

# MULTILATERAL MEMORANDUM OF UNDERSTANDING CONCERNING COOPERATION ON THE RIGHTS AND RESOURCES INITIATIVE

## Among the Institutions listed in Annex 1

### Background

In February 2006 representatives of Partner Organizations resolved to enter into the Rights and Resources Memorandum of Understanding in order to enhance their institutional commitment to the Rights and Resources Initiative and thereby help strengthen the coalition.

The **Rights and Resources Initiative** (hereinafter referred to as the RRI) is an informal coalition of Partner Organizations dedicated to strategically advancing jointly agreed goals and activities in pursuit of greater global commitment to pro-poor forest policy and market reforms to increase local household and community ownership, control, and benefits from forest and tree resources.

The RRI was created in late 2005 by representatives of the Center for International Forestry Research (CIFOR), the World Conservation Union (IUCN), Forest Trends, the Center for People and Forests (RECOFTC), ACICAFOC (Central American Indigenous and Peasant Coordinating Association for Community Agroforestry) and the Foundation for People and Community Development (FPCD). These representatives developed the rules and governance structure of the RRI, all of which are described in the "Institutional and Business Arrangements of the RRI" text (attached here as Annex 2). These representatives also developed and negotiated the Concept Note for the RRI, which describes the rationale, core beliefs, mission, goals, activities and targets of the Initiative. The Concept Note is attached as Annex 3. These two negotiated texts serve as the two foundational reference texts for the RRI.

The Forest Peoples Programme, the World Agroforestry Centre (ICRAF) and Intercooperation joined the Initiative in 2006 after having met the criteria for partnership detailed in the Institutional and Business Arrangements text (Annex 2), Civic Response joined in May 2007. FECOFUN joined in January 2008 and the Samdhana Institute in January 2009.

The **Rights and Resources Group** (hereinafter referred to as the RRG) is the formal coordination mechanism of RRI, registered in 2005 as an independent non-profit organization in Washington D.C. RRG is governed by a Board of Directors, a majority of who are independent of Partner Organizations and includes the President of RRG, with the remainder drawn from Partner Organizations (see Annex 4). The Board provides ultimate oversight for the functioning and governance of the Initiative. The structure and functions of the RRG and Board are detailed in the Institutional and Business Arrangements (Annex 2).

**Partner Organizations** are those that have met the criteria for Partnership (described in Annex 2). They are invited by the Board of the RRG to join, based on their interest and commitment to RRI, as well as their strategic value to the coalition by complementing the contributions and roles of existing Partners.

Hereinafter, the RRG and the Partner Organizations will be referred to as the Parties.

### Preamble

The Parties:

**Taking account** of their shared commitment to the Mission, Objectives, Goals and Targets of the RRI, as described in Annex 2;

**Noting** that the Parties have complementary strengths and credibility with the RRI target audiences;

**Convinced** that the joint efforts of the Parties are expected to further leverage additional capacity, influence and resources to advance the agenda of RRI;

**Considering** that a more structured relationship between the RRI and its Partner Organizations would be mutually beneficial by expanding and consolidating their commitment to jointly collaborating on the effective operation of the RRI, and would clarify their roles; and

**Conscious** of the importance of showing early results;

**Have reached the following understanding:**

### Basis for Collaboration

1. The value proposition of the RRI is that, with a limited incremental investment in improved coherence and coordination, existing organizations can dramatically increase their contribution to the rights, dignity and development of forest dependent people globally as well as to forest conservation and more equitable economic and social development.
2. RRI's **Mission** is to support local communities' and indigenous peoples' struggles against poverty and marginalization by promoting greater global commitment and action towards policy, market and legal reforms that secure their rights to own, control and benefit from natural resources, especially land and forests.
3. Its **Objectives** are to encourage communities, governments, donors and international institutions to combine efforts to advance two new **Global Goals**:
  - a. To dramatically reduce poverty in the *forested* areas of the world; and
  - b. To substantially increase the forest area under local ownership and administration, with secure rights to use and trade products and services.
4. The Parties have come together to strategically collaborate towards raising the level of effort on global forest policy and tenure reforms that lead to poverty alleviation, forest conservation and sustainable economic and social development.
5. This Memorandum of Understanding establishes a framework for cooperation between the Parties and is made and entered into by and between the signatories hereto, whose legal identities, addresses and indicated contact persons, relevant to this Memorandum of Understanding, are listed in Annex 1 hereto. This Memorandum of Understanding consists of a general part and four (4) Annexes.

### Areas for Collaboration

6. Acting within the framework of their powers, interests and responsibilities, the Parties agree to collaborate on:
  - a. Strategically advancing the Mission, Goals, Targets and Activities of the RRI, as described in the Concept Note (Annex 3);
  - b. The implementation of RRI sanctioned activities;
  - c. Advising on the operational implementation of the RRI;

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- d. Identifying critical issues, threats and opportunities for intervention by RRI;
  - e. Capturing the lessons learned on RRI-related issues and sharing them with other Partner Organizations;
  - f. Ensuring value addition of the RRI and complementarity with other organizations and pro-poor initiatives.
7. The Parties will jointly fund-raise for the implementation and coordination of the RRI, Fundraising will be done in full respect of the Parties' individual and collective fundraising policies, guidelines and restrictions as well as in full respect of the policies adopted by the RRI, including those ensuring protection against conflict of interest. In particular, all proposals which seek to raise funds for RRI-branded activities prepared by Partner Organizations are to:
  - a. Be prepared in consultation with and authorized by the RRG;
  - b. Include a portion of funding for the RRG to help defray RRG costs of: (1) coordinating the RRI; (2) ensuring the effective integration of the activity into the broader set of RRI efforts; and (3) ensuring adequate dissemination and use of knowledge created to other Partners; and
  - c. In cases where Parties serve as an intermediary for funding to other Parties, overhead or management fees will be allocated according to the following formula: one-third of the allocated fee be retained by the primary grantee (to cover the additional administrative costs of supervision, consolidated accounting and donor reporting), and the remaining two thirds of the total overhead fees will be allocated to implementing Partners on a pro-rata basis, (which could include the primary grantee) with identical arrangements for subsequent allocations to other Partners or Collaborators.
8. Within the framework of their powers, interests and responsibilities, all Partner Organizations agree to:
  - a. Support, adhere to, and participate in the regular updating of the Institutional and Business Arrangements of the RRI, as described in Annex 2;
  - b. Contribute to the planning, development and implementation of the RRI work plans;
  - c. Enter into collaborative working relationships (formal and informal) with RRG and other RRI Partner Organizations;
  - d. Make significant in-kind or in-cash contributions to the RRI programs of work, at least equal to covering the cost of their participation in RRI governance meetings and activities.
9. Within the framework of the RRI Institutional and Business Arrangements and Concept Note, RRG agrees to:
  - a. Support, adhere to and participate in the regular updating of the Institutional and Business Arrangements of the RRI, as described in Annex 2;
  - b. Support Partner activities in the context of the RRI mission and objectives;
  - c. Communicate RRI-wide activities to all Partners; and
  - d. Develop and share fundraising proposals with RRI Partners and provide advance notice of fundraising plans and submissions for major, RRI-wide proposals.
10. The Parties will, where possible, co-operate to avoid the unnecessary duplication of work or effort and will assess and discuss areas of duplication or gaps with a view to ensuring effective and efficient outcomes.

