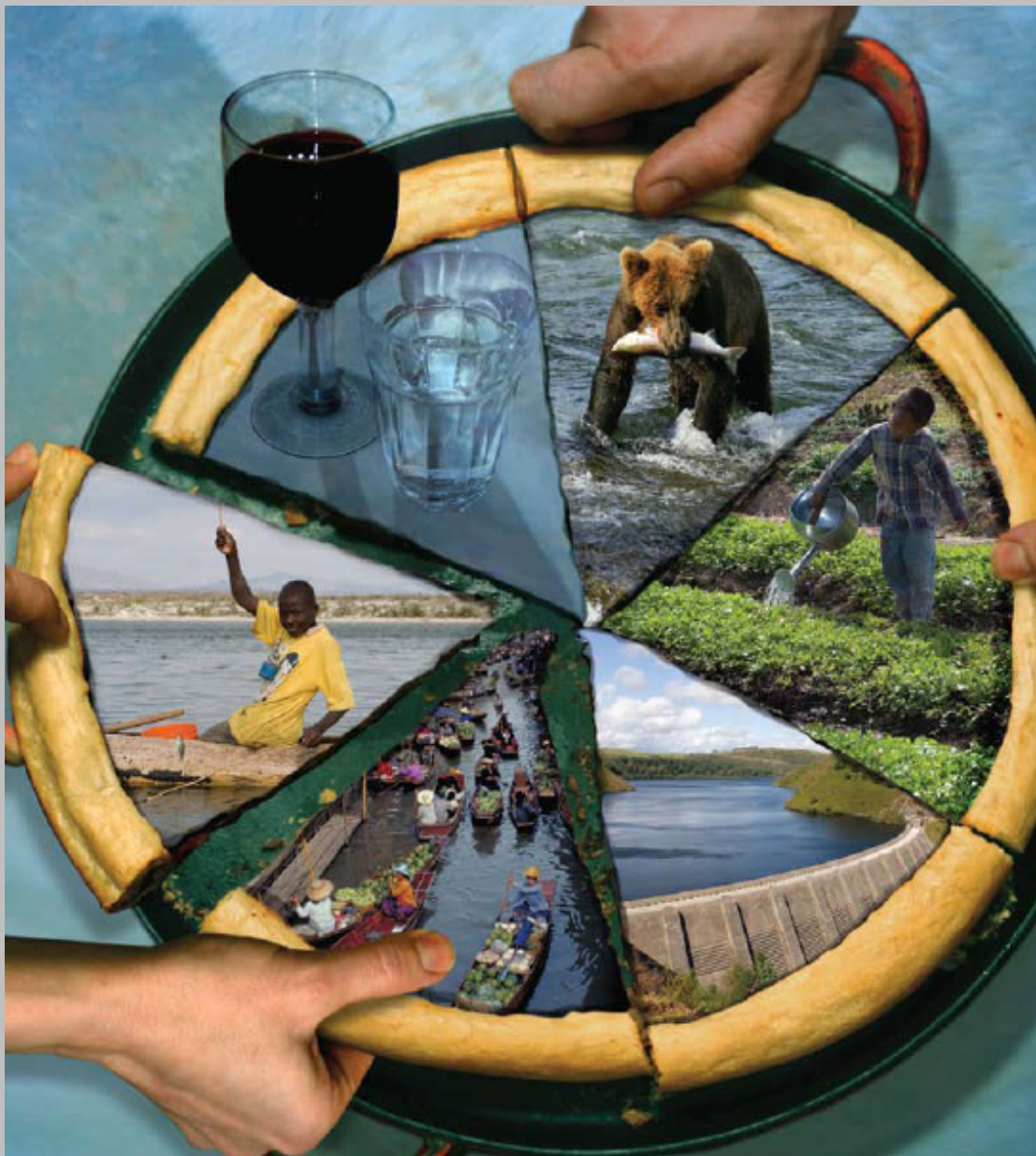





# BRIDGE Benefit Sharing Workshop

Report on the proceedings of the BRIDGE Benefit Sharing Workshop (15 - 16 July 2015)



BRIDGE: Building River Dialogue and Governance

 Schweizerische Eidgenossenschaft  
Confédération suisse  
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# 1 Introduction and background

## 1.1 The BRIDGE project

The BRIDGE (Building River Dialogue and Governance) project is facilitated by IUCN (International Union for Conservation of Nature) and financed by the Water Diplomacy Programme of the Swiss Agency for Development and Cooperation (SDC). The project aims to build water governance capacities through learning, demonstration, leadership and consensus-building in trans-boundary hotspot river basins. It is a multi-regional project, implemented in a dozen river basins in South and Meso-America, Africa and Asia.

