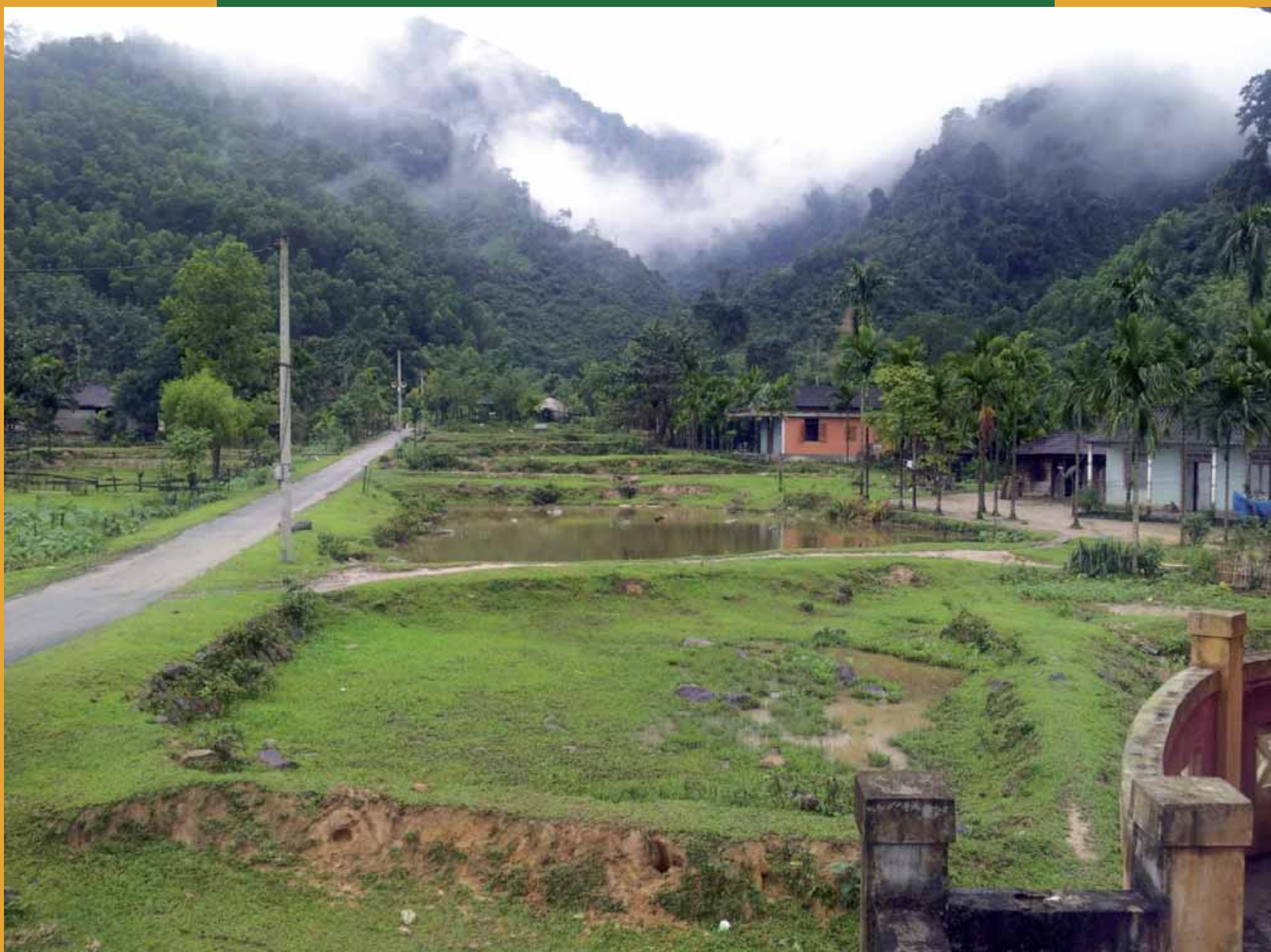
Strengthening Forest Tenure Systems and Governance

TRAINING MODULE FOR FACILITATORS



THE CENTER FOR PEOPLE AND FORESTS
RECOFTC

FAO FIAT PANIS

Strengthening Forest Tenure Systems and Governance

TRAINING MODULE FOR FACILITATORS

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
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Foreword

Forest management worldwide has undergone substantial changes over the past decades, including a gradual move away from state forest control towards participatory and local forest management. Ownership and access to forest resources, initially state-dominated, are becoming more diversified, allowing a wider range of actors to participate in forest management. This shift characterizes ongoing forest tenure reform processes.

Tenure reform involves changes to regulatory frameworks and governance, which require key stakeholders, including government officials, to adopt new and different roles in forest management, roles for which they frequently have little training or experience. At the same time, communities, smallholders and individuals are often unaware of their rights and responsibilities, and how these can be exercised effectively for tangible benefits.

Under the framework of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) which were endorsed by the Committee on World Food Security (CFS) in 2012, and based on the forest tenure reform guidelines developed by FAO in 2011, this training module will provide practical guidance for people involved in forest tenure reforms and those reflecting on the effectiveness of existing tenure systems. The module is meant to complement existing training modules produced by FAO and other organizations. It focuses on strengthening specific competences to help key stakeholders advance forest tenure reform in line with the guiding principles.The module also demonstrates the challenges involved in strengthening forest tenure, and introduces some tools for addressing them. The training revolves around the following milestones for strengthening forest tenure systems and governance:

- a thorough analysis and in-depth understanding of existing tenure systems to serve as a foundation for developing strategies to strengthen tenure reform initiatives;
- identification of stakeholders and their perspectives on needs for tenure reform through participatory appraisal with forest users and government officials (national and local levels);
- assessment of tenure governance arrangements and practices within the framework of internationally accepted good practices and arrangements;
- complete agenda and action plans for strengthening forest tenure systems and governance.

We acknowledge that this module is a work in progress and invite feedback and suggestions which will be invaluable for succeeding editions.

Since its establishment in 1987, RECOFTC – The Center for People and Forests - has collaborated with FAO through a wide range of capacity development activities. This includes developing training manuals, training of trainers, documenting case studies, co-organising regional events and conducting joint forestry and development projects in Asia and the Pacific.

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Many colleagues from both the FAO and RECOFTC as well as other training and tenure experts have provided useful comments and suggestions over the course of developing the materials. The results of the test trainings in Uganda and Vietnam made possible by the strong support of the FAO representations in Uganda and Vietnam, RECOFTC Vietnam, and the Forest Sector Support Department of Uganda led to major improvements in all aspects of the module.

We acknowledge all the partner organizations, participants, and communities that were involved. Without their contributions, the development of this training module would not have been possible. Finally, we would like to thank Shannon Russell for the editing work and Claudia Tonini for the graphic design and layout of the training module.

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Acronyms

CAPRi	CGIAR Systemwide Programm on Collective Action and Property Rights
CFS	Committee on World Food Security
CIFOR	Center for International Forestry Research
COPNAG	Central Organization of Native Guarayos People
FAO	Food and Agriculture Organization of the United Nations
FECOFUN	Federation of community Forestry Users Nepal
FGLG	Forest Governance Learning Group
IIED	International Institute for Environment and Development
RECOFTC	The Regional Community Forestry Training Center for Asia and the Pacific (also known as The Center for People and Forests)
RRI	Rights and Resources Initiative
SWOT	Strengths, Weaknesses, Opportunities and Threats
VGGT	Voluntary Guidelines and the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security

Glossary

Analysis

The process of breaking a complex topic or substance into smaller parts to gain a better understanding of it.

Appraisal

Act of assessing something or someone. Also: expert estimate of the value of something.

Assessment

Evaluation or estimation of the nature, quality or ability of someone or something: "the assessment of educational needs".

Complexity

A complex system is a system composed of interconnected parts that as a whole exhibit one or more properties (behaviour among the possible properties) not obvious from the properties of the individual parts.

Governance

The traditions and institutions by which authority in a country is exercised.

Institution

Any structure or mechanism of social order and cooperation governing individuals' behaviour by making and enforcing rules for cooperation and competition.

Institutional arrangement

Arrangements between social entities that govern the ways in which these entities can interact (see also under 'governance').

Institutional environment

Institutions related to the political, legal and social environment of a social system.

Reform

To make changes in something, (typically a social, political, or economic institution or practice) in order to improve it. Also: the action or process of reforming an institution or practice.

Synthesis

The combining of separate elements or substances to form a coherent whole. Also: the complex whole so formed.

System

A set of connected things or parts forming a complex whole.

Tenure

The relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to natural and other resources. Tenure arrangements determine who can use what resources for how long, and under what conditions.

Tenure governance

Mechanisms and processes through which citizens and groups can articulate their interests, mediate their differences and exercise their rights and obligations in respect to the management and use of resources (including forests).

Tool

A procedure or process with a specific purpose. These can include approaches, methods, strategies, tactics or techniques.

1. Introduction to the training module

1.1 WHAT IS THIS TRAINING MODULE ABOUT?

Over the past two decades, forestry worldwide has undergone substantial changes. One of these is a gradual process of moving away from state forest management towards participatory and local forest management. Ownership and access to forest resources are becoming more diversified, allowing a wider range of actors to participate in forest management. This shift away from state domination characterizes ongoing forest tenure reform processes.

These reforms are critical to enable non-state actors such as local communities, smallholders and indigenous people to participate in and benefit from forest management. Tenure reform, however, often involves quite radical changes to regulatory frameworks and governance. Key stakeholders are required to adopt new and different roles in forest management – roles for which they normally have limited capacity. At the same time, communities, smallholders and individuals are emerging as holders of new rights and responsibilities. However, they are often unaware of their new rights and how these can be effectively exercised for tangible benefits.

FAO, through an inclusive multistakeholder process, has developed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) which were endorsed by the Committee on World Food Security (CFS) on 11 May 2012. In the future it is expected that many member countries will adapt these guidelines to their country context for the strengthening of tenure governance, and that this module will be instrumental in supporting this process.

An important source of inspiration for this module is the FAO Forestry Paper 165: *Reforming forest tenure. Issues, principles and process* (FAO, 2011). The main lessons from this global review are presented in the form of ten principles for guiding the design and strengthening of forest tenure reform. The module integrates and builds on these principles and is itself a tool to help realize them. Turning the guidelines into practical reality depends on the capacity of everyone involved, including at organizational and institutional levels. Many global tenure studies highlight this need for increased collaboration.

This module is designed for training involving a mix of participants interested in contributing to more effective forest tenure policy and programmes. The overall objective of the module is to enable facilitators of forest tenure development processes to identify the needs for strengthening forest tenure systems and governance, and to explore strategies and tools to address these needs. The module also allows space for policy dialogue with decision-makers on key forest tenure related issues.

1.2 WHAT DOES THIS TRAINING MODULE TRY TO ACHIEVE?

The overall objective of the module is to enable key stakeholders, including facilitators, policy- and decision-makers of forest tenure development processes to identify the needs for strengthening forest tenure systems and governance, and to explore strategies and tools to address these needs.

The objectives of the training are:

- to share and critically review experiences of forest tenure reform;
- to identify and communicate priorities and strategies for improving forest tenure and forest tenure reform;
- to enhance skills to analyse and develop forest tenure systems and governance.

1.3 WHAT ARE THE KEY COMPETENCES THIS TRAINING MODULE AIMS TO STRENGTHEN

Forest tenure

Concepts:

- forest tenure, property rights, bundles of rights, customary and statutory rights, rights holders, representation and authority within forest tenure systems.

Analysis:

- skills to use tools and methods for the analysis of stakeholders, rights, governance capacity and history in a given context;
- skills to define problems and solutions (objectives, outcomes and activities).

Communication

- participatory tools and communication skills to unpack the complexity of forest tenure reform;
- guiding principles of forest tenure reform.

Governance of tenure

- key principles and elements of the VGGT of land, fisheries and forests;
- assessment of governance of tenure;
- benchmarking as a basis for formulating recommendations to strengthen forest tenure governance;
- action planning.

1.4 WHAT IS IN THE MODULE?

The module has three main components:

1) Scoping study to review the land and forest tenure situation in the country (2.3)

The scoping study assesses the current status of tenure, tenure reform and the governance of the reform process. It provides practical cases for use as background during the high-level policy dialogue (2) and during the training (3).

2) High-level policy dialogue with policy-makers, legislators, senior level administrators and decision-makers, (2.10).

The dialogue is used for different purposes, including:

- awareness raising on the VGGT;
- exchanging views on the current status of land and forest tenure, tenure reform and the governance of the reform process;
- sharing and validating recommendations arrived at by the participants during the training.

3) Training of facilitators of tenure reform processes.

The bulk of this manual offers different training agendas including detailed instructions and session plans. Complementing the training sessions are powerpoint presentations and handouts (see enclosed CD).

