

The Spirit of Collaboration
between
The International Land and Forest Tenure Facility
and
The Marine Tenure Facility¹

We, with our partners, team members, funders, leaders, and allies see the value and potential of a close working relationship between the established International Land and Forest Tenure Facility and the Marine Tenure Facility¹. We respect each other's institutional² autonomy and distinct approaches in the work of supporting terrestrial tenure and marine tenure of Indigenous Peoples, local communities, and (for the Marine Tenure Facility) small-scale fisheries actors. At the same time, we recognize the potential value addition that can be achieved through this collaboration when we get it right. We recognize that together, we can support a broad range and diversity of partners, in many geographies and in a diversity of eco and cultural systems – that draw the interest and commitment of a broad set of funders. Specifically, we see value-add across the following areas:

Operational Efficiency – both parties are seeking to develop streamlined and flexible grantmaking systems and processes, and there are anticipated operational efficiencies to both parties in using, developing and further refining The Tenure Facility Fund and small grants process.

Strategic Advantages – both parties are supporting collective tenure rights, and while there are some key distinctions between us in terms of potential partners and geographies, there are some foundational, common elements in our pathways to impact where coordination could accelerate, widen or deepen change; e.g., interconnectedness of land and water ecosystems, inclusion of community rights in all types of conservation, calling out criminalization of Indigenous Peoples, recognition of communal rights in any type of trading system, such as carbon markets; addressing gender disparities in rights, governance and ownership, etc.

Visibility and communications – both parties work with donations and influence funders towards adaptive, liberatory and transformative grant making practices, contributing to global policy change toward recognition of rights holders. There is huge potential for greater impact through combined evidence and joint partner voices.

Fundraising – both parties have their own donors, with important opportunities for each party to fundraise separately, and anticipate joint fundraising with development, food system, human rights and climate funders as needed, to bring efficiency and increased funder interest and confidence in collective tenure to secure the world's commons across ecosystems. This will expand, connect and coordinate programming and/or produce a combined platform for presentation of evidence for greater impact.

¹ The name Marine Tenure Facility may change - but this social contract will apply to any new name that it takes

² Note that the Marine Tenure Facility is a project of the Tenure Facility Fund and is not a stand alone legal entity; this arrangement is defined in the Fiscal Sponsorship Agreement. For the purposes of this document, the term 'institutional' refers to the programmatically separate bodies of work of the Marine Tenure Facility and the Tenure Facility.

Responsiveness and service provision – both parties acknowledge that communities, partners and places experiencing challenges related to terrestrial or aquatic tenure security can be distinct. There are also many communities whose territories and governance systems encompass terrestrial and aquatic spaces and resources. This collaboration provides the opportunity to service a broader range of potential partners, challenges and actions that are currently falling to the margins of each mandate when it stands alone.

Purpose of a social contract

The purpose of this document is to articulate the essence of our relationship, our values and principles, and our commitments to diverse partnerships towards a rights-based approach to community-led management of earth’s commons. Inevitably, over the years, changes will happen with staffing and leadership of each institution, funding environments, our partner’s needs, and the world around us– we hope that these values and principles, together with the intentions behind and within this partnership, remain stable. The legal and fiscal elements of our partnership are represented in a Fiscal Sponsorship Agreement. This document – as a companion to that - also ensures that one can expect and experience this quality of collaboration and relationship between the two initiatives.

Shared values and operating principles

We share values, and principles to guide and improve our ways of working (expanded in greater detail on page 8, [Marine Tenure Facility Roadmap and Strategy](#)).

Values	Operating Principles
Respect, and center power with partners and rights holders (i.e., indigenous peoples, local communities, and for the Marine Tenure Facility, small-scale fishers) Diverse and local - Uphold lived experience and local, traditional knowledge Trust and reliability - Base our work on trust, responsiveness and service Prioritize transparency & accountability Foster solidarity and protect civic spaces	Make giving more proximate Focus end support on partners Embrace co-design and decision-making Consider a diversity of end recipients Embrace equitable grantmaking principles Provide services/resources beyond the check Ensure we can rapidly respond to acute needs Approach our grantmaking with a holistic, or systems level, view

In addition to the shared values and principles of each institution, below is a series of commitments that will define our collaboration and guide our working relationship.

We value and celebrate a trust-based, authentic, respectful, and productive atmosphere of collaboration – the relationship between the leaders and teams of the Tenure Facility and the Marine Tenure Facility have been and will be easy flowing, open, respectful, and welcoming. Those involved will experience that each party demonstrates and expresses genuine commitment to finding the “sweet spot” of collaboration and connection, whilst also preserving sufficient autonomy, focus, flexibility, and stability within each entity – retaining and prioritizing commitment to the end goals of a healthy institutional environment for staff, board and steering committee members, and the partners and communities that each organization is committed to serve. We value trust-based, open,

calm and regular communication to minimize and mitigate misunderstandings or concerns that we know are inevitable in any committed partnership.