At the basin level, strategic priorities for BRIDGE are guided by currently available mechanisms for trans-boundary cooperation on water issues. Where cooperation strategies or agreements are in place, the objective is to support implementation and help make the associated local, national and trans-boundary institutions operationally effective. Where no specific agreements are in place, the project focuses on building channels for dialogue, action and learning, in order to create spaces for cooperation.

In Asia, the BRIDGE project is working on the 3S Basins (Sekong, Sesan and Sre Pok Rivers) shared by Cambodia, Viet Nam and Lao PDR. The project has been operational since 2011, and has provided opportunities for dialogue and training on hydro-diplomacy for key stakeholders, facilitated the sharing of information on Integrated Water Resources Management (IWRM), and produced data and studies to support technical discussions across basins.

## 1.2 Workshop rationale

The 3S Rivers are major trans-boundary tributaries of the Mekong, contributing approximately 20% to its flow and supporting livelihoods of almost four million people across three countries. The basin is heterogeneous, characterised by a mosaic of different and over-lapping land-utilisation, land tenure and user rights over natural resources. At the same time the 3S Rivers have high potential for hydropower development and the countries in the region are looking at this as an opportunity for economic development and growth. The fast growing populations and economic development in Southeast Asia is increasing pressure on natural resources and heightening the risk of conflict between the countries in the 3S Basins over sharing of natural resources.

In its continuing work in Asia, the BRIDGE programme organises trainings and workshops for key stakeholders in the 3S Basins. Among these was a two day training workshop entitled '*Benefit Sharing: An instrument for improved trans-boundary water governance*' held from 15-16 July 2015, in Bangkok, Thailand. This workshop provided opportunities for people in government and NGOs, as well as academicians to have a better understanding of the different steps and mechanisms that could help in operationalising any agreement on benefit sharing among different stakeholders in the context of trans-boundary water resource management.

Benefit sharing allows more efficient and equitable management of basins and therefore contributes to IWRM. The concept of benefit sharing takes into account stakeholders at

multiple levels as well as local and national interests. The key concepts of hydro-diplomacy, such as reasonable and equitable utilisation, not inflicting harm and achieving win-win outcomes are embedded in benefit sharing. It also provides riparian countries the flexibility to separate the physical distribution of river development (where activities are undertaken), from the economic distribution of benefits and impacts (who receives the benefits and impacts of those activities).

Aside from contributing to sustainable water resource management, benefit sharing can also contribute to conflict resolution. This is because benefit sharing agreements are negotiated through consensus building and with the involvement of all relevant stakeholders from different levels and sectors. However, to be successful, benefit sharing agreements must be based on the principle of equity and must have clear implementation and dispute resolution mechanisms.

Benefit sharing is therefore both a framework for cooperation and a key instrument for good water governance. It is also a key tool in hydrodiplomacy, the approach that BRIDGE has been promoting in the 3S region since the beginning of 2011.

The workshop conducted last July was the first benefit sharing training to be organised under the BRIDGE Project in the 3S region. It is part of a series of training packages co-developed by IUCN Water Programme (Gland, Switzerland) and IUCN Environmental Law Centre (Bonn, Germany). These trainings aim to build local capacity for better trans-boundary governance, and provide a platform for networking and consensus building for improved trans-boundary water resources management.

### **1.3 Workshop goals and objectives**

In general, the workshop aims to provide participants with technical and practical information and training that will help them gain a deeper understanding on the steps leading to operationalising benefit sharing mechanisms and agreements in the context of trans-boundary water resource management.

At the end of the workshop, participants are expected to:

1. understand different types of concepts and principles related to benefit sharing;
2. gain a practical understanding of benefit sharing skills, including joint identification of benefit enhancing water management scenarios and negotiation of benefit enhancing agreements; and
3. identify and understand the data and institutional needs for operationalising benefit sharing.