TABLE 1. OVERVIEW OF TRAINING METHODS

	SESSION TITLES	METHODS
1	**Setting the stage for the training**	
1.1	Opening	Speech/lecture
1.2	Participants' introduction and expectations	Game, interview, Self-assessment form
1.3	Training objectives, programme and implementation arrangements	Presentation Discussion
2	**Forest tenure analysis**	
2.1	Forest tenure concepts	Visual communication/video presentation
2.2	Forest tenure analysis	Presentation Case study Group work
2.3	Forest tenure analysis – sharing and discussion of results	Carousel Snowballing
3	**Forest tenure reform assessment**	
3.1	Tenure reform principles and SWOT	Group work SWOT Video
3.2	Problem solution analysis in focus groups	Problem and solution trees
3.3	Assessing options and recommendations	Peer review
4	**Participatory tenure appraisal – field work**	
4.1	Prepare and share field plans	Group work Role play
4.2	Implement appraisals	Focus group discussions (in the field)
4.3	Share and debate recommendations	Fishbowl Discussion (in the field)
4.4	Reflection in training room	Group work and carousel
5	**Tenure governance assessment**	
5.1	Strengthening tenure governance institution	Brainstorming Debate Group work
5.2	Tenure governance assessment – benchmarking	Presentation Benchmarking
5.3	Share findings and recommendations	Peer review Carousel
6	**Action planning**	
6.1	Take stock	
6.2	Prepare action plans	Individual/group work
6.3	Share and review action plans	Group work
7	**Training evaluation and closing**	
7.1	Informal evaluation	Fishbowl
7.2	Formal evaluation	Questionnaires
7.3	Closing	Closing speech

1.5 OVERVIEW OF TRAINING METHODS

Training sessions are designed using a variety of methods including exercises and tools tailored to the training topic.

The tools and methods for the training were selected for their practicability and usefulness in facilitating tenure reform processes. The International Institute for Environment and Development (IIED) has developed a toolbox for use in reform processes. Where relevant, these tools are used and introduced, and links are presented. Although the curriculum of this training is based on current literature, discussions and sound science, the focus is very much on participants' capacity to share, analyse, synthesize and communicate their experiences and views.

Generally, a format of introductory presentations is followed by working groups sharing results to come up with conclusions. Hands-on exercises with tools and results, relevant for the work after the training, may be the most appropriate format. For other participants, there may be a need to introduce a greater variety of training methods to maintain energy levels. These include games to replace some of the working groups, as well as audiovisual materials, the participation of local resource persons, and the introduction and discussion of local case studies. If trainers have access to good videos with similar but local content these would be preferable. Examples of suitable 'global' audiovisual materials include:

- *Justice in the forest*; a video prepared by the Forest Governance Learning Groups (FGLG) (available at http://www.iied.org/natural-resources/key-issues/forestry/justice-forests-series-short-films).
- *Tenure in central Kalimantan*; (available from: http://vimeo.com/26373171).

It is important for trainers to use the materials presented here, not as an off-the-shelf programme needing implementation, but as a flexible set of tools which allows them to tailor their training to incorporate local content and resources.

2. Preparation of the training

Preparatory Activities

1. Organizing the training team.
2. Background reading.
3. Preparation of short paper on status of forest tenure and reform process.
4. Trainee selection.
5. Preparing the trainees and Training Needs Assessment.
6. Selecting a training venue.
7. Arranging the field programme.
8. Preparing training materials and equipment.
9. Setting up monitoring and evaluation.
10. Adapting the training to different conditions and requirements.

2.1 ORGANIZING THE TRAINING TEAM

A training team of at least two facilitators should be organized at least two months before the start of the training.

The terms of reference of the training team include specifying their tasks in the preparatory activities as listed in the table above, along with their required competencies.

Qualities of trainers include demonstrated experience with:

- participatory training;
- analysis and facilitation of tenure reform processes;
- research in the area of forest or land tenure.

There may also be a need for additional support staff to assist in the preparation of training materials, photocopying and other logistical support during the training. Trainers should also consider the need for somebody to take notes and prepare the report of the training, if required.

The training organizers and the employers of trainees (e.g. a forestry department) should consult on the selection of the trainees, the design of the training, its location and other aspects. The training team is further advised to develop a work plan for all phases of the training (pre-training, delivery and post-training), specifying roles and responsibilities in each session and pre- and post-training activities.

2.2 BACKGROUND READING

Critical documents to be read include:

- **Braakman, L.** 2002. *The art of building training capacities*. Bangkok, RECOFTC.
- **Engel, A.** 2007. N*egotiation and mediation techniques for natural resource management. Trainer's Guide*. Livelihood Support Programme. Rome, FAO.
- **FAO.** 2010. *Enhancing stakeholder participation in national forest programmes.* A training manual. Rome.
- **Larson, A.M., Barry, D., Dahal, G.R. & Pierce Colfer, C.J.** (eds.) 2010. *Forests for people. Community rights and forest tenure reform*. London and Washington, DC, Earthscan.
- **FAO.** 2011. *Reforming forest tenure. Issues, principles and process*. FAO Forestry Paper 165. Rome.
- **FAO.** 2012. *Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security*. Rome.

2.3 SCOPING STUDY ON STATUS OF FOREST AND LAND TENURE AND REFORMS IN THE COUNTRY

Trainers are to prepare a short paper for use by participants. Alternatively, it could be compiled 2 to 3 months prior to the training by experts on tenure and tenure reform.

The paper among other things, should include:

a. a brief history of forest tenure and tenure reforms (for use in the preparation of the timeline in session 2.2);
b. a sketch of the most common forest tenure regimes and/or a forest tenure map;
c. changes in legal frameworks, implementation processes and capacity-building activities practised in forest tenure reform processes (for use in section 3);
d. institutional arrangements for forest tenure reform and governance at local, intermediate and national levels (for use in session 5.1);
e. key references.

2.4 SELECTING TRAINEES

It is advisable to have the greatest possible mix of participants in the training since a diverse mix of backgrounds will allow for a richer perspective and will facilitate discussions on institutional challenges. In the selection of trainees, it is important to consider balance in terms of sector (public, private, research, education, NGO), age, gender and geographical origin. Diversity in the experience and perspective of trainees will enhance the value of the training experience. In view of the participatory, self-directed learning mode of the training, a mix of familiarity, experiences and perspectives on tenure, reform and governance will be very helpful to achieve the training objectives.

Suitable trainees include:

- national, provincial and district level administrators actively involved in the planning and management of tenure reform processes;

- personnel from development projects and NGOs actively involved in forest tenure reform;
- teachers and trainers from educational institutions or colleges, with experience in tenure reform;
- Researchers on tenure issues who are interested in developing methods for use by administrators;
- representatives from donor organizations financing forest tenure reforms.

Criteria for selecting trainees:

- active involvement in forest or land or fisheries tenure reform;
- ability to mobilize organizational support to implement the action plan;
- availability throughout the training.

In view of the interactive nature of the training, the number of participants should not exceed 25.

A letter of invitation should be extended to the selected trainees, and their commitment should be registered by the signatures of both the trainee and the supervisor.

2.5 PRE-TRAINING ASSIGNMENT

To assess the participants' understanding of tenure and tenure reform, selected trainees are requested to prepare a short paper. The paper will help participants to reflect on their understanding of the current status of tenure and tenure reform, including:

- description of the tenure situation in their area of work;
- the process of tenure reform in which they are involved;
- their role in tenure reform;
- the main challenges they experience;
- what they expect to learn in the training.

2.6 TRAINING VENUE

- In selecting the training venue, access to a suitable field site (less than a one hour drive from the venue) should be considered.
- The training room should be large enough to enable 25 participants to sit in a circle and a U shape. The room should be well ventilated with sufficient light and no obstacles for interaction between participants and trainers.
- Tables and chairs should be light and able to be moved around easily.
- There should be adequate space for five breakout groups (working inside or very close to the training room) 2.7 Planning the field programme.

2.7 PLANNING THE FIELD PROGRAMME

The main criteria for selection of the field site for the participatory tenure appraisal include:

- accessibility: the site is to be located no further away than a one-hour drive;

- the tenure situation is to be fairly typical of the most common tenure situation in the country;
- the forest in the area is used by many stakeholders for a variety of purposes;
- abscence of major local (political) conflicts that would prevent villagers from expressing their views.

The local leaders and villagers are to be informed that this is a training exercise and that expectations should be managed. The main objective of the field exercise is to learn from the situation on the ground. The purpose is to be explained as an opportunity for participants to learn how villagers use and manage the forests so that they may advise how to increase benefits from forests and improve forest conditions.

Villagers will be invited as 'resource persons' meaning that the trainers will need to identify the locally appropriate form of compensation for the villagers' time. Participants would like to talk to women and men who use the forest as well as those people who make their living out of using or selling forest products (carpenters, charcoal makers, herbalists using medicinal plants and others).

From each group, participants would like to talk to five to seven people (if possible) for about 2 hours.

Villagers selected should be fairly typical of the group they are supposed to represent and be willing and available. Trainers can collaborate with the village leaders to determine categories of 'resource person' and to clarify criteria.

Trainers are to prepare letters of invitation to the resource persons outlining the purpose of the exercise and activities along with their contributions to the training in the form of sharing their knowledge of the forest and their recommendations for improving its use and management.
Trainers are also to prepare a briefing note about the field site with a description of the village and the forest, if possible, including a map of the forest area.

2.8 PREPARING MATERIALS

The following materials are to be obtained and prepared before the training. The numbers of materials are to be adjusted according to trainers' programme design and their best estimates of requirements for the number of participants.

Trainers should also consider bringing some extra supplies of critical materials such as flipcharts, cards and markers.

- beamer (LCD projector) and projection screen;
- flipcharts or large sheets of paper (at least 100 sheets);
- marker pens of different colours, suitable for flipcharts (50);
- whiteboard markers (three sets);
- A4 paper (1 ream; for image drawing, etc. and for making cards, if necessary);
- coloured cards (1/3 A4 paper; approximately 60);
- post-its (10 packs);
- masking tape (eight rolls, ideally up to about 2.5 cm wide);
- scissors (two pair):
- notebooks (one per participant);
- pens (one per participant, plus ten spare pens);
- first-aid kit for the fieldtrip.

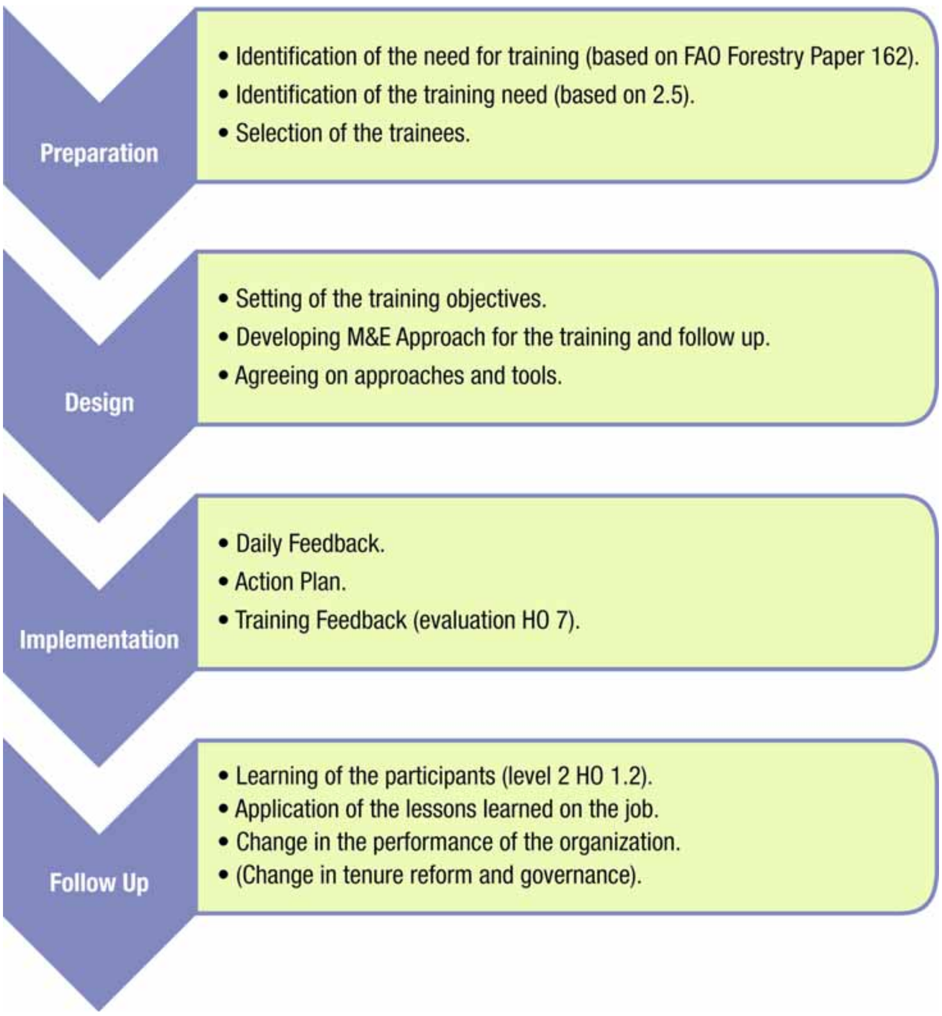
2.9 MONITORING AND EVALUATION

Trainers are advised to discuss monitoring and evaluation of the training with the training host institution. The diagram below can assist in such discussion, to explain how M&E six months after training, and then again a year after, if possible, builds on the training needs assessment and monitoring activities in the preparation, design and implementation of future training.

When monitoring training results in the follow-up, the self-assessment form (Handout 1.2) may be used. Participant application and the uptake of training by the organization are important aspects of the monitoring and evaluation. Organizations are advised to build these self-assessment stages into their programme or project, which can take place three, six or nine months after the training has finished.