## Representation

11. No Party shall make any commitments or create any obligations on behalf of any other without that organization's specific, written consent.
12. Each Party shall maintain the right to express its opinion individually on its relationship with RRI, and this Memorandum of Understanding in particular, but each Party will notify the other at least three weeks before taking any public position.
13. No Party shall make public use of any other Party's name, logo or other trademarks without the prior consent of the other, subject to the provisions in the Institutional and Business Arrangements (Annex 2) regarding usage of Partner logos by RRG.
14. RRG will not release advocacy statements or policy positions with the name or logo of any Partner Organization displayed, unless the Partner Organization has:
  - a. Been given reasonable advance notice by RRG of such intended use, and
  - b. Had the opportunity to edit or otherwise amend the statements or positions provided that any objection shall be based on reasonable grounds, and
  - c. Provided advance consent to RRG.

Where consent has been given by a Party to the use of its name or logo, it shall be displayed in a clearly legible font and conspicuous location.

## Intellectual Property

Any intellectual property (all rights in copyright, patents, registered and unregistered trademarks, registered designs, trade secrets and all other rights of intellectual property) developed by Parties under this Memorandum of Understanding shall remain the joint intellectual property of the Parties involved provided however that the Parties agree and acknowledge that the joint work shall be used exclusively for non-commercial purposes. Where joint work is developed, all joint Parties are joint owners of the entire work and enjoy full rights that come with that ownership.

Non-commercial use by each of the Parties, such as for training and research, is hereby granted without fee and formal request, subject to proper citation.

The Parties will handle the issues related to intellectual property rights incurred under cooperation pursuant to the principles of equality, mutual benefit and respect and in accordance with the domestic laws and regulations of their respective countries.

## Duration, Amendment and Termination

15. This Memorandum of Understanding is effective for five (5) years from the date of initial execution and may be modified or extended only by the Board of Directors of the RRG and only with written agreement of all of the Parties.
16. Signatures to this MOU or to any amendment or extension to this MOU may be circulated electronically or by facsimile. And, any such signature shall have the same effect as an original.
17. After three (3) years from the date of initial execution, the Board of Directors of the RRG will conduct a review to monitor and assess the effectiveness of this Memorandum of Understanding and recommend modifications or extensions for consideration, and approval by all Parties. This review will be led by an RRG Board member, external to Partner Organizations.
18. New Parties, representing new Partner Organizations to the RRI, will sign on to the MOU subsequent to the initial date of execution. They will bear all of the rights and responsibilities

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of the initial signatories, though the term of their agreement will be consistent with the original term of the MOU, per item 19 above: three years from the date of initial execution.

19. Any Party to this Memorandum of Understanding may withdraw from the Memorandum of Understanding at any time by giving three (3) months written notice to RRG.

### Modalities of Collaboration

20. Any activity undertaken on behalf or for the benefit of the RRI or RRG on the basis of this Memorandum of Understanding shall be developed with a clear and mutual understanding of the work and the responsibilities to be carried out by each Party and of the ways and means of funding each such activity. To that end, the specific details will be set forth and operationalized in annual work-plans developed during the Annual Meetings of the RRI and approved by the Board of Directors of RRG.
21. Any decision, action and/or omission affecting the intent and implementation of this Memorandum of Understanding will be made by consensus between all Parties.
22. The Parties will ensure that sharing of costs and benefits of activities undertaken together is fair and equitable over the term of this Memorandum of Understanding, as outlined herein.
23. Unless otherwise specified, each Party to this Memorandum of Understanding will bear and pay all of its own costs and expenses incurred in connection with the Memorandum of Understanding and the execution of the contemplated actions, except as otherwise agreed upon.
24. Any differences arising between the Parties relating to the interpretation or application of this Memorandum of Understanding will be settled by amicable negotiation between them, in concert with the Board of Directors of RRG, without recourse to any outside jurisdiction or third party. If there has been a demonstrated change in the willingness or ability of a Party to meet the provisions of this Memorandum of Understanding, the Board of Directors of the RRG may, after consultation with all of the Parties, terminate that Party's participation in this Memorandum of Understanding.

### Entire Agreement

25. This Memorandum of Understanding is not intended to create legally binding obligations, but is a statement of bona fide intent of the Parties. It sets forth the entire understanding of the Parties in respect of the collaboration contemplated.
26. Nothing in this Memorandum of Understanding shall create or imply a partnership or joint venture between the Parties.
27. This Memorandum of Understanding is non-commercial and there is no transaction of goods or services.
28. This Memorandum of Understanding does not preclude the development of additional arrangements between each of the Parties separately or jointly with other Partners of the RRI. The Parties undertake that these will not undermine the intent and purpose of this Memorandum of Understanding.
29. This Memorandum of Understanding does not preclude specific policy or field project activities being undertaken by each of the Parties separately or groups of them, though the Parties undertake that these will not undermine the intent and purpose of this Memorandum of Understanding.