## 1.4 Workshop structure and approach

The workshop was organised as a two-day event which included technical presentations and practical exercises such as role-playing. The presentations introduced participants to different concepts and tools that are available for operationalising benefit sharing. The practical exercises were designed to move participants from understanding of the concept to actual application. (See Annex 1 for the detailed agenda).

Dr Isabelle Fauconnier (Water Policy and Sustainability Adviser, IUCN Global Water Programme) was the lead trainer and facilitator. She was supported by the BRIDGE 3S Manager, Mr Raphaël Glémet (Senior Programme Officer, Water and Wetlands, IUCN Asia) and the BRIDGE team from the 3S region.

The two-day training was structured according to the six concept blocks illustrated in Table 1. These concept blocks lay out the steps that countries and basin water users can take when embarking on a joint effort to operationalise benefit sharing agreements. Taken together, the blocks illustrate the step by step process to implement benefit sharing. Each of these six concepts is linked to a skill requirement which forms the basis for the design of the practical exercises conducted during the workshop. These practical exercises followed a role-play format which allowed participants to try, test and experiment benefit sharing identification and implementation in a fictitious context which serves as the case study.

**Table 1: Six concept blocks used to structure the workshop**

<b>Concept 1</b> River basins offer different types of benefits that can be shared, vs. sharing the allocation of water	<b>Concept 2</b> Watersheds can be managed with decisions based on sharing benefits equitably among stakeholders	<b>Concept 3:</b> Opportunities for enhancing benefits can be identified jointly
<b>Concept 4</b> Several methods to value and distribute benefits and costs exist, with different data needs	<b>Concept 5</b> Negotiation based on benefit-sharing takes a win-win approach	<b>Concept 6</b> Implementation of benefit-sharing requires functional institutions

## 1.5 Key documents and links

The publications below are the reference materials for the training programme, providing all the information and key concepts that were discussed during the workshop.

PDF versions of all the presentations delivered during the training programme, as well as the various case studies on global experience on trans-boundary water resource management were also shared with the participants.

### Publications:

IUCN WANI (Water and Nature Initiative) Toolkits - [www.iucn.org/water/toolkits](http://www.iucn.org/water/toolkits)

1. [PAY](#)
2. [VALUE](#)
3. [FLOW](#)

### Presentations:

Tools and Issues in Identifying, Designing and Implementing PES

Presentation by Mark Smith, IUCN Water Programme at the 2<sup>nd</sup> African Targeted Workshop for GEF IW Projects and Partners, United Nations Economic Commission for Africa, Addis Ababa, Ethiopia, 12 – 14 November 2012

Links:

[Presentation](#)

[Video](#)

Practical Experience and Lessons Learned on Equitable Payments for Watershed Services (EPWS) Scheme in Ulugurus, Tanzania

Presentation by Dosteus Lopa, CARE Tanzania at the 2<sup>nd</sup> African Targeted Workshop for GEF IW Projects and Partners, United Nations Economic Commission for Africa, Addis Ababa, Ethiopia, 12 – 14 November 2012

Links:

[Presentation](#)

[Video](#)

### Reports:

[Compendium of relevant practices for improved decision-making, planning and management of dams and their alternatives, UNEP \(2007\)](#)

[Water Funds: Protecting watersheds for nature and people, The Nature Conservancy \(2010\)](#)

[Gaining Depth: State of Water Investment 2014, Forest Trends \(2014\)](#)

## Box 1: Takong Basin

### Takong Basin:

The fictional river basin used as the case study for the workshop's practical exercises

IUCN has designed various tools for use during training workshops, seminars and other events held for the purpose of capacity building on the topic of trans-boundary water resource management. These tools include fictional basin scenarios that are used as case studies and which contain all the elements needed to stimulate debate with respect to the application of key concepts and principles learned during the technical sessions of the training workshops.

The specific case study used during this benefit sharing workshop is called "Takong Basin." This basin is shared by two fictitious countries, Konfundesia and Akinonia. This case study describes the geography, historical and political context, territorial organisation and other factors to help participants analyse, reflect on and discuss the case in relation to the challenges it presents to the sharing of benefits from its resources.