Trainers are to add open questions to this form to monitor changes in the organization's activities in forest tenure reform and the strengthening of forest tenure governance.

FIGURE 1 NEEDS ASSESSMENT AND MONITORING IN THE TRAINING STAGES



2.10 ADAPTING THE TRAINING TO DIFFERENT CONDITIONS AND REQUIREMENTS

This training module, comprising seven sections and covering five days, can be adapted to different audiences and their requirements. In section 5, various training agendas are proposed ranging from eight-day training with an expert seminar to half-day training involving a high-level policy dialogue meeting.

One target group that is usually difficult to reach is senior administrators and policy-makers who may have only one day available for participation in such training.

Possible training options are described below.

Involving senior administrators or policy-makers

Involving senior administrators in the last day of the training is vital. As the recommendations from all sessions are reviewed on this day, it provides senior officials with an opportunity to familiarize themselves with all aspects of the training and its results, and to contribute to or comment on the development of an agenda for strengthening forest tenure reform and governance.

Alternatively, trainers may consider inviting three representatives from different stakeholders (e.g. Government, NGO/researchers and forest users) in tenure reform and governance to comment on or contribute to the development of the agenda and the action plans.

Focus on tenure reform and/or governance assessment

Options to shorten the course for participants who do not need training in forest tenure analysis and/or participatory appraisal techniques include a three-day version, covering sections 3, 5, 6 and 7, as well as a one-day version explaining the elements and principles of the VGGT.

The three-day version of the training would require little or no modification of the present session plans and materials for sections 3 to 7. The introduction of the course and participants would need to be adapted and shortened along with the evaluation form, and any references in the materials to sections 2 and 4 would need to be deleted.

In the one day-training session, which focuses exclusively on introducing the VGGT, more work may be needed to replace session 2.1 with a more detailed introduction of the guidelines, and to expand session 5.3 to include alternative plans for implementing the guidelines.

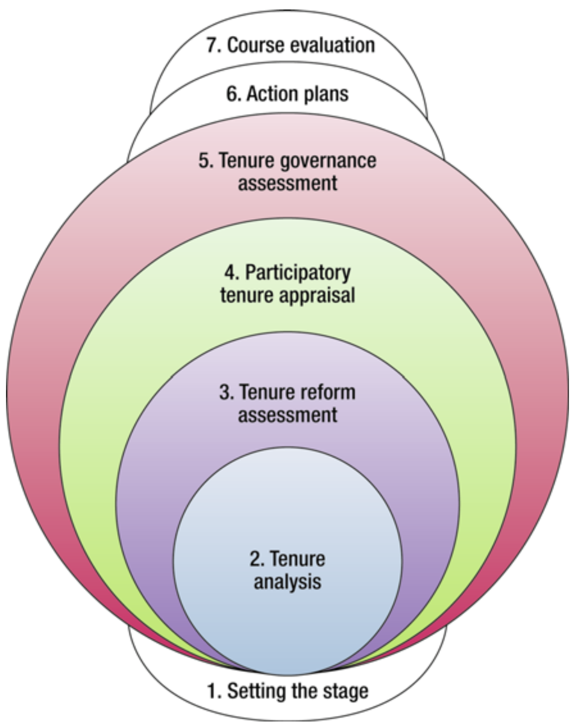
3. Training structure

The different training sections build on each other, as shown in Figure 2. Here, an overview is presented of the contents and approaches for each section.

3.1 SETTING THE STAGE FOR THE TRAINING

A brief formal opening statement (session 1.1) by a representative from a leading organization in forest tenure reform is followed by an informal session where participants get to know each other and share their expectations of the course (session 1.2). The training course objectives, design, flow and schedule are presented and arrangements for participants' involvement in the implementation and monitoring of the course are made (session 1.3).

FIGURE 2 THE SEVEN SECTIONS OF THE MODULE



3.2 FOREST TENURE ANALYSIS

Concepts and methods for the analysis of forest tenure systems are presented, shared and practised. The section concludes with some questions about the challenges for forest tenure reform arising from the complexity and diversity of forest tenure systems.

3.2.1 *Concepts*

Sharing of participants' tenure concepts ('mental images') forms the basis for defining forest tenure. Key tenure concepts derived from the definition are discussed, including 'types of property rights', 'bundles of rights', 'legal and customary rights', 'ability to benefit' and 'authority relations'. By the end of the session clarity is reached on the main elements of the definition: 'rights', 'bundles of rights', 'right holders'; 'customary and statutory rights' and 'arrangements'. Conclusions are drawn in relation to the who, what, how and why of forest tenure. A short introductory video may help set the scene and relate the course to the daily experience of the practitioners.

3.2.2 *Analysis*

Tools for analysis of the who, what, how and why of forest tenure are introduced in this session. Participants in parallel working groups practise stakeholder analysis, mapping of rights, assessment of governance capacity and develop of a timeline of tenure history. The scoping study provides specific context for the analysis and will inform the discussions in the next section.

3.2.3 *Sharing and discussion*

Working groups share the results of their analysis generating discussion about the implications involved in their definition of the main attributes of forest tenure.

3.3 FOREST TENURE REFORM ASSESSMENT

In this section, the status of the current approach to forest tenure reform is assessed. The key elements of the reform process are introduced and discussed. Two types of assessment are practised: a rapid and exploratory SWOT analysis and a more systematic assessment of the current approach to forest tenure reform[1].

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[1] Note that the training materials and exercises can also be used (with minor adaptations) in situations where new forest tenure reform activities are to be initiated.
* Please refer to the Annex for preparations of field programme.

3.3.1 *Tenure reform principles and SWOT*

Strengths and weaknesses of current forest tenure reform processes are identified and discussed by participants, as well as the opportunities for and threats to forest tenure reform. The outcomes from the SWOT analysis are the basis for participants' recommendations to strengthen forest tenure reform. Opportunities and conditions for using SWOT analysis after the training are also identified.

3.3.2 *Problem – Solution analysis in focus groups*

In this session, working groups analyse the problems identified in the SWOT analysis. Based on the results of the problem analysis, solutions (objective, outcomes and activities) are identified for the implementation of the recommendations. The case study can provide additional inspiration at this stage of the course as it provides an analysis of the challenges and opportunities for reform.

3.3.3 *Assessing options and recommendations*

Groups share and discuss their findings and recommendations for strengthening forest tenure reform. The relevance and opportunities for use of these tools after the training are also discussed.

3.4 PARTICIPATORY TENURE APPRAISAL

In this section, participants assess the needs for and views on forest tenure reform in the field with selected key stakeholders (forest users and local officials). They practise the use of some of the tools introduced in the analysis of the tenure system and the assessment of tenure reform. see section 2.7 for planning the field programme.

3.4.1 *Prepare and share field plans*

Four teams of participants for fieldwork are formed, taking into account differences in participants' experiences in participatory appraisal. The groups make plans for their fieldwork, building on the topics, methods and tools practised in sessions 2 and 3, and prepare to work with different groups of stakeholders. They formulate key questions, discuss approaches and allocate responsibilities.

3.4.2 *Implement appraisals*

The teams implement their appraisals with groups of male and female forest users, representatives from forest enterprises and local forest officials. Each of the teams facilitates the formulation of recommendations for forest tenure reform based on the outcomes of their analysis of local forest tenure arrangements.

FIGURE 3 VILLAGERS MAPPING THE FOREST, VIETNAM

3.4.3 *Share and debate recommendations*

Participants and/or trainers employ a fishbowl format to facilitate debate and the sharing of stakeholders' recommendations for forest tenure.

3.4.4 *Reflection*

Participants reflect on the role and relevance of collecting and processing first-hand information on tenure and tenure reform.

3.5 TENURE GOVERNANCE ASSESSMENT

Strengthening forest tenure governance is presented as both a means and an end to forest tenure reform. The current state of forest tenure governance is assessed through analysis of the institutional capacity and arrangements for co-governance (involving civil society and government) as well as benchmarking of current tenure governance practices. The results of the scoping study can provide the required background for this section, and will inform the discussions and results from exercises.

3.5.1 *Strengthening tenure governance institutions*

Tenure reform has governance implications. Institutional capacity and arrangements for self-governance and co-governance need to be strengthened at local, intermediate and national levels. Opportunities, strategies and change agents will be identified, building on lessons from global tenure reviews.

3.5.2 *Tenure governance assessment – benchmarking*

Complementing the focus on civil society and multistakeholder arrangements in the previous session, in this session the role of government in tenure governance is assessed. Current practices and arrangements are benchmarked using the internationally accepted practices in the FAO- VGGT as standards. The outcomes from the benchmarking process form the basis for formulating recommendations to strengthen forest tenure governance.

3.5.3 *Share findings and recommendations*

Findings and recommendations from the previous session are shared and debated amongst the various teams of participants involved in the benchmarking. Findings and recommendations from both sessions form the basis for the identification of priorities for strengthening forest tenure governance.

3.6 ACTION PLANNING

Strengthening forest tenure governance is presented as both a means and an end to forest tenure reform. The current state of forest tenure governance is assessed through analysis of the institutional capacity and arrangements for co-governance (involving civil society and government) as well as benchmarking of current tenure governance practices. The results of the scoping study can provide the required background for this section, and will inform the discussions and results from exercises.

3.6.1 *Take stock*

All recommendations for action and adaptation identified daily are reviewed and synthesized. Missing issues (including the ones put in the 'parking lot') are also identified. Priority recommendations are proposed, debated and consolidated in the form of a draft agenda for strengthening tenure reform and governance to be discussed in the follow-up processes after training.

3.6.2 *Prepare action plans*

Teams of participants from organizations with comparable roles in forest tenure reform identify their priorities for action, based on the outcomes from the previous session. They prepare action plans and a mechanism for sharing them with colleagues upon return from the training course.

3.6.3 *Share and review action plans*

The teams present their action plans for review and comment by all participants.

3.7 TRAINING EVALUATION AND CLOSURE

A formal and an informal evaluation of the course is conducted. The closing ceremony, including the handing out of certificates and closing remarks (preferably by the same person who made the opening remarks), concludes the course.

4. Session plans and guide

Each of the sections of the module is made up of two or three sessions. The session plans are presented in this part.

The session plans contain a brief description of:

- the objectives of the session;
- the main activities or steps needed to achieve the objectives with indicative time allocations;
- materials to be used and prepared, including:
  - references to the presentations for use by the trainer(s) when conducting the session;
  - references to the handouts, with summaries of concepts and methods for training participants, for their use;
- notes: explanations or additional suggestions where needed.

The presentations and handouts are presented by session, immediately after the session plans.

SECTION 1: SETTING THE STAGE FOR THE TRAINING

In this section the focus is on activities to assist the training team and the participants to get to know each other, and 'level off' on the why, what and how of the training. In addition to the suggestions provided here, see also Negotiation and mediation techniques for natural resource management – trainer's guide (FAO, 2007) and Enhancing stakeholder participation in national forest programmes (FAO, 2010) for other ideas on how to set the stage for the training.

Three sessions are proposed in this introductory section:

- an opening session with a brief opening statement from a relevant authority;
- introduction of participants, sharing of expectations of the course and self-assessment of skills and knowledge on forest tenure reform;
- description of the course objectives, training design, programme, and arrangements for participants' contributions in the conduct of the training.

SESSION 1.1 Opening

A formal opening of the course by a representative of an authority with major responsibility in forest tenure reform can add weight to the importance of the training. It may assure participants that the training will be useful in their work and may reinforce the importance of taking the course seriously. Training sessions are designed using a variety of methods including exercises and tools tailored to the training topic.

Learning objectives:

The purpose of this session is to provide a formal start to the training and to motivate trainees to take the training seriously.

Steps:

- Opening comments by the organizers.
- Formal introduction of the speaker(s) by the organizer.
- Introductory remarks by high level speaker.

Materials:

- Flipcharts with objectives, training flow.
- Handouts with agenda and objectives.

Time: 30 minutes.

TRAINING TIPS:

Preparation:

1. Brief the speaker on timing and duration of the opening remarks.
2. Brief the speaker on key points to be addressed, such as:
   - a summary of the key principles in the forest tenure reform process, particularly multistakeholder learning and sound governance principles;
   - the main challenges in present forest tenure reform processes and how application of the methods and principles presented in the course can address these challenges;
   - the objectives and expectations of the training;
   - the importance of making and implementing action plans, based on the lessons from the course and expression of commitment of the speaker or his organization to support staff in this implementation.
3. Explore with the opening speaker whether s/he would also be available to present some remarks in the closing ceremony. Explain that just before the closing ceremony participants will present their action plans and evaluate the course. Therefore, invite the speaker to participate after lunch on the last day.

SESSION 1.2 Participants' introduction and expectations

Learning objectives:

Participants interview and introduce each other, including their expectations from the course, and their assessment of their own knowledge and skills in tenure reform.

Activities:

FIGURE 4 PARTICIPANTS' INTRODUCTION BY PLANE

1. Each participant is given one A4 paper, and the instruction to draw: something that typifies him/herself, something one really likes when participating in trainings, something one really dislikes when participating, and one clear expectation.
2. The A4 paper is folded as a plane and the planes are thrown around for a few minutes.
3. Planes are unfolded, and participants look for the person who made the plane.
4. One participant shares the introductions and the expectations of the person who made the plane they possess. The facilitator, or the training assistant, takes note of the expectations on a flipchart.
5. This process is continued until all people have been introduced and all expectations are shared.
6. A reflection exercise is conducted on the expectations and how they relate to the agenda.
7. Next, participants are requested to fill in the self-assessment form (see monitoring and evaluation):
   - distribute Handout 1.2;
   - illlustrate on a flipchart the process of filling in the form, stressing the importance to write comments;
   - collect the forms and review them as soon as possible adjusting sessions to match with the level of the participants where possible and relevant.