We recognize and respect the importance of institutional track record and institutional innovation – the *Marine Tenure Facility recognizes* and respects that the International Land and Forest Tenure Facility has earned and established a track record and reputation with funders and partners. This is a value we respect and wish to support. We recognize that our work will benefit from the Tenure Facility’s strong track record and reputation, and we intend that our collaboration and association will only add to it. The *International Land and Forest Tenure Facility recognizes* the Marine Tenure Facility has been deliberately developed as a new institution, building – as much as possible – from the advice, feedback, wants and needs of those with which it has consulted - in particular local communities, small-scale fishers, Indigenous Peoples and the groups that legitimately represent or directly serve them. This novel, intentional and adaptive design holds value that we intend to retain.

We recognize the added value of close collaboration as well as the importance of institutional autonomy and flexibility – both institutions seek to engage with, learn from and build complementary systems and support each other in ways that best serve rights holders. Over and above fiscal and legal elements, the fiscal sponsorship arrangement is intended – by both parties – to make two-way exchange of information, collaboration and service to partners more fluid, grounded and effective. We are allies and partners. There will be times when we are asked to speak of the other and of our partnership. We commit, however, not to speak *for* the other – and instead will use our open communication channels to broker direct connections and/or facilitate the representation of both parties in such conversations, forums or opportunities. Both parties agree that if – for strategic reasons – it is determined that either institution could better deliver its mission as a standalone entity, that this path and decision would be mutually celebrated and understood. It is the intention that no tensions arise around this decision and during the time of separation – and that the essence of this social contract in terms of a healthy, productive, and enjoyable collaboration will be maintained beyond any formal relationship.

We support upholding common, and distinct, commitments to and relationships with partners – each party has, through time, made a series of commitments to different groups and people – rights holders, partner organizations, donors, staff, and contractors. We recognize the care needed amongst and between each party to ensure these commitments are met, and that neither party wishes to deliberately or inadvertently undermine the other’s ability to meet those commitments. Each party engages in critical reflection, learning and exchanges - with each other, and with partners. We are guided by our partners’ actions to gain rights recognition and governance of land, territories and resources, applying and adhering to laws and policy frameworks, conventions, and agreements that are of stated importance to rights holders, nature and to partners in their work towards justice, equity, representation, and rights recognition. Common commitments include;

- The United Nations Declaration on Human Rights
- ILO 169. Indigenous and Tribal Peoples Convention, 1989, no. 169, International Labor Organization.
- United Nations Declaration on the Rights of Indigenous Peoples, UNGA Resolution, adopted 2007.
- The Voluntary Guidelines on the Responsible Governance of Tenure

There are also policy instruments to which one party, and not another, may be committed to (due to differing mandates). Those that the Marine Tenure Facility holds as guidance for strategy and institutional design are;

- The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication
- A call to action from small-scale fishers
- Rules of Conduct for working with small-scale fishers and fish workers to save our ocean

Those that the International Land and Forest Tenure Facility holds as guidance for strategy and institutional design are;

- Tenure Facility IP Policy, adopted 2020
- Tenure Facility Strategic Framework 2023-27, adopted 2022

We recognize the distinct roles and responsibilities of the Tenure Facility Board and the Marine Tenure Facility Steering Committee – The International Land and Forest Tenure facility is governed and shaped by its Governing Board. The Marine Tenure Facility is set up to be co-designed and responsive to its Steering Committee. With specific mandates and expertise, it is important that these bodies are allowed the information and distinct operating space needed to fulfill their mandates, and that the institutions can benefit from the broad, but also specific expertise held by both. We recognize that maintaining the autonomy of these two groups is critical for the success of each institution. At the same time, the partnership between institutions brings new opportunities to combine forces for strategic upward influence and improve responsiveness to communities and partners. Achieving both requires a flexible, but somewhat regular forum for information exchange, and strategic moments for joint deliberation and work. We commit to creating, facilitating and fully participating in those³.

We recognize the value in a diversity of grant making practices and models and strive to grow capacities and operationalization of transformative and liberatory philanthropy principles – there is no one size fits all approach to strategy development, decision making, grant making or other aspects of the work we do. At the same time, we are committed to growing our capacities and the operationalization of transformative and liberatory philanthropy principles. We recognize there will be ongoing lessons and improvements we can make and we value the opportunity to exchange knowledge and lessons within and amongst our teams and governing groups.

Keeping ourselves accountable – in addition to an ongoing commitment to our shared values and principles, as articulated in this document, regular (annual) health checks on the collaboration will review our working relationship to ensure we are experiencing value addition, identify where there are opportunities for further improvement, and how, if any, tensions can be addressed.

Tenure Facility Fund

Steering Committee, Marine Tenure Facilit

³ The Marine Tenure Facility is a project of the Tenure Facility Fund and, per U.S. 501c3 law, the Board of Directors of the Tenure Facility Fund has variance power over the Marine Tenure Facility. This arrangement and its implications are defined in the Fiscal Sponsorship Agreement.

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Antoinette G Royo, Executive Director

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