The detailed case study was presented at the workshop and the background material was shared with participants. During the practical exercises, participants explored the impacts of various developmental scenarios in the Takong Basin on the different types of stakeholders, and how consultation and cooperation could lead to a possible win-win benefit sharing agreement for most stakeholders.

The map below shows the case study which illustrates how Konfundesia decides to build Edra Dam on the Mumbra River and Akinonia decides to expand its Papyrus Reservoir.

Participants discussed how cooperation and stakeholder engagement can contribute to the development of a benefit sharing agreement which has net positive economic impact on the two countries.





## 1.6 Participants

The training workshop was attended by 28 participants working in different sectors linked to natural resources use and management in Cambodia, Lao PDR and Viet Nam. Participants represented a good mix of experience and expertise. Several heads of organisations also joined the training workshop. More than 60% of the participants were from the various government departments and ministries, such as the Ministries of Natural Resources and Environment of Lao PDR and Viet Nam, the Ministries of Energy and Mines of Cambodia and Lao PDR, the Ministry of Agriculture and Forestry of Lao PDR, the Ministry of Foreign Affairs and International Cooperation of Cambodia, the Tonle Sap Authority of Cambodia and representatives from the National Mekong Committees of the three countries.

Representatives from the civil society and university and research organisations were also invited to the workshop. Civil society organisations included the Fisheries Action Coalition Team (FACT), NGO Forum Cambodia, 3S Protection Network (3SPN), Centre for Sustainable Water Resources Development and Climate Change Adaptation (CEWAREC) and Green ID from Viet Nam. Academia was represented by the Research Institute for Climate Change (DRAGON institute - Mekong), Can Tho University, Viet Nam, and the Royal University of Phnom Penh (RUPP), Cambodia.

Please see Annex 2 for the participants list and details about the organisations represented at the training workshop.



**Image 1: Workshop participants © IUCN Asia**

## **2 The road map for operationalising the concept of benefit sharing**

This section describes each of the six concept blocks (Table 1), taking the key ideas highlighted during the technical presentations. It also provides a brief analysis on the outcomes of group discussions and the practical exercises that were conducted during the two day workshop. As discussed earlier, the six concepts blocks together form a step by step process that could be followed by countries and basin water users when embarking on a joint effort to operationalise benefit sharing at the basin level. Each of these concepts and related skills necessary are discussed below in detail.

### **2.1 Concept 1: River basins offer different types of benefits that can be shared, vs. sharing the allocation of water**

#### **Skill 1: Identify the different types of benefits**

Identification of benefits is the first step on the road to operationalising benefit sharing mechanisms in any given context. A well-managed watershed offers a variety of benefits, such as fisheries, navigation, recreation, biodiversity, habitats and, in some cases, hydropower generation. Furthermore, the same volume of water can be managed in different ways to get different types of benefits, and the users in a shared basin can find ways to distribute these water benefits.

As benefits motivate cooperation it is important to identify the full range of potential cooperative benefits, from economic to environmental and political. The BRIDGE programme uses the typology developed by Claudia Sadoff and David Grey (2002) which identifies four basic types of cooperative benefits (Table 2). Each type is linked to a set of challenges and opportunities that could be manipulated to generate increased benefits through cooperation. Each of these four types of benefits could potentially be achieved in any international basin. However, the scale, feasibility and relative importance of each type vary between basins.

There is no particular sequence in which these four types should be pursued, any one of these could be an entry point for cooperation. Making a start in environmental or direct economic cooperation can lead to growing political and indirect economic cooperation, or vice versa.

**Table 2: Types of benefits from cooperation (adapted from Sadoff and Grey, 2002)**

Typology	Challenges	Opportunities
Provide benefits to the river/ basin (environmental benefits)	Degraded water quality, watersheds, wetlands and biodiversity, ecosystem functions	Flood control, drought mitigation Erosion management Wetlands and biodiversity conservations Water conservation, e-flows
Obtain benefits from the river/ basin (economic benefits)	Increasing demands for water, sub-optimal water resources management and development	Increased yields Enhanced livelihoods, food security Navigation, tourism, recreation Carbon credits, PES
Derive benefits (avoid costs) because of the river (political benefits)	Tense regional relations and political economy impacts	Cooperation, political stability Policy shifts to food/energy security
Creating benefits beyond the river/ basin (e.g., greater cooperation in other realms)	Regional fragmentation	Regional integration Regional investment, development Regional trade, market access Diversified economies

### **Exercise 1. Identifying benefits in the fictional Takong Basin**

Participants were divided into six different groups. Each group was asked to identify different types of benefits based on the case study of the fictional Takong Basin. Participants classified benefits based on the template described in Table 2, into benefits to the river, from the river, because of the river and beyond the river.