Materials:

- A4 papers, one per participant.
- Markers.
- Cards.

Time: 35 minutes.

SESSION 1.3 Training objectives, programme and implementation arrangements

The trainer explains the objectives, contents and methods of the training course. Trainees are advised that self-directed learning is emphasized in the course, and that active participation is a requisite for success. Rules and arrangements for conducting the course are set with the participants.

Learning objectives:

Participants can share the objectives, programme and arrangements for implementation of the training course.

Activities:

1. Presentation 1.3 as a powerpoint or on flipcharts. If a powerpoint presentation, prepare at least two flipcharts with (a) objectives (b) training programme. Display the two flipcharts in a place in the training room where they are clearly visible (for reference during introduction of sections and sessions). Consider using a mobile paper arrow to keep track of the flow, with 'we are here' written on it.
2. Compare objectives and programme with participants' expectations expressed in session 1. 2.
3. Put selected relevant expectations that cannot be met on 'parking lot' (see below under 9).
4. Disseminate Handout 1.3 with objectives, programme and arrangements.
5. Explain the approach of sharing responsibilities with the trainees in conducting the training course. Consider making the following teams:
   a. Daily review: This team is responsible for drawing the main lessons from the day and suggesting adaptations and arrangements required for application in practice after the training.
   b. Timekeepers: This team is responsible for ensuring that all session are run on time.
   c. Energizers: This team is responsible for introducing energizers or suggesting a break whenever needed.
6. Discuss and agree on the norms to observe during the training and list them. For example:
   a. schedules
   b. participation
   c. freedom to walk in and out
   d. respect for opinions: focus on problem, not on the people
   e. mobile phones on silent/vibrate
7. Explain that participants can add norms that will be adopted if everybody agrees with them.
8. Hang the flipchart with norms and timing on a wall so that trainees can see them during the course.
9. Introduce and explain the 'parking lot' flipchart for ideas and suggestions from trainees to be addressed during the course.

Materials:

- Five flipcharts:
  - training objectives;
  - tentative programme;
  - three trainee teams;
  - norms;
  - parking lot.
- Presentation 1.3.
- Handout 1.3.

Time: 35 minutes.

SECTION 2: FOREST TENURE ANALYSIS

This section focuses on key concepts and methods to enhance understanding and analysis of forest tenure arrangements. Participants will identify challenges for forest tenure reform.
The definition of forest tenure is introduced and discussed. The main concepts in the definition of tenure are identified and clarified, resulting in an agenda for forest tenure analysis. Tools for analysis help answer the following questions:

- Who is involved and/or affected by the current tenure situation and the reform process, and to what extent?
- What rights for which stakeholders, and what trends can be observed?
- How are rights realized, and what sources of legitimacy can be identified?
- Why does the current forest tenure system need reform?

SESSION 2.1 Forest tenure concepts

Learning objectives:

At the end of the session, participants will be able to:

- define and explain forest tenure through concepts such as property rights, bundles of rights, customary and statutory rights, rights holders, representation and authority within forest tenure systems;
- argue for the need to analyse forest tenure concepts and illustrate the methods for analysis with examples.

Activities:

1. Introduce the session by presenting the overall objective of the section and the session, which is to reach a common understanding of what forest tenure is and why it is important (slides 2 and 3 of Presentation 2.1). (5 minutes)
2. Present the following assignment: Make a drawing of your understanding of tenure. Hint at the following: what is it, why is it important, what are the problems, opportunities etc. (Participants draw for 10 minutes)
3. Presentation and explanation of images by participants. (1 minute per participant: 20–25 minutes). Reflection:
   - What aspects are commonly referred to?
   - How would you define forest tenure?
   - What are other definitions?
4. Presentation of forest tenure definitions and key concepts (slides 3 to 10 of presentation 2.1). (30 minutes)
5. Concluding discussion (20 minutes):
   - Trainer presents some observations about concepts that were reflected in the presentation of drawings by participants and some that were not; conclude with observations about the overlap in understanding between participants and the literature on tenure.
   - Raise the question: "What have we learned from this discussion about the main aspects that we need to analyse if we want to understand systems on the ground?" (see slides 11 to 21 in Presentation 2.1):
     – Who is involved and/or affected by the current tenure situation and the reform process, and to what extent?
     – What rights for which stakeholders, and what trends can be observed?
     – How are rights realized, and what sources of legitimacy can be identified?
     – Why does the current forest tenure system need reform?
   - If time allows, use cards (who, what, how and why) and ask participants to generate ideas (on cards) on what aspects of tenure are to be analysed in tenure reform. After participants present their suggestions, ensure that cards with the topics identified in the slide are also ready for presentation, discussion and comparison with participants' suggestions.
   - If time does not allow, use custom-animated slide 22 and present the who, what, how and why first. Then ask participants for verbal contributions before showing the topics (e.g. 'multiple stakeholders' for the who, etc.).
   - Conclude by announcing that in the next session the tools for analysing these topics will be introduced and practised.
6. Distribute Handout 2.1.

TRAINING TIPS:

Should time permit, a short introductory video can be shown to illustrate some of the key concepts such as property rights, bundles of rights, customary and statutory rights, rights holders, representation and authority within forest tenure systems.

Materials:

- A4 paper, coloured pens/pencils, markers, newspapers, magazines, glue to be distributed on tables.
- Presentation 2.1.
- Handout 2.1.

Time: 90 minutes.

KEY LEARNING POINTS:

- Forest tenure is at the core of forest policy.
- Property rights are at the core of forest tenure.
- Multiple rights and rights holders are common in forest tenure.
- Secure rights are necessary but are not sufficient for the rights holders to benefit from forests and to contribute to its sustainable management.
- Effective institutional arrangements are crucial to make forest tenure work.

SESSION 2.2 Forest tenure analysis

Learning objectives:

At the end of the session, participants will be able to:

- apply tools for analysis of stakeholders, rights and rights holders, institutional capacity for multilevel governance and for the history of forest tenure;
- link the results of the tenure analysis to the principles of forest tenure reform.

Activities:

1. Introduction of session: the objective of the session is to analyse the current tenure system, including stakeholders, rights and rights holders, institutional capacity for multilevel governance and for the history of forest tenure. Key tools for the analysis of tenure will be used and practised. These tools are equally useful and applicable in other contexts requiring analysis, not only for training purposes. (5 minutes)
2. Tools to be introduced for analysis, as per Presentation 2.2. Attachments are distributed to help explain the exercises and tools. (30min)

- Who: stakeholder analysis (Attachment 2.2A).
- What: mapping rights and rights holders (Attachment 2.2B).
- How: assessing institutional capacity for multilevel governance (Attachment 2.2C).
- Why: timeline of changes in forest tenure (Attachment 2.2D).

3. Working group formation (10 minutes).
   - Participants choose preferred topic and tool (from 2 above).
     – Write name on post-it and place it under the card with a topic (on wall or flipchart);
     – redistributie participants in working groups in case of unbalanced participation.

TABLE 2. EXAMPLE OF GROUP FORMATION TABLE

STAKEHOLDER ANALYSIS	RIGHTS/RIGHTS HOLDERS MAPPING	INSTITUTIONAL CAPACITY	TIMELINE
1. name	1. name	1. name	1. name
2. name	2.	2.	2.
3. name	3.	3.	3.
4. name	4.	4.	4.

4. Group work (90 minutes).
5. Distribution of Handout 2.2.
6. Preparation of working group reports on flipcharts for sharing (15 minutes).

Materials:

- Presentation 2.2.
- Handout 2.2.
- Four cards: one topic per card (stakeholder analysis; mapping rights; institutional capacity; timeline) for group formation.
- Cards, post-its, flipcharts and markers for working groups.

Time: 150 minutes.

KEY LEARNING POINTS:

- Analysis with effective tools is necessary and useful to enhance our understanding of forest tenure.
- Differences in power and forest dependency require stakeholder analysis as a first step to ensure equitable representation in forest tenure reform processes.
- The existence of multiple rights and rights holders in forestry requires careful mapping of rights.
- Representative institutions at multiple levels are needed to make forest tenure work and analysis can assist in identifying opportunities to make them more representative and accountable.
- Historical analysis can demonstrate that tenure arrangements are more dynamic than is often recognized.

SESSION 2.3 Forest tenure analysis – sharing and discussion of results

Learning objectives:

At the end of the session, participants can:

- reflect on the status of the tenure system, by reviewing the results of the analysis of stakeholders, rights/responsibilities/sources and trends, legitimacy/accountability and representatives, and historical trends;
- assess the complexity, diversity and dynamics of multiple stakeholders and levels of the forest tenure system;
- discuss the implications from the analysis for the design of forest tenure reform.

Activities:

1. Introduction of the sharing process (5 minutes):
   - Each group will share the results from the analysis in 10 minutes.

   (Depending on the group dynamics, the following two steps can be combined).
   - Volunteers from each of the other three groups provide comment on:
     – quality or depth of analysis;
     – clarity of presentation.
   - Then, other participants add their comments (20 minutes each).
2. Sharing, clarification and critique (4×30 = 120 minutes).
   - Why: timeline to analyse history of tenure;
   - What: mapping rights and right-holders;
   - How: assessing institutional capacity for multilevel governance;
   - Who: stakeholder analysis.

   This sequence gradually builds up the layers of the tenure system. Starting with the timeline and ending with the rights and rights holders, a deeper understanding can be achieved.
3. Introduce the next step, which is to present statements on the general status of forest tenure in the participants' context. (60 minutes)
4. Each tool will allow us to present key statements on the status of forest tenure. These statements relate to the following attributes:
   i. complexity;
   ii. diversity;
   iii. static/dynamic;
   iv. multiple stakeholders/multiple scales and level.

   b. In different stages participants formulate key statements:
   i. individually; one statement;
   ii. in pairs; two different statements;
   iii. in groups of four; four unique statements;
   iv. in plenary; ten unique statements.

   c. These statements are noted on a flipchart which stays in the training room.

Materials:

- Powerpoint 2.3 Forest tenure analysis.
- Flipcharts with findings from working groups.

Time: 180 minutes.

KEY LEARNING POINTS:

- → Tenure systems are complex, diverse and dynamic involving multiple stakeholders and levels.
- → The complexity, diversity, dynamics, multiple stakeholders and levels in forest tenure represent challenges that require the adoption of demanding principles in forest tenure reform.

SECTION 3: FOREST TENURE REFORM ASSESSMENT

Through section 2, participants analysed the current tenure situation and identified gaps. Participants appreciate the complexity and history of tenure systems and understand the power relations between various actors. By using the SWOT analysis, opportunities for reform are identified. The focus in this section is on the assessment of the current and recent stages of forest tenure reform in order to identify needs and recommendations for strengthening the reform process. It is assumed that even if there may not be evidence of an active reform process, there is momentum to reconsider the tenure system or the governance of tenure and tenure reform.

The key components of forest tenure reform relate to:

- tenure;
- governance;
- policy and regulator framework.

These components and how they interact will define the success of the reform process.

As a first benchmark, ten key principles of forest tenure reform (See FAO, 2011, Forestry Paper 165) are introduced. Based on the lessons from a global review of experiences in forest tenure reform these principles can be used to assess the process and the outcomes of the current status of tenure reform. Through a SWOT exercise, strengths and weaknesses of each of the principles are further explored.

The assessment will be made in two steps. In the first step, participants will identify the main strengths and weaknesses of the current approach to forest tenure reform (including the making of legal changes, the implementation process and the development of institutional capacity) as well as opportunities and threats to achieve reform objectives. Recommendations for strengthening the tenure reform process will be presented and prioritized.

Building on the results of the first step, in the second session (3.2) participants will identify the core problems in the four priority recommendations that need to be addressed and propose solutions or strategies for addressing these problems. The results of the four focus groups in session 3.2 will be shared and discussed in session 3.3.

SESSION 3.1 Tenure reform principles and SWOT

Purpose:

In this session participants identify strengths, weaknesses, opportunities and threats related to the strengthening of forest tenure reform.

Learning objectives:

At the end of the session, participants can:

- describe the main strengths and weaknesses in the current forest tenure reform process by reviewing the reform process against key principles;
- explain how their recommendations for strengthening the reform process build on strengths and opportunities, and address weaknesses and threats.

Activities:

TIP: DIVERSIFICATION OF THE TRAINING METHODS

Another opportunity for diversification can occur at the beginning of session 3.1 (forest tenure reform assessment through SWOT). A local video or a presentation with discussion by people actively involved in tenure reform demonstrating the challenges they experience would be a good start to this session. Also, consider a panel with three people representing different perspectives on tenure reform followed by participant discussion as an alternative to the session plan for 3.1 presented in this guide. Note that if the SWOT analysis is replaced by a panel, then panelists should include presentation of their three priority recommendations for strengthening forest tenure reform for use as inputs in session 3.2 (problem solution analysis).