**Date of Commencement**

IN WITNESS HEREOF, this 10th day of June 2010, the Parties hereto have executed this Memorandum of Understanding.

**For Parties**

All signed pages will be incorporated as attachment in Annex 5.

**Signatory Party**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization

**Annex 1: List of Signatory Partner Organizations**  
including legal identities, addresses and indicated contact persons

## **Annex 2: Institutional and Business Arrangements**

(As of January 18, 2013)

### **Background and Introduction**

The Rights and Resources Initiative began in 2002 as a series of conversations between representatives of research, conservation and development organizations (CIFOR, Forest Trends, IUCN, IDRC and Ford Foundation) – all of whom were dedicated to rights-based approaches to conservation and poverty alleviation and all of whom felt that there was a great need, and a new opportunity to advance pro-poor tenure, policy and market reforms globally. These leaders had a long history of collaboration, including key analytical works such as *“Who Owns the World’s Forests”* published in 2002 and *“New Agenda for Forest Conservation and Poverty Alleviation: Making Markets Work for Low-Income Producers”* published in 2004.

This group had also been collaborating on research and policy dialogues including the establishment of the Civil Society Advisory Group (CSAG) to the International Tropical Timber Council (ITTC), and on research and action on forest trade and livelihoods in China and East Asia. This collaboration led to shared understandings of problems, challenges and the effectiveness of different approaches. It also led to better understanding of the value of enhancing the coordination and coherence of their organization’s work, the limits of their own organizations in advancing pro-poor agendas, and the value of creating a new instrument to advance our common goals.

Representatives first met in Interlaken, Switzerland in April of 2004 to brainstorm on the threats to rights and livelihoods and opportunities for greater influence, and then again in London (June 2004); in Oaxaca, Mexico (August of 2004); and Washington D.C. (October of 2004). Over the course of these meetings the ideas sharpened and the group expanded to include colleagues from DFID and RECOFTC. By the Washington, 2004, meeting the group agreed to create a new formal structure and a set of activities to advance their collective goals.

The group next met in Tarrytown, New York in March, 2005 where they agreed on the mission, targets, objectives, institutional structure, as well as a name: the Rights and Resources Initiative. The group agreed that the Initiative would entail two sets of institutions, an informal coalition, the Rights and Resources Initiative (RRI), and a formal coordination mechanism for the coalition, the Rights and Resources Group (RRG). The Board of Directors of the Rights and Resources Group would be drawn primarily from Partner organizations.

The group met for the sixth time in Washington D.C. in October 2005 to finalize the institutional structure and business plan and hold the first meeting of the Directors of the Rights and Resources Group. RRI Partners met again at the Edith Macy Conference Center in New York (February 2006) where they agreed on operational plans for 2006, including steps to launch the RRI. RRI Partners and collaborators met again at the Samdhana Retreat Center in Bali, Indonesia in June 2006 to advance operational plans.

This document was first prepared following the October 2005 meeting, and has been regularly updated following meetings of the RRI Partners and RRG Board of Directors as appropriate. This document describes the institutional and business arrangements for the RRI and includes: (1) the nature and value proposition of the Initiative, (2) the program areas and products; (3) the business strategy; and (4) the institutional arrangements.

This document constitutes the guiding framework of the RRI – spelling out the rationales and aims of the organization as well as the rights and obligations of Partners. It accompanies the RRI Concept Note (updated 2010) as one of the two foundational documents of the RRI.



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The first Framework funding for the RRI Coalition covered from 2008 to 2012. In April 2012, RRI Partners were hosted by RECOFTC in Bangkok, Thailand, to reflect on the appropriate edits to the IBA, changes to operational modalities, and new directions for the second Framework Proposal covering 2013-2017.

### 1. Nature and Value Proposition of the Initiative

Initiative Partners have come together to improve their collective impact and efficiency in supporting local actors in advancing institutional, policy and tenure reforms that lead to pro-poor forestry outcomes as well as raise the level of efforts on this issue globally. *The value proposition of this Initiative is that, with a limited incremental investment in improved coherence and coordination, organizations can dramatically increase their contribution to the rights, dignity and development of forest dependent people globally as well as to forest conservation and more equitable economic and social development.*

The Rights and Resources Initiative is guided by a set of **core beliefs**.

- We believe it is possible to achieve the seemingly irreconcilable goals of alleviating poverty, conserving forests and encouraging sustained economic growth in forested regions. However, for this to happen, the rights of poor communities to forests and trees, as well as their rights to participate fully in markets and the political processes that regulate forest use, must be recognized and strengthened.
- We believe that progress requires supporting, and responding to, local community organizations and their efforts to advance their own well-being;
- We believe that the next few decades are particularly critical. They represent a historic moment where there can be either dramatic gains, or losses, in the lives and well-being of the forest poor, and the conservation and restoration of the world's threatened forests.
- It is clear that progress on the necessary tenure and policy reforms requires constructive participation by communities, governments and the private sector, as well as new research and analysis of policy options and new mechanisms to share learning between communities, governments and the private sector.
- The two related Millennium Development Goals – No. 1, to eradicate extreme poverty, and No. 7, to ensure environmental sustainability, with a target of halving the proportion of people whose income is less than US\$1 a day by 2015 – will not be met in many developing countries unless forest tenure and rights are significantly reformed.
- We believe that reforming forest tenure and governance to the scale necessary to achieve either the Millennium Development Goals, or the broader goals of improved well-being, forest conservation and sustained-forest-based economic growth, will require a new, clearly focused and sustained global effort by the global development community.

The experience and beliefs of the founding Partners are the basis for the Initiative's focus on rights and governance. They are also the basis for its Mission, Goals and Targets.

**Mission:** To support local and indigenous peoples' struggles against poverty and marginalization by promoting global commitment and action towards policy, legislative and market reforms that secure their rights to own, control and benefit from natural resources, especially lands and forests.

**Goals:** The Initiative will support communities, governments, donors and international institutions:

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1. To substantially increase the forest area under local ownership and administration, with secure rights to conserve, use and trade products and services; and
2. To dramatically reduce poverty in the *forested* areas of the world.