The discussions highlighted the need to think about benefits and loss from the water from a better management perspective. The participants stressed that unless there is holistic management of the basin, it is difficult to share the benefits of water resources with a larger group of stakeholders.

Participants argued that the Mekong Basin is shared by six countries and these countries should get together and talk about the human benefits that may result due to equitable benefit sharing. Policy makers should consider the issue of benefit sharing in the context of good political, social and human relationships.

## 2.2 Concept 2: Watersheds can be managed with decisions based on sharing benefits equitably among stakeholders

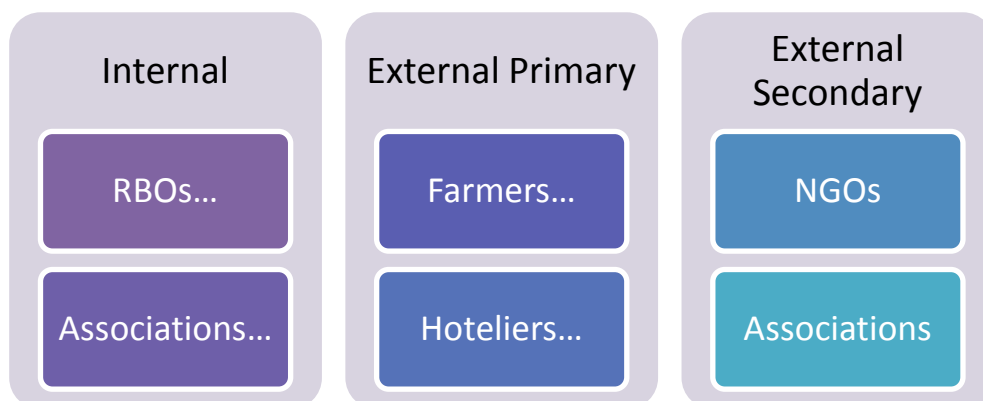
### Skill 2: Identify stakeholders from local to national levels, as well as potential equity issues

Distributing benefits equitably among a range of stakeholders is critical to the success of any benefit sharing agreement. Consultation with stakeholders leads to better understanding of the costs and also better buy-in for the joint decision making process. In such cases where some stakeholders are overlooked, the valuation of benefits gets underestimated, and the results are then less equitable. Therefore, it is important to think about benefits for a range of stakeholders, from local to national. It is also important to understand that basins are dynamic entities changing over time, and that stakeholders are also changing.

Stakeholders can be classified in different ways, as individuals, groups, organisations and institutions (formal and informal). One could also look at stakeholders in terms of who is reaping benefits, or who is incurring the impacts in a particular case of water resource development.

For stakeholder identification, it is useful to create a framework for analysis. A good framework allows classification of stakeholders into categories indicating their relative power, influence, interests and the potential contribution and role in different management strategies. The classification in the table below classifies stakeholders into internal and external (internal or external to management processes), as well as primary and secondary groups (Table 3). This classification allows us to think about those who are decision makers and those who are water users.

**Table 3: Classification of stakeholders (SHARE, 2008)**



Internal stakeholders lie within the management institution or a set of collaborating institutions, such as governments, financiers and private sector partners. Internal stakeholders generally have a direct responsibility for designing, financing and implementing basin management. All other stakeholders are external, and can be either primary or secondary, based on whether a particular group is directly or indirectly affected by the development processes.

## **Exercise 2: Identifying stakeholders in the Takong basin**

Participants were divided into six different groups and were asked to identify stakeholders based on the case study on Takong Basin. Participants used the above template (Table 3) to classify stakeholders.

The group discussions highlighted that government departments, particularly the ministries dealing with foreign affairs and natural resource management, tourism sector and hydropower companies, in general could be considered as internal stakeholders given their influence on the decision making process. On the other hand the agriculture and livestock sector and fishing communities could be classified as the external stakeholders for the purpose of benefit sharing.