PART 1: THE PRINCIPLES

- Divide the participants into groups of three to five people. Have people walk around in the room, and ask them to form groups based on the number you call out. After a few rounds tell the participants that this is the group they will be working in for this session. (10 minutes)
- Trainer introduces the session: After analysing a forest tenure system, and exploring the present status of the reform system, the performance of the tenure system and ongoing reform processes

need to be assessed. The session is divided in two parts: a SWOT analysis and benchmarking of tenure system and process against key principles. (10 minutes)

TIP: ASSESSMENT OF TENURE REFORM – SYSTEM AND PROCESS

The SWOT analysis will help to get an overview of the strengths, weaknesses, opportunities and threats of the tenure system and the reform process. The result of the analysis will be used in the second part of the session which will focus on benchmarking against key principles for tenure and tenure reform. To assess and evaluate the performance, two tools will be introduced and used. The first, is a list of ten reform principles drafted from the lessons of a global review of experiences in forest tenure reform (See FAO, 2011, Forestry Paper 165). The second tool is the VGGT (FAO, 2012). This tool will be introduced and used on day four. This session will focus on using the ten principles as a benchmark for assessing performance.
It is critical to stress the importance of linking arguments developed in this half-day session to tenure and tenure reform. The risk exists that participants will focus on general forest management aspects or challenges affecting the whole sector.

- Introduce the principles very briefly: read them out as in Attachment 3.1A. (5 minutes)
- Distribute the principles, printed on cards (5 principles per group).
- Groups discuss each of the principles as follows (50 minutes):
  - What does the principle mean for your group in your context?
  - What evidence do you have that the principle is being followed?
  - What is missing to make the principle work?
  - Are there any violations against the principle that need to be addressed through the reform process?
- The results of the discussion are presented on flipcharts (one flipchart per principle). People move around between different flipcharts, and reflect on the findings by asking for clarifications and adding ideas. Individuals are given post-its to record their comments (orange colour), to ask questions for clarification (blue colour) and to reiterate a point (green colour). (30 minutes)
- Reflection in plenary (20 minutes):
  - Which principles get more attention at the moment, and why?
  - Tenure reform is not only shaped by our knowledge of existing tenure arrangements, but also by our vision and the policy and regulatory framework.
  - The reform is guided by the objectives and expected outcomes (and the underlying sector objectives) and by the governance principles and arrangements.

PART 2: SWOT ANALYSIS and RECOMMENDATIONS

- The results of the previous exercise will be presented in a SWOT diagram. This diagram will serve as the basis for the formulation of key recommendations for the tenure system and the reform process.
- Participants are asked to take the results from the previous exercise and translate these into key messages that address strengths, weaknesses, opportunities and threats for the tenure system and reform process. Participants write one idea per card. Cards are glued on four flipchart papers: one paper for one dimension. (30 minutes)
- Through a scoring exercise top key messages are ranked for each dimension. (20 minutes)
  - Participants are given four circles each, on which to stick key messages. Each sticker represents one vote.
  - Stickers can be used to score in any way they want: evenly spreading votes, putting all votes in one message, or any other way.
  - Scores are tallied, and top key messages are written on a flipchart.

- Participants and facilitator synthesize the key messages into four recommendations. (10 minutes)
  - The facilitator takes note of the four priority recommendations on a separate flipchart.
  - Conclusion: In the next session the main problem behind each recommendation will be identified and solutions developed. (10 minutes)
  - Distribute Handout 3.1 with request to participants to read handout before start of session 3.1 tomorrow morning.
  - Distribute Handout 5.1 with request to participants to read handout before start of session 5.1 on day four.

Materials:

- Presentation.
- Handout 3.1.
- Flipcharts with strengths, weaknesses, opportunities, threats.
- Flipchart titled Key recommendations.
- Cut-out cards with principles.
- Cards and markers for the teams.
- Circle stickers.

Time: 200 minutes.

FIGURE 5 A SWOT EXERCISE ON TENURE AND TENURE REFORM IN UGANDA

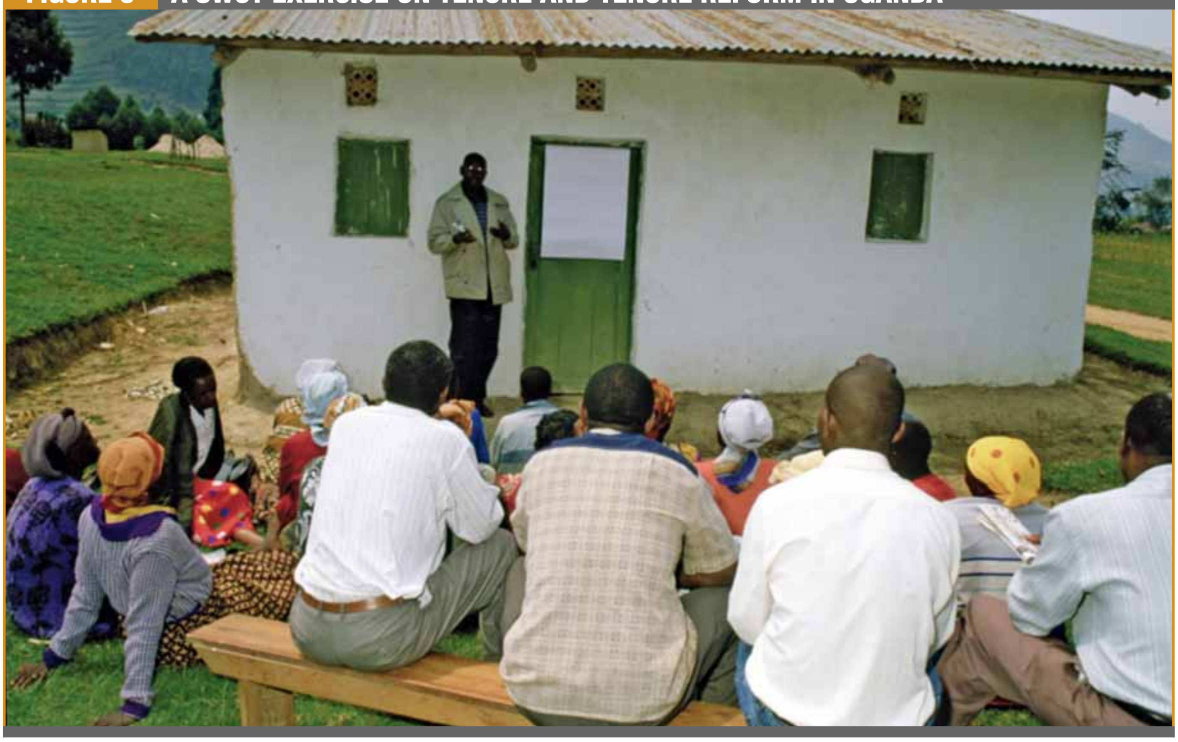

TABLE 3. SWOT TABLE

SWOT & recommendations for forest tenure reform			
Strenghts in reform process & arrangements	Weaknesses in reform process & arrangements	Opportunities in context	Threats in context
1) 2) 3) etc.	1) 2) 3) etc.	1) 2) 3) etc.	1) 2) 3) etc.
Recommendations		Recommendations	

KEY LEARNING POINTS:

- There is a need for tools that improve transparency in assessing the current tenure reform process as a basis for making and justifying recommendations for its strengthening.
- Priorities differ for different siutations and perspectives, but identifying the priorities for reform is a first step towards a more just tenure system and reform process.
- Rapid assessment tools such as SWOT can enhance the transparency of assessment and recommendations thereby facilitating rational discussion about the needs and priorities for improving the forest tenure process.

HANDOUT 3.1A. The ten tenure reform principles

Principle 1. Adaptive and multistakeholder approach: Effective tenure reform requires an adaptive, deliberative, reflective and multistakeholder approach.

Principle 2. Tenure as part of a wider reform agenda: Forest tenure reform should be implemented as part of a holistic and integrated reform agenda.

Principle 3. Social equity: All aspects of tenure reform should give attention to the empowerment of marginalized groups, particularly women and the poor.

Principle 4. Customary rights and systems: Relevant customary tenure systems should be identified, recognized and incorporated into regulatory frameworks.

Principle 5. Regulatory framework: The regulatory framework to support policy changes associated with tenure reform should be enabling as well as enforcing.

Principle 6. Tenure security: The regulatory framework should include mechanisms for making forest tenure as secure as possible.

Principle 7. Compliance procedures: Compliance procedures should be as simple as possible to minimize transaction costs and maximize the regulatory framework’s enabling effects.

Principle 8. Minimum standards for forest management: A minimum standards approach should be applied when developing management plans for smallholder or community use.

Principle 9. Good governance: Forest governance systems should be transparent, accountable and participatory, including multistakeholder decision-making processes.

Principle 10. Capacity building: Supportive measures should be in place to ensure that all stakeholders know their rights and responsibilities and have the capacity to exercise them effectively.

SESSION 3.2 Problem solution analysis in focus groups

Learning objectives:

At the end of the session, participants can:

- explain the process to generate solutions for identified problems in forest tenure reform in a transparent manner;
- list some proposed solutions towards an improved tenure system, and better reform process;
- describe some key principles for moderating discussion in focus groups.

Activities:

1. Introduce the session by explaining that based on the recommendations from the SWOT, concrete solutions for improved tenure and tenure reform need to be proposed. These solutions need to be based on a clearly defined problem and are derived from a cause effect relationship: in other words, what can be recommended and why? (30 minutes)
2. Problem identification in plenary, facilitated by trainer (30 minutes):
   a. Read out the four priority recommendations from the SWOT analysis and display each one on flipcharts spread around the room.
   b. Form groups by inviting participants to stand next to the flipchart with the recommendation they want to work on (trainer reshuffles as necessary to balance numbers in the groups).
   c. Ask groups to sit together and prepare a card with their definition of the core problem in the recommendation they selected.
   d. Display problem definitions on flipchart and invite individual comments from each of the other groups adjusting definitions as necessary.
3. Introduce the problem analysis through Presentation 3. Use an example to illustrate the process. Clarify how to turn the problem analysis into the solution analysis. Allow for plenty of questions for clarification and discussion. (30 minutes)

Trainer's note: problem and solution trees

It is important to start from a specific problem, not a general one. For example, a general problem statement could be:

The tenure reform process is not inclusive. Turning that general problem into a specific one could be: Group XX is not involved in the consultation process on the development of a new tenure reform process.

Following on from a specific problem, the problem tree links causes and the effects. Below this problem statement, the direct causes of this problem are listed, written in negative terms. After all the direct causes are listed, all indirect causes (the causes of the causes) are listed. This process is continued until ideas are exhausted, or too much repetition is observed. After the causes are listed, the same process is followed for the effects. These are placed above the causes.

A solution tree is developed by reversing the negative statements into positive ones. For example: a lack of knowledge becomes increased knowledge. The solution tree demonstrates the means–ends relationship between the objectives.

This tool is very useful to organize thinking on the causes and effects of problems, and the possible ways to address them. It helps to develop a logic, and a theory of change.

The success of the tool depends at the understanding of the participants and the skills of the facilitator. The more experienced the participants, the more nuanced thinking they will have. Likewise, the more experienced the trainer, the more clarity can be created.

4. Present guidelines for organizing and moderating discussion in focus groups. Distribute Handout 3.2. (10 minutes)
5. Focus groups do problem and solution analysis. (60 minutes)
6. Groups prepare reports. (10 minutes)

Materials:

- Presentation 3.
- Flipcharts with four priority recommendations from SWOT analysis.
- Cards, markers, post-its, flipcharts and tape for activities in plenary and in focus groups;
- Handout 3.2.

Time: 160 minutes.

KEY LEARNING POINTS:

- Moderated discussion and deliberation guided by analytical tools such as the problem solution analysis can be effective in making general recommendations operational.
- Moderating effective discussions in focus groups requires expertise and experience.

SESSION 3.3 Assessing options and recommendations

Purpose:

The purpose of this session is to share and critique findings and recommendations from the focus groups.

Learning objectives:

At the end of this session, participants will be able to:

- assess the validity and feasibility of recommendations for strengthening the reform process;
- describe how to present implementable recommendations to an expert audience.

Activities:

1. Identify volunteers to act as peer reviewers (two per team).
2. Teams share problem and solution trees. (4 x 10 minutes)
3. Other teams comment/critique findings and recommendations. Criteria for review include:
   - the linkages between problem and solution analysis;
   - the relevance and feasibility of the proposed solutions (outcomes and activities). (30 minutes)
4. Other participants comment, critique and suggest. (10 minutes)
5. Trainer facilitates discussion and sharing of comments on:
   - the relevance and usefulness of problem solution analysis for identifying the activities required for implementation of recommendations to strengthen forest tenure reform;
   - the quality of the discussion and tips to improve the moderation of the discussion;
   - the opportunities and constraints to apply this approach in practice after the training. (20 minutes)
6. Wrap-up with general conclusions based on previous discussion. Trainer refers to the next day's focus group discussions in which lessons learned from today's exercise can be applied. These also need to be recorded. (10 minutes)

Materials:

- Flipcharts with results from focus groups.

Time: 110 minutes.

KEY LEARNING POINTS:

→ The quality and relevance of recommendations to strengthen forest tenure reform can be greatly enhanced by tools that improve transparency.