**Targets:** In 2005, the Initiative agreed to advocate **two targets** as global indicators of progress – both situated within the framework of the Millennium Development Goals:

1. To reduce by half the proportion of people in forest areas who live in extreme poverty by 2015. The Initiative will encourage governments to adopt the necessary reforms, and provide the development flows required, to tackle poverty in forest areas.
2. To double the global forest area under local ownership and administration, with secure rights to use and trade products and services, by 2015. Many countries have made progress in strengthening and reforming forest tenure, but unclear rights remain the norm rather than the exception for the majority of the world's forests and forest peoples.

In 2012, the Initiative added the following new, more specific targets:

1. By 2017 RRI will help bring an additional 100 million hectares of forest lands under formally recognized ownership or control of Indigenous Peoples or forest communities. These additional 100 million hectares will bring the total such forest area in developing countries to 35% of the total developing country forest estate, up 8% from the 2008 baseline of 27%.
2. By 2017 RRI will play a key role in increasing the value and benefits of forests accruing to 500 million people in Indigenous territories and forest communities in developing countries.

**Modus Operandi:** The Initiative seeks to be:

1. A global leader (not “the” leader) that will focus world attention on institutional and public sector reforms that lead to pro-poor outcomes, strengthened forest governance, conservation and restoration of forest ecosystems and sustained forest-based economic growth;
2. Strategic, in its choice of issues and areas of intervention – seeking to leverage dramatic, structural change in response to and in support of local Partners and Collaborators (rather than “representative” of local voices, partner and other development organizations);
3. A premier global source of analysis and research on tenure and regulatory reform, public institutional reforms, pro-poor investment and business models, finance and subsidy reforms;
4. A credible, balanced and constructive advocate for institutional reforms that increase pro-poor outcomes;
5. A convener of communities, governments and the private sector in country dialogues and events; and
6. A major provider of information, analysis, data and messages to community and Indigenous groups to strengthen their capacity to successfully engage global and domestic policy makers.

## 2. Program Areas and Products

The Initiative entails four program areas:

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1. ***Mobilizing a global commitment to policy and tenure reforms.*** The Initiative will focus global attention on the need to adopt the global goals and targets described above. It will encourage major global institutions to support and adopt new targets for pro-poor reforms. The Initiative will monitor and regularly report on global progress.
2. ***Generating new globally strategic research on key policy and market transitions that affect livelihoods and sustainable forest use.*** The Initiative will conduct global analyses and syntheses that will encourage action to achieve its goals and targets and inform policy makers of the lessons learned when implementing reforms. These analyses will focus on tenure and regulatory reform, pro-poor conservation approaches, investment and business models, global finance and subsidy reforms.
3. ***Supporting policy reforms at the country and regional levels.*** Policies and prejudices at the local and domestic level continue to act as a constraint on indigenous and other community rights and livelihoods. The Initiative will work with governments, local Partners, and Collaborators to advance strategic policy and market reforms in developing countries. This will include collaborating on new studies on critical policy and market issues co-organizing policy workshops and events, and supporting exchanges, consultations, and learning activities.
4. ***Helping strategic networks, to engage more effectively and leverage change in key regional and global dialogues and institutions.*** The Initiative will catalyze and support strategic networks to leverage change, and in particular strengthen community networks and capacity and complement and support their initiatives by: (1) collaborating with them to elevate the profile and feasibility of pro-community reforms in global arenas; (2) arming them with new strategic analyses, data and messages to help advance their positions; and (3) collaborating with them to engage governments in legal and policy reforms.

The Initiative aims to deliver the following products and services:

1. Challenging, inspiring new ideas and narratives at global, regional and national levels, advancing pro-poor institutional reforms or countering inappropriate conventional wisdom, disseminated in media, conferences, etc.;
2. High quality analytical works, research reports, and advocacy strategies that inform and arm leaders with new concepts, data, comparative experiences;
3. Global, regional, and national dialogues, conferences, events to engage policy-makers, private sector, civil society and community networks;
4. Support services to strategic networks; and
5. Support in the development of new public-private initiatives and investment mechanisms that advance RRI Goals.

### 3. Business Strategy

The business strategy supports the key objective of increasing global impact by strengthening Partner ability to support local efforts to deliver institutional reforms for pro-poor forestry outcomes. No single Partner has the capacity, global credibility or connections to communities to achieve pro-poor forestry outcomes at a scale desired by the collective of Partners. On the other hand, each Partner institution does have a comparative niche in the global forestry community, a cadre of devoted and skilled human resources, a large amount of accumulated knowledge, a network of associated institutions, and global credibility.

The business strategy therefore aims to:

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1. Advance RRI agendas by supporting existing local efforts and institutions and increasing the collective contribution to pro-poor reforms;
2. Use strategically the complementary strengths (of knowledge, credibility and networks) of Partners and Collaborators to increase the level of effort and impact;
3. Increase capacity and impact through access to the collective pool of skilled human resources;
4. Avoid duplication of activities in coalition program areas;
5. Raise the value of our work by exploiting complementarities of skills and perspectives; and
6. Enhance the financial resources for activities advancing the agenda of the Initiative.

The greater efficiency in the first five helps in delivering the positive pro-poor forestry outcomes and thus increases the probability of achieving the sixth objective and vice versa.

The overarching purpose of RRI is to support the rights of local and Indigenous Peoples over natural resources – recognizing that their long-standing marginalization from the global political economy and thus from decision-making and control over natural resources, is inequitable and unsustainable. In maximizing the synergies of a coalition, the donors, partners, collaborators, and the coordinating mechanism (the Rights and Resources Group) seek to promote national and global level policies, market reforms and practice that support local and Indigenous Peoples in their struggle against poverty through gaining equitable ownership, control and benefits from lands, forests, and trees – including benefits from mechanisms to combat climate change.

Clearly, the Partners will have to dedicate specific human resources, coordinate with each other to avoid duplication, combine skills and knowledge-resources, and exploit specific opportunities by using the collective power of coalition. This will require resource commitment for Partner institutions and for the coordination mechanism. Creation of a coordination mechanism, Rights and Resources Group, is therefore a strategic move because of the necessity of ensuring coordination and attracting donor support on a long term basis.