There were also some interesting discussions around the usefulness of classifying stakeholders as external and internal. It was highlighted that this classification makes more sense when looking at stakeholders from benefit sharing perspectives. This classification basically separates stakeholders into decision makers (internal) and the water users (external). This is a classification used by the IUCN publication, SHARE (2008).

## **2.3 Concept 3: Opportunities for enhancing benefits can be identified jointly**

### **Skill 3: Identify and build benefit enhancing scenarios using the BOAT (Benefit Sharing Opportunities Assessment) exercise**

Successful benefit sharing agreements require the identification of opportunities for benefit enhancing scenarios at the basin scale in consultation with the full range of stakeholders. Cooperation is therefore the key word when embarking on the benefit enhancing scenario. It also requires the assessment of the full scope of water-use opportunities and also the inter-relationships of individual water uses. More food, more power, more navigational opportunities can all be captured and integrated into the agreement for better economic and conservation outcomes. Also, enhancing benefits from qualitative perspective may require difficult trade-offs between environmental conservation and river development.

### **Exercise 3: Benefit sharing scenarios (Cooperation vs. non-cooperation)**

Concept 3 was explored in depth through the Benefit Sharing Opportunities Assessment (BOAT) Exercise. This technical exercise is designed to help participants gain a clear understanding of how cooperation could help in identifying scenarios where the net gains for different stakeholders is positive.

A base case scenario was shared with the participants where the state of Konfundesia unilaterally decides to build the Edra Dam and the state of Akinonia also goes ahead with the expansion of its Papyrus Reservoir. This is a non-cooperation scenario where the net gain from the two projects together is negative.

Participants were divided into four different groups and each group was asked to think of scenarios where all the stakeholders are cooperating and then reassess the benefits and

costs after re-examining the qualitative impacts from the developmental activity on different stakeholders, based on the following considerations:

- Water use activities may have positive or negative impacts (externalities) for different groups of stakeholders;
- The balance of positive and negative impacts across different activities/sectors in a shared basin; and
- How joint changes in water management enhance benefits for the most stakeholders among countries sharing a basin.

The outcomes from each of the groups clearly indicate that under a cooperation scenario the number of positive impacts on sector-specific stakeholders balances with or outweighs the number of negative impacts for each country. As a group, stakeholders from both countries were better off qualitatively compared to the non-cooperation scenario.

After the exercise participants discussed whether cooperation would always lead to positive impacts in all sectors and for different groups of stakeholders. There was no clear answer to this. It was discussed that cooperation does not necessarily lead to net positive impacts on all the stakeholders, but it clearly helps minimise impacts compared to a non-cooperation scenario.

## **2.4 Concept 4: Several methods to value and distribute benefits and costs exist, with different data needs**

### **Skill 4: Become familiar with frameworks for valuation and identify data needs**

The presentation during this session introduced participants to the basic principles underpinning valuation of benefits and costs in the context of trans-boundary benefit sharing. Valuation is a joint process, which is agreed upon by all parties. Valuation methods arrived at after consultations with water users yield more reliable, equitable and more widely accepted results. It is also important to recognise that valuation is a living exercise, as the value of benefits and costs change over time with the changes in demography and other factors within the basin.

Valuation and distribution in the context of benefit sharing follows a process of qualitative assessment. The decision to move from qualitative to quantitative valuation is appropriate when the preliminary consultation and assessments have been done and parties wish to jointly explore scenarios in sufficient depth to enable decision-making. One of the challenges to quantitative assessment is that all the benefits do not have a value that can be counted in monetary terms, yet their value in some way must be recognised.

Methods for valuing benefits (and costs) vary according to types of benefits. The Millennium Ecosystem Service Assessment report by UNEP gives an idea about how to value ecosystem services. The report presents an assessment of the consequences of ecosystem changes for human well-being, and tries to establish a scientific basis for action to conserve the sustainable use of ecosystems and their contribution to human well-being. Another study called the TEEB (The Economics of Ecosystem and Biodiversity) evaluated the costs of the loss of biodiversity and the associated decline in ecosystem services worldwide, and

compared them with the costs of effective conservation and sustainable use. All these typologies of values of ecosystem services can be used to narrow down the kinds of valuation that makes sense for each case or particular context.