SECTION 4: PARTICIPATORY TENURE APPRAISAL

This section focuses on participants practising their skills in using the tools and methods for tenure analysis with key stakeholders in the field exercise. The focus is on methods and skills required for participants to act more effectively as facilitators for small groups of stakeholders when making their assessment and formulating their recommendations for priorities in forest tenure reform.

In session 4.1, participants prepare their plans for fieldwork. They assess their own facilitation skills and divide the work.

Sessions 4.2. and 4.3 are conducted in the field (forest, village and district town).[2] In the second session, four groups of participants work with four groups of stakeholders to analyse tenure and make recommendations for forest tenure reform. In session 4.3, participants (assisted by the trainer) facilitate the debateon recommendations for forest tenure reform by members of the different stakeholder groups.

SESSION 4.1 Prepare and share field plans

Purpose:

The purpose of this session is for participants to prepare plans for facilitating analysis with stakeholders, including assignment of roles based on experience and skills.

Learning objectives:

At the end of this session, participants can:

- describe how to involve key stakeholders in identifying needs for tenure reform;
- explain methods to elicit stakeholders' opinion and advice in the design of forest tenure reform activities;
- describe how to facilitate deliberation and debate among stakeholders.

Activities:

1. Presentation of the rationale for the fieldtrip and the tasks. (30 minutes)
2. Discussion to identify stakeholder groups to meet during the fieldwork. Considerations could be on their: influence on decision-making, vicinity and dependence on forest resources, or on the uniqueness of their relation to the forest.
   - male forest users;
   - female forest users;
   - forest enterprises;

[2] Please refer to the Annex for preparations of field programme.

   - youth;
   - village leaders;
   - local forest officials.
4. Preparation of activity plan according to Presentation 4 and Handout 4. The information to be collected is described in Attachment 4.1. (60 minutes)
5. Discussion on roles of group members in implementing the activity plan. (15 minutes)
   Key questions are:
   a. Who has experience in facilitating PRA at local level?
   b. Who feels confident in facilitating the questioning and answering?
   c. Who will take notes carefully, and who will manage the time?
   d. How will possible language barriers be handled?
6. Preparation of a dry run of the field exercise. (15 minutes)
7. Practice (60 minutes):
   a. A peer review theater is organized and introduced as an opportunity to practise and learn about the communication and organization of the fieldwork. It is meant to clarify roles and responsibilities and create a safe learning environment for good practices.
   b. One group plays the role of the stakeholder group while the other demonstrates their approach during various exercises and the introduction.
   c. Participants and facilitators give feedback on communication skills, with special attention given to questioning skills and the building up of trust. A reflection on potential language barriers is also included.
8. Instructions on the field visit and the arrangements.
9. Groups review their preparations, prepare the materials and adapt their screenplay. (30 minutes)

Materials:

- Presentation 4.
- Handout 4.
- Cards/flipcharts with stakeholder labels for group formation.
- Notebooks, pens, flipcharts, cards, markers for facilitation of fieldwork.

Time: 210 minutes.

KEY LEARNING POINTS:

- Clarity about the focus or purpose and the main topics of discussion is critical for the success of discussion with stakeholders.
- Careful design of the flow of the discussion enhances the confidence of facilitators in terms of their ability to guide the discussion.

ATTACHMENT 4.1 Developing the focus group discussion guide

The first step in developing the field plan is to specify the objective of the focus discussion, the main topics, the subtopics and to 'game out' some examples of questions for probing.

1. Defining the objective of the discussion

The team should try to come up with one objective that villagers find relevant. The team should explain to stakeholders that the objective is 'to understand the forest tenure system better', as well as identify challenges with the system and recommendations to improve its performance from a sustainability and governance perspective. Be careful not to raise unrealistic expectations related to the follow up from the visit.

Examples of objectives:

- to understand how people use and manage the forest;
- to understand what the main problems and opportunities are for increasing the benefits and improving forest conditions;
- to understand who has what rights to use and manage the forest.

The team will likely come up with different possible objectives as in the examples above. Use the examples to explore how objectives could be reformulated as questions for discussion and clarification with the villagers.

All team members need to contribute their ideas about the objective. Use cards and brainstorming to ensure group participation.

2. Identifying topics and subtopics

Suppose the team's main objective is 'understanding problems and opportunities for more benefits from better forests'. The team then needs to think of a logical way of identifying the main topics for discussion.

For example, first understand/discuss: 'forest', 'benefits', 'opportunities' and 'problems and solutions'.

1. FOREST

Consider how to identify subtopics or themes that best help you to achieve your objective. A simple example could be first to understand the forest's resources and uses and then try to understand why it is in its present condition (e.g. through understanding its history).

a. What forest areas or resources are used?

Generate questions with six helpers and identify tools that could assist discussion.

For example:

- What resources, where(possible tool: sketch map)?

- Who uses what resources?
- How are resources used/harvested (any restrictions)?
  - Probe all answers and generate discussion by use of the other helper, particularly in relation to the 'why' after using the 'what', 'how', 'where', 'when' and 'who'.

b. Changes over time

- What did forests look like when you were young?
- What happened, and what effects have there been on forests and their benefits?
- How has access to or use of forests changed?

2. FOREST USE AND MANAGEMENT

For example: Think of using the tenure box to synthesize the findings in terms of uses. Adapt the rights categories on the Y axis of the tenure box and the main categories of users on the X-axis. Then, fill in the matrix with the main uses and management (see restrictions/rules for use) based on the findings in earlier discussions and generate additional findings by asking questions.

Next, identify problems and opportunities related to each of the findings. For example there may be challenges with how the rights are exercised by one of the stakeholders.

Formulate recommendations on how to strengthen this. or example, include shifting rights and responsibilities for management amongst categories of users.

During the preparation of the field plan, participants prepare a mock-up template of the adapted tenure box and use an example they are familiar with to practise:

- generating additional ideas (for 'filling in the boxes' in the matrix);
- identifying opportunities and problems in generating more benefits and improving forest conditions;
- suggesting ways of addressing these problems and opportunities including shifts in management rights and responsibilities.

3. RECOMMENDATIONS

The outcomes from the previous round of discussion is the basis for the formulation of three to five main recommendations for change in tenure arrangements that realize more of the opportunities for greater benefits and better forest conditions and/or address some of the main problems.

Probing (following up on answers and discussion by stakeholders with open questions) is the key challenge in all steps. It is the responsibility of the facilitator (moderator) who is assisted by the other team members. Before moving to another (sub)topic, the facilitator always asks other team members: "Does anybody have any other questions?"

SESSION 4.2 Implement appraisals

Session 4.2 is merged with session 4.3, where a detailed account can be found.

SESSION 4.3 Share and debate recommendations

Purpose:

This session is designed to enhance skills in participatory appraisal of tenure systems and tenure reform.[3]

Learning objectives:

At the end of the fieldtrip, participants are able to:

- reflect on the key issues and recommendation for tenure reform and the governance of the reform process;
- reflect on the usefulness of tools for informed and participatory decision-making;
- communicate the importance of tenure and tenure reform with community members.

Activities:

1. Travel to field site. (60–90 minutes)
2. Introduction (30 minutes)
   - Stakeholders welcome the group, and invite them to the pre-arranged meeting place.
   - Group leader introduces group members.
   - Group leader/training organizer explains the purpose, rationale and process of the exercise:

   This day is part of a training that seeks a better understanding of the area of field study and the forest management regime.
     – The results are used to analyse the tenure situation and to discuss recommendations for reform, and will be presented and used at the high-level policy dialogue.
     – The objective is to get first-hand experience to understand what works well and what can be improved.
     – Process: After the introductions, the groups will work together to collect information on the forest and the relation of the stakeholders to the forest, including the geography, the history, the use and the conditions of use, the ownership, the tenure and the relationships between the stakeholders. The discussion should also identify possible areas of improvement.
     After the information is collected, it will be shared collectively and a discussion will follow.

[3] Cf. Appendix, preparing for fieldwork.

- Stakeholders introduce themselves: their name, their hometown, their job and their organization. Group composition is explained again.

3. Facilitating analysis (maximum 150 minutes):
   - as per field plans of four working groups;
   - map, history, stakeholder groups, rights, responsibilities, communication and decision-making processes.
4. Lunch (90 minutes).
5. Sharing and debating recommendations (120 minutes)
   - different groups present the results, i.e. training participants and stakeholder group representatives;
   - questions for clarification are asked;
   - after the groups have presented, a discussion will be organized as follows:
     - Do we all have a common understanding?
     - What is recommended?
     - What are the key messages with respect to the system and the governance of the tenure and tenure reform?
   - as per field plan for the fishbowl debate.
6. Return travel (60–90 minutes).

Materials:

- Flipcharts and cards prepared in session 4.1.
- Blank flipcharts, cards and markers.

Time:

- travel: 2 x 60–90 minutes= 2–3 hours;
- analysis (including introductions): 3 hours;
- lunch: 1.5 hour;
- debate: 120 minutes.

KEY LEARNING POINTS:

→ The knowledge and experience of forest users and local officials are key to the effectiveness of forest tenure reform.

→ Forest users need to be effectively represented in the governance, planning and implementation of forest tenure reform.

SESSION 4.4 Reflection in training room

Purpose:

In this session participants reflect on the role and relevance of collecting and processing first-hand information on tenure and tenure reform.

Learning objectives:

At the end of this session, participants are able to:

- justify and advocate for community-based consultation, planning;
- clarify the importance of accountability and representation from the perspectives of the community members;
- reflect on their capacity to facilitate consultation at community level.

Activities:

1. After an introduction of the objectives and a brief discussion on the organization of the fieldtrip, participants return to their groups and discuss the following questions:
   a. What was learned from the fieldtrip with regards to tenure, rights, responsibilities and the reform process?
   b. What went particularly well, and what not? Why?
   c. What are the main attributes of a facilitator?
   d. What would you like to improve in terms of your skills to facilitate similar discussions? (15 minutes)
2. Answers are written on cards (one question, one colour), and are collected on four boards/flipcharts. (15 minutes)
3. Participants are invited to walk around, to observe answers and to discuss among themselves.
4. For each of the questions two people are asked to cluster the answers. (15 minutes)
5. The clusters are presented briefly by the participants. (15 minutes)
6. The trainer closes the session with a brief reflection. (15 minutes)

Materials:

- Flipcharts and cards prepared in session 4.1.
- Blank flipcharts, cards and markers.

Time: 90 minutes.

SECTION 5: TENURE GOVERNANCE ASSESSMENT

In this section we build on the results from all previous sections, to identify the improvements in tenure governance arrangements and principles that will contribute to more effective, sustainable and equitable tenure arrangements and to tenure reform processes that are more transparent, accountable, comprehensive, inclusive, representative, informative and empowering. This section also looks at how these goals can be realized and who needs to be involved and made responsible for the improved governance of tenure and tenure reform processes.

In the first session (5.1), the institutional arrangements for forest tenure governance are explored, with an emphasis on the role and capacity of non-state actors in forest governance. In the second session (5.2) a framework for benchmarking the statutory tenure governance arrangements (national law) is introduced and used for the identification of priorities for development of forest tenure governance. In the third session (5.3), the findings and recommendations for strengthening forest tenure governance are shared and discussed.

SESSION 5.1 Strengthening tenure governance institutions

Purpose:

Participants identify opportunities, strategies and change agents for strengthening institutional arrangements for tenure governance.

Learning objectives:

At the end of this session, participants can:

- explain why better governance is important for the effectiveness of forest tenure reform activities;
- explain how tenure reform can contribute to more responsible forest tenure governance;
- describe examples of needs, opportunities, strategies and agents for change in the development of more responsible arrangements and practices in forest tenure governance.

Activities:

1. The trainer introduces the session and the objectives. As this introduction is the bridge from analysis of the current situation and proposals for the future, towards governance of tenure and especially governance of the tenure reform process, it is critical to take stock of the process and the key messages. This stocktaking can be done by referring to the training flow and key flipcharts. It should be done together with the participants by asking questions about their understanding of the flow and the key lessons. (10 minutes)

2. Next, a brainstorming is organized on what priorities people see with respect to the process of reform. What should the process look like, who should organize it and why is it important to have it? Ideas are clustered as follows: the need for strengthening institutions that are more representative of and accountable to the new forest rights holders, and the implications of that for changes in mode of governance. (30 minutes)
3. Summarize by referring to the governance aspect of the reform. Different definitions of governance are presented and participants are asked what they mean and which one they would subscribe to (see Attachment 5.1). (30 minutes)
4. The task is introduced by explaining that to improve the governance of the tenure reform, we need to identify opportunities, strategies and change agents for strengthening institutions that better represent local level rights holders in tenure governance.
5. Presentation of working group tasks and reference to case studies guiding the working groups follows (see Presentation 5.1). The facilitator introduces various options to strengthen governance: self-governance, co-governance and capacity development of local institutions to make them more representative and accountable. For each of the options, groups are requested to identify strategies on how this could be done and what implications the suggested approach would have for the institutions involved and their relationships. Also, in the case of capacity-building, change agents with the demonstrated capacity to support strengthening of local institutions (including those in related natural resource sectors such as fisheries, water etc.) need to be identified along with their role in the forest tenure reform process (see Attachment 5.2).