### 4. Institutional Arrangements

**This section describes the institutional arrangements and modalities of operation:**

1. The **Rights and Resources Initiative (RRI)** is a strategic coalition of organizations that operates through the following institutional arrangements:
  - a. Partners;
  - b. Collaborators;
  - c. the Rights and Resources Group (RRG);
  - d. Fellows
  - e. the RRG Board of Directors and
  - f. Donors.

#### **a. Partners**

Partners are organizations that are working with local and/or global forest landscapes and peoples. To be eligible for partnership an organization must:

- demonstrate commitment to RRI's goals, targets, mission and programs;

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- collaborate on an RRI-branded activity or outcome with RRI or with a current Partner for at least one year prior to membership application;
- formally request to become a member;
- receive a recommendation for membership by existing Partners or RRG;
- be approved by the RRI Board;
- reach an agreement with RRG regarding strategic contribution to the initiative; and
- sign the RRI MOU.

### ***b. Collaborators***

A Collaborator is an individual or an organization with a commitment to RRI objectives and who participates in the planning and implementation of an RRI-sanctioned activity on the basis of Partners of RRG's acceptance of their commitment and their ability to advance RRI objectives. The Initiative has both national / regional level Collaborators and global Collaborators. National and Regional Collaborators are invited by a Partner or Country and/or Regional and planning teams to support national and regional level RRI programs on a basis of non-objection or consensus. Global Collaborators are invited by either Partners or RRG to participate in global programs of the Initiative on a basis of non-objection / consensus among Partners and RRG.

Collaborators are entitled to:

- propose projects to RRI during any of the national, regional or global planning processes;
- participate in the planning, decision-making, and oversight of specific Initiative programs involving them;
- be acknowledged on publications and other work products of the Initiative that they participate in;
- receive funds from the Initiative's budget for the execution of agreed work identified in Partner planning processes; and
- submit requests for SRM funding.

### ***c. Rights and Resources Group (RRG)***

The Rights and Resources Group is the formal coordination mechanism of the Initiative. It is a non-profit organization based in Washington D.C. The RRG has four fundamental roles:

- provide coordination services for the RRI;
- provide leadership to the RRI and its advocacy for the RRI mission and goals;
- conduct globally relevant analytical and program work of the RRI in collaboration with Partners;
- conduct other, global related work that contributes to the overall goals of RRI, in collaboration with the Partners.

It will aim to maintain as large a portion of its work as possible in the first three roles.

The **functions** of RRG include:

1. Coordinate with Partners all RRI-sanctioned activities and events, ensuring flow of information between Partners and the RRG and seek to catalyze effective collaboration and synergies among Partners;

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2. Lead the global information “campaign” of the Initiative, including communications and media work of the Initiative and “championing” the Initiative to other sectors and potential Partners and donors;
3. Undertake global and regional analytical work that aggregates, synthesizes and projects the results of research to advance rights and tenure issues, and the global strategic networking program. This will be done in collaboration with Partners;
4. Support the country and region-specific work conducted by RRI Partners and Collaborators;
5. Keep “ears to the ground” on issues relevant to the RRI agenda and explore strategic opportunities to bring ideas, issues, organizations or constituencies to the attention of the Partners and the Board;
6. Build and manage the RRI brand and logo;
7. In collaboration with Partners<sup>1</sup>, represent RRI at meetings, public events and forums;
8. Raise resources for itself and the broader Initiative; and
9. Report on progress to the Board of Directors.

The **responsibilities** of RRG include:

1. Support Partner activities in the context of the RRI mission and objectives;
2. Guard Partners’ interests by only releasing advocacy statements or policy positions with the name or logo of the Partner Organization if agreed in prior consultation with the Partner, including advance notice of intended use and the opportunity to raise reasonable objections to the statements and positions entailed;
3. Communicate RRI-wide activities to all Partners ; and
4. Develop and share fundraising proposals with RRI Partners and provide advance notice of fundraising plans and submissions for major, RRI-wide proposals.

Rights and Resources Group will have an office that will aim to accommodate seconded staff from Partner organizations and RRG staff, enabling them to enhance collaboration and work jointly. It will also be a virtual and real resource centre for Partner organizations and a hub of communication linking Partners, civil society, Indigenous Peoples with national and international developments and processes. RRG is not considered a “Partner,” and its growth will be regulated by the Board of Directors.

### **d. Fellows**

RRI Fellows are individuals who provide strategic guidance or collaborative work to RRI on an honorary basis. They are nominated by partners or the RRG, and are approved by the Board.

In January 2008 RRG recommended, Partners supported, and the Board approved the creation of RRI Fellows, a category of individuals to provide strategic guidance or collaborative work to RRI. The definition, process of becoming a Fellow and mutual obligations as approved by the Board are as follows:

Objective:

The Fellows Program is designed to recognize international leaders in the area of forestry, land and resource tenure, poverty reduction, and human rights issues who have proven their commitment to

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<sup>1</sup> Collaboration is taken here to mean either informing Partners in advance or sharing afterwards, as appropriate.

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the objectives of Rights and Resources Initiative (RRI). It is an honorary position that adds to the pool of credible expertise and experience of the Initiative enabling long-term collaboration on subjects of mutual interest.

Obligations:

RRI will:

- Formally recognize the selected persons as Rights and Resources Fellows including a public announcement to that effect;
- Bear reasonable and agreed-upon costs associated with their collaboration with Rights and Resources Initiative;
- Acknowledge their contributions to specific programs and activities of RRI including publications and web-based documents;
- Invite them to specific RRI events;
- Encourage them to use the title “Rights and Resources Fellow” in their professional work;
- Work with them to seek funding for mutually agreed projects.

RRI Fellows will:

- Assist the Rights and Resources Initiative through participation in its programs, review of its work, and overall development of the Initiative on the basis of terms of reference that are mutually agreed;
- Provide consulting and advisory services on mutually agreed terms;
- Advise and assist in fund-raising activities;
- Represent RRI in national, regional and international forums as mutually agreed;
- Co-sponsor RRI events and activities on mutually agreed terms.

The Fellows program provides an opportunity for long-term collaboration in a flexible manner and is offered initially for a period of three years to be renewed after mutual consultation.