There could be different approaches to distribute benefits, such as dividing potential benefits per person or per population or sharing potential benefits by per capita investment or income. However, any approach for distribution of benefits and costs will work if no one is worse off at the end. While looking for more realistic solutions the following considerations are important:

- Benefit enhancing scenarios;
- Quantifying benefits and costs;
- Maximising net gains by tweaking scenarios; and
- Looking for 'win-win' outcomes for all stakeholders, including compensation schemes.

Compensation mechanisms, such as the PES (Payment of Ecosystem Services) are tools for reaching equity in distribution of benefits. One example is the payment for watershed services that is based on the assessment of the costs and benefits of land and water management for upstream and downstream stakeholders. Buyers and sellers of these services can use a range of financial mechanisms, investment or payment schemes for watershed services (Forest Trends, 2014).



**Image 2: A scene from the practical exercise session © IUCN Asia**

## Box 2: Murray-Darling River Basin case study

### Case study

#### **Difficulties with estimating net benefits from the plan: learnings from the Murray-Darling River Basin**

Murray-Darling is a large basin covering five different jurisdictions in Australia. Periodic drought in the basin triggered incremental steps in cooperation, which culminated in the development of joint basin plan in 2012. The range of benefits and costs were reported in a Regulatory Impact Statement. All values were estimated by consultants and were dependent upon scientific scenario analyses. Some benefits are expressed in terms of increase in expenditure, others in incremental net economic value, and others in consumer and producer surplus. However, lack of consultations and communication on valuation methods led to some protests from angry farmers who questioned the non-use values of environmental benefits as outlined in the plan. The lessons learned were:

1. Crisis, like droughts and floods could be critical in encouraging cooperation and coordination for water reform.
2. All stakeholders should be involved and consulted in the process as early as possible, and communication lines kept open.
3. It is possible that no water management plan will ever reach a 'sustainable extraction point' at any one point in time so there is a need for flexible and adaptive institutions and policies to allow incorporation of changes as necessary.
4. An overall authority is needed to coordinate reform and encourage cooperation for water reform that crosses boundaries.
5. An agitator country or state plays an important role in demanding reform.
6. Effective water joint policy and management needs high quality environmental, hydrological and socio-economic information.

*Reference: Presentation of Dr Sarah Wheeler (Centre for Regulation and Market Analysis, School of Commerce, University of South Australia) to the UN Economic Commission for Europe workshop "Counting our gains", 2014.*



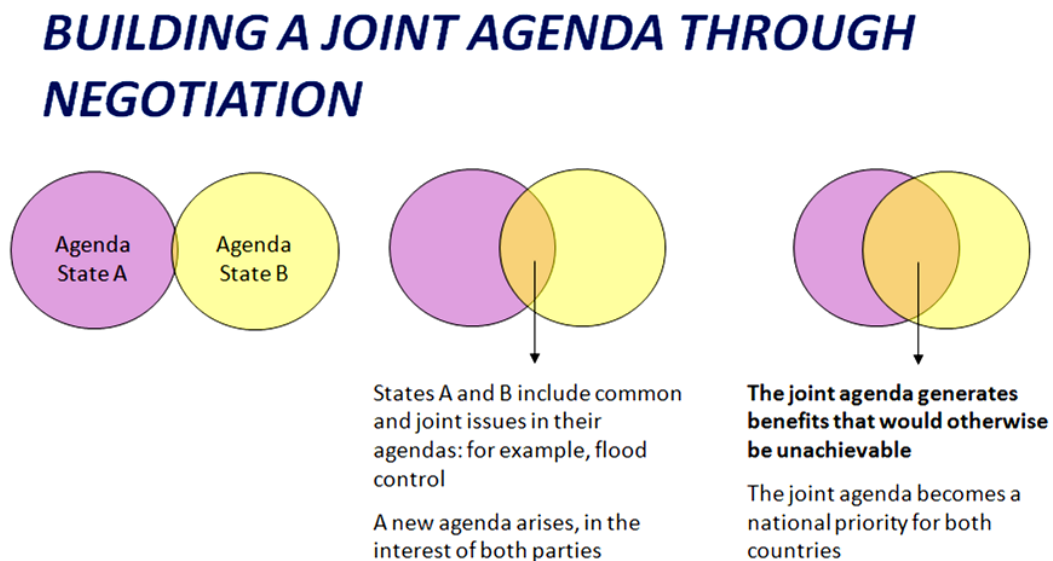
## 2.5 Concept 5: Negotiation based on benefit-sharing takes a win-win approach

### Skill 5: Designing and negotiating benefit-sharing agreements

This session highlighted key considerations in building a joint agenda and the tools that are available for negotiating a benefit sharing agreement. The methodology and steps in consensus building were also discussed.