   If good people can be found who are engaged in enhancing representativeness and accountability of local, intermediate and national level forest tenure governance institutions, a panel discussion with the perspectives from these three levels could be most interesting. (30 minutes)
6. Group formation and group work focusing on identification of opportunities and strategies for strengthening representative and accountable institutions at local, intermediate and national levels (60 minutes):
   - group formation of three groups, as in previous sessions with names of post-its and indicating first preference (i.e. local, intermediate and national levels)
   - work of groups guided by case studies (in Handout 5.1 distributed in session 2.1)
7. Findings and recommendations are shared and clarification reached. (10 minutes)
8. Recommendations are summarized and key recommendations are listed. Clarify that these recommendations will give a general idea only and that the next session will go into more detail. (30 minutes)
9. Discussion and wrap-up. (10 minutes)

Materials:

- Presentation 5.1.
- Handout 5.1.
- Flipcharts, cards and markers.

Time: 210 minutes.

KEY LEARNING POINTS:

- Good governance is both a requisite for success in forest tenure reform as well as an expected outcome of reform processes.
- Empowering new forest rights holders requires the development of institutions that represent their views and interests and are accountable to them.
- The emergence of new institutions representing new rights holders requires change in the hierarchical mode of forest and forest tenure governance.

ATTACHMENT 5.1 Co-governance at intermediate level

Two strategic options for strengthening co-governance at the intermediate level need to be considered. One option is to reinforce the self-governed part in co-governance arrangements (e.g. through district or provincial level networks of local institutions). The second option is the organization of co-governance arrangements such as multistakeholder groups.

Participants need to identify examples of informal district/provincial level networks and multistakeholder groups in forestry and/or in other related natural resource or rural development sectors.

The implications for the role of such networks and/or multistakeholder groups in forest tenure reform need to be identified as well as the role of change agents/facilitators.

Co-governance at national level

Participants are invited to identify suitable examples of co-governance arrangements in public sector reform in other sectors, and to use their knowledge of these examples to propose a possible national multistakeholder arrangement for the governance of tenure reform.

They may consider the range of actors involved in tenure governance as identified in the VGGT: "implementing agencies; judicial authorities; local governments; organizations of small-scale producers, and of forest users; pastoralists; indigenous peoples and other communities; civil society; private sector; academia; and all persons concerned with tenure governance … to promote the cooperation between the actors mentioned".

They need to identify:

- who needs to be represented at the national level and how that could that be done;
- how representatives would be (s)elected;
- the likelihood that co-governance interactions will be adopted by all partners (see handouts);
- who will be able to convene the multistakeholder governing group and to facilitate its operations in accordance with co-governance principles.

2. Tasks of working groups exploring needs, opportunities, strategies and change agents

Three working groups of participants are requested to:

- identify challenges and opportunities to select institutions that are accountable to the new rights holders and can represent them in forest tenure reform;
- identify needs and opportunities for strengthening representativeness and accountability of existing institutions as part of the tenure reform processes;
- explore needs/opportunities for new (multistakeholder) institutions or mechanisms where appropriate;
- propose development strategies (process/activities) and identify change agents;
- conclude and make recommendations.

The three working groups are to focus on the local, intermediate (district, province, region) and national levels, respectively.

Sharing and discussion

The three working groups will share their main findings and discuss how these assessments could be made in a more thorough manner after the training. Each working group presents one to two flipcharts with:

- needs and opportunities;
- strategies;
- change agents.

ATTACHMENT 5.2 Governance definitions

1) Governance is the exercise of political, economic and administrative authority in the management of a country's affairs at all levels.
2) Governance means the process of decision-making and the process by which decisions are implemented, or not implemented.
3) Governance means rules, processes and behaviour that affect the way in which powers are exercised at the European level, particularly with regard to openness, participation, accountability, effectiveness and coherence.
4) Governance consists of the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them.
5) Governance is about the institutional environment in which citizens interact among themselves and with government agencies/officials.
6) Governance encompasses the values, rules, institutions and processes through which people and organizations attempt to work towards common objectives, make decisions, generate authority and legitimacy, and exercise power.
7) Governance is the process whereby societies or organizations make important decisions, determine who to involve and how to render account.
8) Governance is the process or method by which society is governed.

SESSION 5.2 Tenure governance assessment – benchmarking

Purpose:

This session aims to have participants practise assessment of forest tenure governance (with an emphasis on the role of the state) through benchmarking.

Learning objectives:

At the end of this session, participants can:

- explain the good practices for forest tenure governance presented in the VGGT (FAO);
- assess state of current tenure governance in the country through comparison with internationally accepted good practices.

Activities:

1. Introduce framework of internationally accepted good practices in forest tenure governance adapted from the VGGT and instructions in Attachment 5.2A, for use of the framework in the group exercises. (30 minutes)
2. Form four assessment groups for benchmarking four sets of practices in responsible forest tenure governance. Assign different groups to different criteria for the assessment, as listed in Attachment 5.2B. (15 minutes)
3. All working groups study the instructions for benchmarking and design their agenda (review and adapt suggestions below) for group work with tentative allocation of time to items. (20 minutes)
   a) All working groups clarify, critique and adapt 'objectives and guiding principles'. (20 minutes)
   b) Working groups benchmark assigned tenure governance aspects through the following steps:
   i. Clarify and agree on the common understanding of the benchmarks through discussion, examples and consultation of the text of the VGGT. (30 minutes)
   ii. For each benchmark, assess the state of arrangement or practice in the country through a brief description (keywords on cards) and visual arrangement on the flipchart adapted from the handout. (50 minutes)
   iii. Analyse findings, suggest priorities (with rationale) and make five recommendations. (20 minutes)
   iv. Prepare report as per format in Handout 5.2. (20 minutes)

Materials:

- Presentation 5.2.
- Handout 5.2.
- Copies of the VGGT (http://www.fao.org/nr/tenure/voluntary-guidelines/en/) for reference by working groups.
- Flipcharts, cards of different colours and markers.

Time: 180 minutes.

KEY LEARNING POINTS:

- Well-organized good practices are useful to assess the status of current arrangements and practices in forest tenure governance.
- The large number of needed improvements in current tenure arrangements requires the setting of priorities and the adoption of a staged development approach with effective arrangements for monitoring, evaluation and learning.
- Developing proper arrangements and practices for responsible forest tenure governance requires the active involvement of a wide range of actors and sectors.

ATTACHMENT 5.2A Benchmarking of governance of tenure reform against the voluntary guidelines

The framework for benchmarking

The three main components of the framework are:

- goals, objectives and principles;
- policies and programmes;
- tenure arrangements.

In our benchmarking exercise we focus on these in the reverse order. Most of the benchmarks are provided for the tenure arrangements, followed by those for policy and programmes.

Parts of the higher-level component of the framework are presented in the Appendix to this handout.

Most of the implementation principles have been explored in earlier sessions, with the exception of three. The first, is the principle of the rule of law, referring to the adoption of a rules-based approach, applicable to all, equally enforced and independently adjudicated (see the Appendix for the full text).

The other two are:

1. Human dignity: recognizing the inherent dignity and the equal and inalienable human rights of all individuals.
2. Non-discrimination: no one should be subject to discrimination under law and policies, as well as in practice.

Using the framework for benchmarking

Four assessment groups are formed. Each group assesses the state of existing practices and arrangements in forest tenure governance in the country by using the internationally accepted good practices mentioned below as standards.

Group 1: II.4. Government's rights and responsibilities; II.5. Policy, legal and organizational frameworks; II.6. Delivery of services.

Group 2: III. Legal recognition/allocation of rights (7-10); IV.12. Investments; IV.14. Restitution.

Group 3: IV.16. Expropriation and compensation; V. Tenure administration; V.17. Records; V.18. Valuation; V.19. Taxation; V.20. Regulated spatial planning.

Group 4: V.21. Dispute resolution; V.22. Transboundary matters; VI. Response to emergencies (VI.23-25.); VII. Implementation and monitoring and evaluation.

Process

1. Review VGGT goals, objectives and principles see handouts.
   - Which goals, objectives and principles are more/less relevant and why?
   - Formulate goals, objectives and principles for forest tenure governance in the country on one flipchart.
2. Clarify and rank the practices.
   - Go through the practices one by one. Check whether all members are clear about what is meant and, if needed, consult the guidelines for clarification.
   - Next, discuss the relevance of the practice for strengthening tenure governance in the country and rank accordingly (3=very relevant, 2=relevant, 1= less relevant for us).
   - After completing the scoring of each practice, select the ten most relevant ones for benchmarking.
3. Benchmarking.
   - For each good practice, discuss and describe the status of current practice. (Use coloured cards on flipchart: red cards for bad current practice, yellow cards for need for improvement, green cards for good practice).
   - After completing the assessment, the group selects three practices as priorities to be improved: consider goals, objectives and principles when selecting priorities.
   - Discuss how the selected priority practices can be improved and summarize these ideas on cards that are placed next to the selected priority practice.
4. Prepare/finalize flipcharts for sharing:
   - flipchart with goals, objectives and principles for responsible tenure governance;
   - flipchart with results of benchmarking ten practices;
   - flipchart with suggestions for improvement of the three selected priority practices.

ATTACHMENT 5.2B Summary of practices to be assessed by groups

ASSESSMENT GROUP 1: II.4., II.5., II.6. (numbers refer to corresponding sections in voluntary guidelines - VGGT, available for reference/clarification of meaning of the practice if needed).	
II.4. Government's rights and responsibilities:	**II.6. Delivery of services:**
• commitment to tenure governance as important tool to achieve policy goals; • honour international commitments; • human rights and tenure security; • limitations to rights (others' rights and environment); • remove discrimination; • provide assistance; • provide access to justice.	• review services of implementing agencies (e.g. land registry and spatial planning); • streamline/improve procedures; • widely publicize materials; • guidelines for consistent implementation; • standards and use of technology for sharing of relevant information; • staff training; • legal aid, paralegals, mobile services; • accountability of implementing agencies and courts/external review/ombudsman; • eliminate corruption.
II.5. Policy, legal and organizational frameworks	
• frameworks supported by broader reforms; • in line with international agreements; • recognize legitimate rights; • reflect multifaceted significance of natural resources; • equity; • interconnections of land, fisheries, forestry; • participatory processes and widely publicized; • clear roles and responsibilities of agencies, including coordination; • levels of government and subsidiarity: what is best done at what level; • define and publicize opportunities for private, civil and academic actors; • regular monitoring and review and engagement with other actors in this process.	

ASSESSMENT GROUP 2: III.7., III.8., III.9., III.10. and IV.12., IV.14. (numbers refer to corresponding sections in voluntary guidelines, available for reference/clarification of meaning of the practice if needed).	
III. Legal recognition/rights allocation	
• Safeguards: • protect legitimate rights; • in line with international agreements; • identify all existing rights and right holders; • involve all; • right of appeal; • include spouses in records; • support to inform and enjoy rights; • prevent forced evictions/provide alternatives.	**10. Informal tenure:** • acknowledge existence, in line with internationall commitments; • legal recognition through participatory processes; • limit causes of informality; • eliminate corruption; • prevent forced eviction.
	IV. Transfers of Rights
8. Public natural resources: • determine use and control in light of broader objectives and int'l commitments; • respect existing rights and holders; • provide and publicize legal recognition; • inventories of public resources and existing rights; • allocate which resources for public and for private use, and under what conditions; • transparent management and transfer; • safeguard local livelihoods; • provide support; • prevent corruption/public disclosure; • monitor.	**12. Investment and concessions:** • relate to broader objectives and international commitments; • should do no harm; • FPIC and good faith negotiation with local communities' negotiated agreements and policies; • identification of existing rights; • dispute resolution; • certification.

see next page

ASSESSMENT GROUP 2: III.7., III.8., III.9., III.10. and IV.12., IV.14. (numbers refer to corresponding sections in voluntary guidelines, available for reference/clarification of meaning of the practice if needed).	
9. Indigenous and customary tenure: • recognize range of values for local communities; • promote equity and participation in self-governed systems, in line with international IP, HR a.o. commitments; • adapt legal frameworks to include customary systems; • FPIC and good faith negotiations; • technical and legal assistance; • conflict resolution for overlapping claims; • prevent corruption.	**14. Restitution:** • provide restitution for loss of tenure rights; • transparent process for restitution.

ASSESSMENT GROUP 3: IV.16, V.17–20. (numbers refer to corresponding sections in voluntary guidelines, available for reference/clarification of meaning of the practice if needed).	
16. Expropriation and compensation: • only if needed for public purpose; • purpose clearly stated; • transparent participatory process; • adequate compensation; • participatory process; • training.	**19. Taxation** • consider broader objectives and international commitments; • annual and incidental taxes; • efficient and transparent administration of taxes, including right of appeal; • capacity development; • associations and professional standards; • prevent corruption.
V. Tenure Administration	
17. Records • record, maintain and publicize tenure rights and duties; • single system or common framework; • transparent, accessible to all and at right level – (mobile) service centers; • use local professionals; • adequate services and supervision; • capacity development; • appropriate procedures and standards; • access to information; • standards and associations; • prevent corruption.	**20. Regulated spatial planning** • conduct spatial planning in line with broader objectives and international commitments; • participatory inclusive process, include customary processes; • recognize interconnectedness and balancing interests, standards; • wide public participation; • capacity development; • standards and associations; • prevent corruption.
18. Valuation • appropriate valuation systems; • transparency in valuation; • onsider non-market values; • national standards for valuation; • public access to valuation information; • capacity development; • standards and associations; • prevent corruption.	