The approved process for identifying Fellows is as follows:

- Partner representatives or RRG can nominate candidates;
- RRG checks for conformity with criteria and add new, complementary value to the RRI;
- RRG presents candidates to the Board through the Governance Committee;
- Board approves or rejects;
- With approval RRG sends a formal letter inviting the Fellow to serve.

### **e. Board of Directors**

The Board of Directors of RRG consists of individuals from Partner organizations, leaders of community organizations, and individuals from relevant disciplines and organizations, with the majority being independent of Partner organizations.

This consists of individuals from Partner organizations, leaders of community organizations, and individuals from relevant disciplines and organizations. A majority of the Board are independent of Partner organizations. Representatives of Donors and Partner organizations are invited to participate in meetings as non-voting observers. Board members act as individuals, not as official representatives of their organizations. As of April 2012 the Board includes individuals from Partner organizations ICRAF, Civic Response, and Tebtebba.

The Board of Directors will meet at least twice a year to develop RRI strategy, ensure legal, fiscal and managerial oversight, and monitor progress in achieving the objectives of the Initiative. The

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Executive Committee of the Board will meet throughout the year, as deemed necessary by its members. Directors on the Board serve three year terms, renewable, and a subset of all Partner Organizations will be represented on the Board at any one time, with representatives rotating in and out of the Board. Representatives of all Partner Organizations are encouraged to participate as non-voting observers in all Board of Directors meetings.

The Board of Directors is the highest level governance body for the RRI and is a forum for identifying a coherent package of work amongst Partners for implementation as well as overseeing the work of RRG. Responsibilities of the Board of Directors of RRG include:

1. Consideration and approval of all major policies, work plans and budgets of RRG;
2. Consideration, updating and approval of the RRI “Concept Note” and the “Institutional and Business Arrangements” notes;
3. Consideration and approval of strategic, business and work plans for the RRI;
4. Consideration and approval of new Partners who meet all Partner criteria and submit a formal request to become an RRI Partner organization;
5. Seek input from Partner representatives regarding RRI program and governance;
6. Allocation of work amongst Partners and responsibility to represent Initiative on specific events;
7. Determination of forums and events for full representation of Initiative;
8. Keeper of RRI brand-name and use of RRI logo;
9. Monitoring the progress of the Initiative (on the basis of annual progress reports) and changes in global forest environment (brainstorming); and
10. Monitoring the resources and activities and their adequacy for the emerging challenges
11. Overseeing the nominations process for partners, fellows and board members through a Governance Committee made up of independent board members.

### ***f. Donors***

Donors are organizations that provide financial resources to the RRG and RRI-sanctioned activities. Donor representatives are invited to the annual RRI Governance Meeting, and have the right to participate as observers in all RRI Board meetings.

## **2. The modalities of operation of these different bodies are outlined below:**

- a. An MOU between Partner organizations and RRG is signed to consolidate their commitment to the RRI;
- b. Partners and Collaborators will meet on a regular basis at the country and regional level to update their analysis of the strategic threats and opportunities regarding community rights and livelihoods, assess impacts of their collaborative work to date and prepare strategic plans to advance the mission and goals, for the coming year. These plans will be the basis for the Country and Regional Program, and will be reviewed at the regional level by Partners and relevant Collaborators, and submitted to the annual planning meeting for approval.
- c. Partners/Collaborators/Donors of the Initiative will meet on an annual basis in tandem with the meeting of the Board of Directors of the Rights and Resources Group to update governance of the RRI and review annual plans and budgets. Fellows may be invited to



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the annual planning meetings but are not obliged to attend. Partners will also provide input to the annual work plan of the RRG.

- d. The Strategic Response Mechanism (SRM) complements the annual planning process, and is tailored to enable flexible, rapid response to unforeseen but strategic opportunities. Partners, Collaborators or RRG can identify proposals for funding, which are approved through a simple, accelerated process.
- e. Partners have the option of nominating representative focal points to facilitate coordination with RRI and RRG. These persons would receive regular correspondence and participate in the annual meetings of the RRI.
- f. Partner representatives will also meet separately from the Board to discuss RRI related issues and interests from their organizational perspectives, and make recommendations to the Board regarding RRI programs and governance and the annual RRI Work Plan.
- g. Partners will self-regulate their adherence to the roles and rules identified in the IBA and MOU, bring to the attention of other Partners, RRG and the Board when both areas of outstanding collaboration and initiative and when performance is not suitable or consistent with agreed standards. Partners will also recommend remedial actions to be taken by the Partner in question, Partners in general, the RRG or the Board.
- h. Partners will acknowledge RRI financial support to their work, publications, meetings etc.; commit to conducting regular evaluations and reviews of impact of their work associated with RRI, and provide RRG advanced information of their activities, meetings and publications relevant to the mission of RRI.
- i. Rules regarding the role of Partners in raising and distribution of funds were agreed in February '06 and revisited in April '07 and April '12:
  - All proposals to raise funds for RRI branded activities will be prepared in consultation with and authorized by the RRG, with the RRG having final authority over the RRI brand and logo;
  - All proposals for RRI branded activities prepared by Partner organizations will include a portion of funding for the RRG to help defray RRG costs of (1) coordinating the RRI, (2) ensuring the effective integration of the activity into the broader set of RRI efforts, and (3) ensuring adequate dissemination and use of knowledge created to other Partners; and
  - Allocate overhead or management fees among implementing Partners as agreed on a case by case basis, in line with donor requirements.
  - All Partner-led activities receiving RRI financial support will also bear the RRI logo, helping to fairly demonstrate the scope of activity and impact of the RRI coalition.
- j. Except Major Publications, which are reviewed by Partners, all publications of RRI will carry the standard disclaimer on all publications “the views here are those of the authors and are not necessarily shared by the agencies that have generously supported this work or all of the Partners of the coalition.” Major Publications will carry a slightly modified disclaimer: “The views presented here are not necessarily shared by the agencies that have generously supported this work.”

All publications, reports and brochures that are substantially funded by RRI will:

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- Feature the logos of all Partners as members of the RRI, with introductory text describing the Initiative, usually on the inside cover of the publication if applicable; and
- Prominently feature the logos of the lead Partner and/or Collaborator organizations responsible for the work, usually on the front cover of the publication if applicable.

