2012)
- + Assessing Options for Effective Mechanisms to Share Benefits (PwC, 2012)
- + Benefit Sharing in Practice (Chandrasekharan, Penr et al, 2012)
- + Interactive Tool for Assessing Options for Benefit Sharing

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