ASSESSMENT GROUP 4: V.21. and V.22., VI.23–25., VII.	
21. Dispute resolution • mechanisms at right levels and in line with international commitments; • affordable and accessible to all; • special bodies (arbitration/tribunals); • alternative dispute resolution mechanisms; • right to appeal; • special services: legal assistance, paralegals; • associations and standards; • prevent corruption.	**24. Natural disasters** • address tenure in preparing and responding to natural disasters; • in line with international commitments; • information on tenure in vulnerable areas and tenure security for displaced people including in areas where they go; • include tenure in emergency response phase; • address tenure in reconstruction phase.
22. Transboundary matters • cooperation on aspects that cross borders; • promote improved understanding of transboundary tenure issues; • settle international boundaries where needed; • harmonize legal standards;	**25. Violent conflicts** • address tenure in violent conflicts; • in line with international commitments; • develop peaceful means for resolving conflicts; • protect tenure rights in violent conflicts; • consider restitution for displaced persons; • or secure access to alternative resources; • eliminate discrimination and re-establish agencies to deliver services.
VI. Response to emergencies	**VII. Implementation, monitoring and evaluation**
18. Valuation • appropriate valuation systems; • transparency in valuation; • onsider non-market values; • national standards for valuation; • public access to valuation information; • capacity development; • standards and associations; • prevent corruption.	**18. Valuation** • collaborate and disseminate information; • participatory approaches to monitoring and evaluation with multistakeholder involvement and sharing of experiences (regional and global networks); • complemented by monitoring and evaluation by international bodies.

SESSION 5.3 Share findings and recommendations

Purpose:

Participants share and compare findings and recommendations on strengthening forest tenure governance from groups and sessions.

Learning objectives:

At the end of this session, participants can:

- explain how benchmarking as a tool can assist in improving current practices;
- describe the advantages and disadvantages of benchmarking for strengthening forest tenure governance;
- explain and clarify recommendations for improved governance of forest tenure reform processes.

Activities:

1. Share findings and recommendations from assessment groups. (30 minutes)
   - present summary of results of governance goals, objectives and principles (flipchart 1)
   - present recommendations for three priority practices (flipchart 3)
   - display results of benchmarking ten relevant practices (flipchart 2)
2. Peer review and synthesis: different rounds of presentations with rotating groups (marketplace). (70 minutes)
   - Peer review: one presenter per round, and comments on post-its. (10 minutes per round; 30 minutes)
   - Synthesis:

Result group 1	Reviewed by group 2
Result group 2	Reviewed by group 3
Result group 3	Reviewed by group 4
Result group 4	Reviewed by group 1

- – Following introduction to the results of all the groups, individual participants prioritize their recommended and agreed tenure governance goals, objectives and principles. (20 minutes)
- – Each participant receives three stickers of different colours (one for goals, one for objectives and one for principles).
- – Participants put their sticker on preferred goals, objectives and principles.
- – Trainers summarize goals, objectives and principles with most votes and confirm that participants agree these are to be recommended.
- – Next, trainers ask whether some participants can justify adding other goals, objectives and principles to the recommendations.

– Recommended priority practices are then addressed following the same method as for the goals, objectives and principles. (20 minutes)

3. Wrap-up (20 minutes)
   - Compare with the recommendations of session 5.1 and discuss.
   - Ask participants to indicate what the opportunities and constraints are in applying benchmarking after the training.

Materials:

- Flipcharts with results from assessment groups.
- Three coloured stickers per participant).

Time: 120 minutes.

SECTION 6: ACTION PLANNING

In this section the recommendations from the daily reviews are considered and prioritized as the basis for the preparation of an agenda for strengthening forest tenure as well as organizational action plans. Action plans are shaped in the most appropriate form of communication (presentation, email with attachment, briefing note etc.) with priority recommendations to colleagues upon return from the training. Participants share and review their planned presentations and proposed actions.

SESSION 6.1 Take stock

Purpose:

Participants take stock and organize the recommendations from the daily reviews as an agenda for strengthening forest tenure in the country.

Activities:

1. Introduce the action planning process: see Presentation 6. (10 minutes)
2. Review the recommendations from all daily reviews. (10 minutes)
3. Organize (cluster) the recommendations based on similarity in focus. (10 minutes)
4. Prioritize the recommendations based on perceived importance to strengthen forest tenure reform and governance. (20 minutes)

- Each participant can select five priorities (five stickers per participant).
- Discuss and challenge (probe for reasons) selected and non-selected priorities.

5. Identify key issues that have not been addressed (10 minutes):
   - review parking lot;
   - select priority issues.
6. Review the clusters from 3, the priority recommendations from 4 and the priority issues from 5, and cluster the outcomes based on similarity in focus. Identify categories that best describe these clusters (trainer suggests and participants comment). (10 minutes)
7. Arrange the cards from steps 3 to 5 under each category and explain that this is our proposed agenda for strengthening tenure reform and governance to be submitted for discussion by other stakeholders, and to be used by the participants as the basis for preparation of their action plans in session 6.2. (15 minutes)
8. Wrap-up (5 minutes)

Materials:

- Flipcharts with results from daily reviews.
- Cards and flipcharts for organizing recommendations.
- Stickers (5 per participant) for selecting priorities by voting.
- Parking lot.
- Presentation 6.

Time: 90 minutes.

TRAINING TIP:

Trainers should organize the recommendations from the daily reviews before the start of the session.

SESSION 6.2 Prepare action plans

This session is a critical component of the training. Developing an action plan will help participants identify steps towards a better governed tenure reform process. It will also assist them in the reflection process allowing participants to synthesize what they learned and to consider how it relates to their practice.

Purpose:

Participants prepare action plans and communication formats for organization-specific recommendations.

Activities:

1. Form three to five working groups of participants working in organizations with similar roles in tenure reform and governance. (10 minutes)
2. Working groups prepare action plans for three priority recommendations (from previous session). (40 minutes)
3. Working groups prepare and present their action plans in an appropriate communication format. (40 minutes)

Materials:

- Flipcharts with priorities from previous session.
- Flipcharts, laptops for the communication formats.
- Handout 6.

Time: 90 minutes.

SESSION 6.3 Share and review action plans

Purpose:

Participants share and receive feedback on communication of action plans.

Activities:

1. Explain the review process (e.g. members from group 2 are to comment on presentation of group 1). (5 minutes)
2. Working groups present their action plans in their chosen format. (50 minutes)
3. Comments/suggestions from review group. (5 minutes)

4. Comments/suggestions from others. (5 minutes)
5. Wrap-up (5 minutes)

Materials:

- Presentations from working groups.
- Handout 6.

Time: 90 minutes.

SECTION 7: TRAINING EVALUATION AND CLOSING

The training is evaluated by participants through an informal debate and two more structured questionnaires. One questionnaire is the self-assessment form introduced in session 1.2, with a focus on the 'after the training' section. An additional form is included for evaluation of the training elements.

The final part of the training is the closing ceremony, including the closing statement by the same speaker who made the opening statement, if possible, and the handing out of certificates.

SESSION 7.1 Informal evaluation

Purpose:

This session aims to elicit feedback on the training from participants in a semi-structured manner.

Activities:

1. Trainer prepares three statements about the training that will generate debate amongst participants enabling them to share their honest assessment of relevance and quality.
   - Think of statements that most participants will likely disagree with, for example:
     – "This training was perfect".
     – "All lessons and methods from this training can be readily applied in practice".
2. Participants debate the statement through a fishbowl debate. A description of the fishbowl debate method can be found in Handout 4. (30 minutes)
   - Debate involves three rounds of 10 minutes each.
   - The trainer reads the statement out loud and glues it on an open chair or puts it on a flipchart.
   - Four to five participants debate the statement and react to responses from the observers/remaining participants.
   - The participants at the centre are replaced for each round.

FIGURE 6 FISHBOWL DEBATE

(picture courtesy of P. O' Hara).

Materials:

- Three statements for debate about the training;
- flipchart if required.

Time: 30 minutes.

SESSION 7.2 Formal evaluation

Purpose:

This session aims to elicit feedback on the training in a structured manner.

Activities:

1. Complete self-assessment form ‘after training’ assessment (Handout 1.2). (15 minutes)
2. Complete training evaluation form (Handout 7.2). (20 minutes)

Materials:

- Handout 1.2 self-assessment form.
- Handout 7.2 training evaluation form.

Time: 35 minutes.

SESSION 7.3 Closing

Purpose:

This session provides a formal close to the training. Participants are encouraged to apply their action plans and certificates are issued.

Activities:

1. Brief closing statement by speaker(s) (10 minutes):
   - highlights of the training;
   - main points in action plan;
   - expression of support to participants in terms of implementing their action plan and applying the lessons from this training.
2. Issue certificates (optional) (20 minutes)
   - Request that the speaker(s) hand certificates to participants in the closing ceremony.

Materials:

- Certificates.

Time: 30 minutes.

5. Sample training agendas

TABLE 4. TENTATIVE PROGRAMME EIGHT-DAY TRAINING

		DAY 1	DAY 2	DAY 3	DAY 4	DAY 5: **Fieldwork**	DAY 6	DAY 7	DAY 8
AM	Session 1	Section 1. Setting the stage for the training	2.3 Forest tenure analysis – sharing and discussion of results	3.2 Problem solution analysis in focus groups	Section 4. Participatory tenure appraisal – field exercise preparations	4.2 Implement appraisals	Section 5. Tenure governance assessment	5.3 Share findings and recommendations	High-level policy dialogue
		1.1 Opening			4.1 Prepare and share field plans		5.1 Strengthening tenure governance institutions		
		1.2 Participants' introduction and expectations							
		1.3 Training objectives, programme and implementation arrangements							
	Session 2	Section 2. Forest tenure analysis			4.1 Prepare and share field plans and daily review			Section 6 Action planning	
								6.1 Take stock	
		2.1 Forest tenure concepts						6.2 Prepare action plans	
PM	Session 1	2.2 Forest tenure analysis	Section 3. Forest tenure reform assessment	3.3 Share and discuss results	Free	4.3 Share and debate recommendations	5.2 Tenure governance assessment – benchmarking	6.3 Share and review action plans	CLOSING
			3.1 Tenure reform principles and SWOT					Section 7 Training Evaluation and closing	
	Session 2							7.1 & 7.2 Informal and formal evaluation	
								7.3 Closing ceremony	
		Daily Review	Daily Review	Daily Review		Session 4.4 Reflection in Training Room +Daily Review	Daily Review	Daily Review	
Evening		Free	Free	Free			Free	Free	

TABLE 5. TENTATIVE PROGRAMME FIVE-DAY TRAINING

	DAY 1	DAY 2	DAY 3	DAY 4	DAY 5
	Introductions, introduction to forest tenure, forest tenure analysis	*Participants present lessons for application (from review day 1)*	*Field visit*	*Participants present lessons for application (from reviews days 2 and 3)* *Daily feedback fieldwork*	*Participants present lessons for application (from review day 4)*
AM	1. SETTING THE STAGE 1.1 Opening and welcome 1.2 Participants' introductions 1.3 Training objectives, programme and arrangements 1.4 Participants' expectations 1.5 Self-assessment	3. FOREST TENURE REFORM ASSESSMENT 3.1 SWOT analysis of current tenure reform policy & programme	4. PARTICIPATORY TENURE APPRAISAL (Fieldwork) 4.2 Implement appraisals	HIGH-LEVEL SEMINAR Welcome Keynote: State of the art of forest Ttenure in country Presentations: Why tenure reform is an urgent issue presently Discussions	6.2 Prepare, share and discuss action plans 7.0 Evaluation and closing
Break					
	2. FOREST TENURE ANALYSIS 2.1 Forest tenure concepts	3.2 Problem solution analysis in focus groups	4.2 Implement appraisals (ctd .) 4.3 2 Groups present: share and debate recommendations	5. TENURE GOVERNANCE ASSESSMENT 5.1 Expert Input 5.2 Strengthening tenure governance institutions	
Break					
PM	2.1 Forest tenure analysis	3.3 Share and compare results	4.2 Share and debate recommendations	5.3 Benchmarking tenure governance	
Break					
	2.1 Forest tenure analysis – results Quick expert feedback	4. PARTICIPATORY TENURE APPRAISAL (Planning) 4.1 Prepare and share field plans	(Return from field site) Translate flipcharts into English	6. ACTION PLANNING 6.1 Take stock and prepare high-level seminar	
LEARNING OUTCOMES	*Key elements and relationships in forest tenure understood and skills in analysing forest tenure enhanced*	*Enhanced understanding of problems and opportunities in tenure reform and skills in identifying development priorities and strategies*	*Skills in facilitating forest tenure analysis and reform needs assessments with stakeholders strengthened*	*Skills in assessing needs for strengthening forest tenure governance enhanced*	*Great appreciation of potential to strengthen forest tenure reform and governance*

TABLE 6. TENTATIVE PROGRAMME ONE-DAY HIGH-LEVEL POLICY DIALOGUE

8.30	Introduction and outline of day
9.00	Presentation on tenure and tenure reform theories and concepts
10.00	Introduction voluntary guidelines
10.30	Working groups and discussions and formulation of recommendations
12.00	Lunch
13.30	Welcome and opening
14.00	Policy relevance of forest tenure reform: a national perspective
14.30	Case study on country context and questions of clarification
15.30	Recommendations and guided discussion
17.00	Closing

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