RRG will seek Partner input and comment on major publications before publishing, according to the note on what constitutes a “Major Publication” agreed upon by Partners at the November 2012 RRI Partner Meeting. If there are cases where one or more Partners has disagreements with the RRI product, then their logos could be removed from that particular product by mutual consent, though it is hoped that this would only happen on rare occasions as it could weaken the strength of the partnership.

When RRI is planning for and producing a major product, Partner comment and input should be sought from concept to release. This will ensure enhanced Partner ownership. Though it is recognized that not all Partners will want to be involved in all products, they should have the chance to be involved, if they have demonstrated high-level capacity in the subject area. RRG should seek peer reviews before publishing major products.

In the case of advocacy statements (e.g. letters to particular entities representing the views of the RRI, sign on statements, etc. – which RRI has not done till date): Partners should have adequate time to comment on and review the product prior to publication and release by sending the Partners an electronic copy of the product and providing them with a reasonable time for response.

## Annex 3 Concept Note

### Rights and Resources Initiative

*A New Global Initiative Advancing Forest Tenure, Policy and Market Reforms*

*to Reduce Rural Poverty, Strengthen Forest Governance, Conserve and Restore Forest Ecosystems and Achieve Sustainable Forest-Based Economic Growth*

May, 2010

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#### Why Prioritize the Reform of Forest Tenure, Policy and Markets?

Forests cover around 30 per cent of the world's land area. They provide food, wood, medicinal plants and much else for hundreds of millions of people. They harbor a significant portion of the globe's biodiversity, and they perform a range of environmental services. Yet despite their importance, and despite the substantial efforts which have been made to manage forests sustainably, this critical portion of the global landscape is beset with problems, ranging from persistent poverty to unsustainable use, from illegal exploitation to the loss of cultural and biological diversity.

Forests are particularly important for the poor. Some 1.6 billion people rely to a significant extent on forests for their livelihoods. These people constitute approximately half of all those who live on US\$2 a day or less, and they include the some 350 million indigenous and tribal people who are entirely dependent on natural forests. Over 2 billion people, a third of the world's population, rely on fuelwood to cook and heat their homes and a similar or greater number use medicinal plants and animals, many harvested from the forests, as primary sources of health care and food. Forests are also particularly important to poor women. It is women, more often than men, who search for fuelwood, manage tree gardens around the home, collect, process and trade non-timber forest products and search for clean sources of water. The almost direct overlap between forests and rural poverty in many countries puts forests and forest use at the center of the growing national and global concern about poverty reduction, rural development, forest protection and rehabilitation, and sustainable economic growth.

Unfortunately, the contribution which forests could make to rural development, forest conservation and economic growth has been persistently undermined by conventional approaches to forestry. These often discourage or deny local people's rights to own, use and trade their forest products and services. In many countries, most of the forest estate remains publicly owned and managed, despite legitimate local claims to the forests, extensive occupation by agrarian people and the limited ability of governments to protect these vast resources.

Furthermore, prevailing models of industrial development, and the state subsidies which provide support for forest industries, often reinforce this inequity and abuse of local rights. Industrial forestry also makes a limited contribution to sustained rural economic growth and yields meager revenues for governments. In short, conventional approaches to forestry often help to perpetuate poverty, reduce biodiversity and discourage local investment in enterprises that could improve incomes and growth.

**This unsatisfactory state of affairs is beginning to change.** Many communities are asserting their rights to manage their forests, and some governments and private sector leaders are introducing substantive changes to forest tenure, policies and markets. The forest sector is now undergoing important reforms – we are witnessing arguably the most important set of policy and market shifts

since the end of the colonial era – and these present historic opportunities for, and sometimes threats to, the well-being - livelihoods, rights, freedom and choices, and culture - of forest dependent people. These reforms affect the way in which forest people manage and conserve forests and the provision of environmental goods and services from forests that benefit society as a whole.

Perhaps the most important reforms relate to forest ownership and tenure. Some countries are now considering, most for the first time, major reforms of the public forest estate. This includes recognizing the property rights of Indigenous Peoples and other communities, and increasing community rights to access and administer what remains as public lands. These steps to rationalize the public estate and strengthen local rights are necessary if individuals, communities and businesses are to invest in forest resources, take responsibility for their conservation, and participate regularly and openly in the market place. Clearly defined and easily defended rights are particularly important for the forest-dependent poor if they are to improve their income and well-being. Growing evidence from around the world demonstrates that recognizing and strengthening local rights is not only politically feasible, but also a cost effective strategy for rural poverty alleviation and the establishment of rural governance.

Besides introducing reforms in forest and land tenure, governments across the world are now beginning to reassess their legal and regulatory frameworks, and they are reviewing the way in which they allocate subsidies, provide privileged access to publicly owned forests, develop new policies, and monitor the impacts of existing policies. A large number of countries are also engaged in a process of decentralization. At the same time, changes in the world trading regime and the demand for greater democracy are forcing nations to fundamentally rethink the roles of the state, civil society and the private sector.

Changing long-established patterns of governance and industrial behavior is never a simple process and inevitably entails a degree of political, economic and environmental risk. Governments, communities and the private sector all face tremendous challenges when assessing new policy options and adapting to the long-term process of changing laws, restructuring industry and building the capacity required for implementing reforms.

**There are reasons for optimism.** Various factors mean that progress on reforming forest tenure and establishing good forest governance is much more likely now than in previous years.

- A growing number of Indigenous Peoples and community organizations are conserving their forests, managing forest enterprises and actively shaping and monitoring national and international policy. This growing sector is demonstrating their viability as economic agents and contributors to local economic development.
- There is a growing appetite among some governments for forest reforms. Many governments are eager to learn from the experiences of forest policy reform in other countries, and are willing to learn with, and from, the private sector and civil society.
- There has also been a growing global commitment to reducing poverty, manifested most particularly by the Millennium Development Goals and the increase in development assistance. There is a growing recognition of the need for tenure, policy and market reforms if countries are going to achieve their poverty reduction targets.
- There is a growing opportunity for local people to participate in and benefit from forest markets – and thus lift themselves out of poverty. Reforming the prices and structure of markets for timber, non-timber forest products and ecosystem services provides new opportunities for the people who live in and around forests, as well as opportunities for governments to encourage industrial development that contributes to economic growth in a socially responsible manner.

## The Rights and Resources Initiative

The Rights and Resources Initiative is a new informal coalition of organizations dedicated to raising global awareness of the critical need for forest policy and tenure reforms in order to achieve goals of poverty alleviation, biodiversity conservation and forest-based economic growth. The Initiative will help communities, governments and the private forest industry advance tenure, policy and market reforms to achieve these ends.

The RRI was created in late 2005 by representatives of the Center for International Forestry Research (CIFOR), the World Conservation Union (IUCN), Forest Trends, the Center for People and Forests (RECOFTC), ACICAFOC and the Foundation for People and Community Development. The Forest Peoples Programme, the World Agroforestry Centre (ICRAF), Intercooperation, FECOFUN and Samdhana subsequently joined the Initiative. The United Kingdom's Department for International Development (DFID), the Ford Foundation, and the International Development Research Centre (IDRC) provided intellectual support and seed funding to facilitate development of the Initiative. The Initiative is coordinated by the Rights and Resources Group, a non-profit organization based in the USA.

The Initiative will continue to broaden the coalition by involving new partners actively engaged in promoting pro-poor tenure and policy reforms.

The Rights and Resources Initiative is guided by a set of **core beliefs**.

- We believe it is possible to achieve the seemingly irreconcilable goals of alleviating poverty, conserving forests and encouraging sustained economic growth in forested regions. However, for this to happen the rights of poor communities to forests and trees, as well as their rights to participate fully in markets and the political processes that regulate forest use, must be recognized and strengthened.
- We believe that the next few decades are particularly critical. They represent a historic moment where there can be either dramatic gains, or losses, in the lives and well-being of the forest poor, and the conservation and restoration of the world's threatened forests.
- It is clear that progress on the necessary tenure and policy reforms requires constructive participation by communities, governments and the private sector, as well as new research and analysis of policy options and new mechanisms to share learning between communities, governments and the private sector.
- The two related Millennium Development Goals – No. 1, to eradicate extreme poverty, and No 7, to ensure environmental sustainability, with a target of halving the proportion of people whose income is less than US\$1 a day by 2015 – will not be met in many developing countries unless forest tenure and rights are significantly reformed.
- We believe that reforming forest tenure and governance to the scale necessary to achieve either the Millennium Development Goals, or the broader goals of improved well-being, forest conservation and sustained-forest-based economic growth, will require a new, clearly focused and sustained global effort by the global development community.

The experience and beliefs of the founding partners are the basis for the Initiative's focus on rights and governance. They are also the basis for its **mission**: to support local communities' and indigenous peoples' struggles against poverty and marginalization by promoting greater global commitment and action towards policy, market and legal reforms that secure their rights to own, control and benefit from natural resources, especially land and forests. The Initiative will encourage

communities, governments, donors and international institutions to combine efforts to advance two new **global goals**:

- To substantially increase the forest area under local ownership and administration, with secure rights to conserve, use and trade products and services; and
- To dramatically reduce poverty in the *forested* areas of the world.

**Key activities** of the Initiative will include:

**Mobilizing a global commitment to policy and tenure reforms.** The Initiative will focus global attention on the need to adopt the global goals and targets described above. It will encourage major global institutions to support and adopt new targets for pro-poor reforms. The Partnership will monitor and regularly report on global progress.

**Generating new globally strategic research on key policy and market transitions that affect livelihoods and sustainable forest use.** The Initiative will conduct global analyses and syntheses that will encourage action to achieve its goals and targets and inform policy makers of the lessons learned when implementing reforms. These analyses will focus on tenure and regulatory reform, pro-poor conservation approaches, investment and business models, global finance and subsidy reforms.

**Supporting policy, market and legal reforms at the country and regional levels.** Policies and prejudices at the local and domestic level continue to act as a constraint on indigenous and other community rights and livelihoods. The Initiative will work with governments and local partners to advance strategic policy and market reforms in developing countries. This will include collaborating on new studies on critical policy and market issues and co-organizing policy workshops and events.

**Helping community networks to engage more effectively and leverage change in key regional and global dialogues and institutions.** The Initiative will strengthen community networks and capacity and complement and support their initiatives by: (1) collaborating with them to elevate the profile and feasibility of pro-community reforms in global arenas; (2) arming them with new strategic analyses, data and messages to help advance their positions; and (3) collaborating with them to engage governments in legal and policy reforms.

The Initiative will advocate **two targets** as global indicators of progress – both situated within the framework of the Millennium Development Goals:

To double the global forest area under local ownership and administration, with secure rights to use and trade products and services, by 2015; and

To reduce by half the proportion of people in forest areas who live in extreme poverty by 2015. The Initiative will encourage governments to adopt the necessary reforms and provide the development flows required to tackle poverty in forest areas.

**Annex 4**  
**List of Current Board Members (as of May 15, 2010)**

John Hudson, Chair  
*Independent member*  
International Forestry Expert  
Oxfordshire, United Kingdom

Doris Capistrano  
*Independent member*  
Southeast Asia Regional Center for Graduate Study & Research in Agriculture  
Manila, Philippines

Marcus Colchester, Secretary  
Forest Peoples Programme  
Moreton-in-Marsh, United Kingdom

Don Roberts, Treasurer  
*Independent member*  
CIBC World Markets  
Ottawa, Canada

Kyeretwie Opoku, Executive Committee Member  
Civic Response  
Accra, Ghana

Alberto Chinchilla  
ACICAFOC - Coordinating Association of Indigenous and Agroforestry Communities of Central America  
San José, Costa Rica

Yam Malla  
The Center for People and Forests (RECOFTC)  
Bangkok, Thailand

Ghan Shyam Pandey  
Federation of Community Forest Users, Nepal (FECOFUN)  
Kathmandu, Nepal

Victoria Tauli-Corpuz  
*Independent member*  
Tebtebba Foundation (Indigenous Peoples' International Center for Policy Research and Education)  
Baguio City, Philippines

Andy White  
Rights and Resources Group  
Washington D.C., United States