Benefit sharing agreements are about achieving equitable distribution of benefits through successful and inclusive negotiation based on a joint agenda. Benefit sharing is an alternative approach to traditional negotiations and it requires identification of a basket of benefits and costs which could be balanced. In contrast to negotiation based only on water quantity; sharing the basket of benefits allows different aspects and stakeholder priorities to be weighed against each other for the identification of scenarios with the (perceived) best solution.

Image 3: Building a joint agenda through negotiation



The cooperative process in developing a joint agenda means the two countries sharing a basin get together and pursue a common objective. The first step is to include common topics in each country agenda: for example, flood control, irrigation and hydropower development. Thus, a new agenda arises which is of interest all parties. This joint agenda should bring benefits which would not be possible otherwise, and as a consequence, the joint agenda becomes a priority for the parties.

Specific principles of International Water Law, such as 'equitable and reasonable utilisation' and the 'no significant harm' rules apply to negotiations on a benefit sharing agreement. A

compensation mechanism, such as the PES provides another set of tools to reach an agreement in a benefit sharing negotiation.

Consensus building for developing a joint agenda is an iterative process, with a set of clearly defined steps. Any consensus building process starts with convincing the stakeholders to work out a joint agenda. The next steps in the process includes defining the roles and responsibilities of each party, followed by deliberations aimed at identifying basket of benefits, to arrive at an agreement which is affirmed by all the stakeholders. Implementation of the agreement and learning and capacity building are the terminal steps in any benefit sharing exercise.

#### **Exercise 4: Negotiation and role-play for benefit sharing**

The participants were divided into the two country groups (Konfundesia and Akinona) and a Technical Advisory Panel (TAP). All the delegates from each of the country groups were assigned to play the role of a particular type of stakeholder, such as policy makers or civil society representatives. Each country group was asked to study a possible agreement, in light of the values for costs and benefits for different sectors in the two countries provided in the worksheet that was shared with the participants. The objective of the exercise was to help participants get deeper insights into how different choices affect net gains or losses of each country and of different stakeholders.

Specifically, each country delegation using the values of costs and benefits for different sectors, were asked think over following questions:

- What are the benefits and to which stakeholders?
- What are the costs associated with a particular decision and to which stakeholders?
- Which stakeholders are winners and which are losers?
- Is this possible agreement satisfactory in light of these benefits and costs?

A plenary meeting moderated by the TAP was convened in which the two country groups presented their position. Due to lack of agreement between the two countries over the proposed agreement, the TAP encouraged the country groups to look into additional measures that could improve the overall outcome for different stakeholders.

Based on the plenary discussions, each country delegation was asked to revise the existing agreement after examining additional measures that could improve net gains while increasing the number of stakeholders who are better off at the end. Once the country group reached a satisfactory solution, each delegation went for a final deliberation to confirm the agreement.

After the exercise, discussions followed on who should be part of a country delegation when negotiating a benefit sharing agreement. It was clarified by Dr Fauconnier that the composition of the country group delegation depends on the context of the case and who are involved and affected by a particular developmental process. Participants agreed that the negotiation role-play exercise was a good learning experience and that it helped them understand the dynamics between countries and among different stakeholders within countries when discussing a benefit sharing agreement.

## 2.6 Concept 6: Implementation of benefit sharing requires functional institutions

**Skill 6: Identify institutional gaps for implementation of benefit-sharing and take steps to overcome them**

**Exercise 5: Concept 6 was explored in depth through a practical exercise. This exercise was designed to make participants think about the institutional context and what is needed to facilitate the establishment of a functional institution.**

Reference material was shared with each participant, highlighting key elements for implementing a trans-boundary water agreement. These elements include governance, knowledge management, participation, monitoring and evaluation and adaptive management. All these elements together should be present in an agreement which aims to establish an effective institutional set up. Participants discussed these basic elements and identified some further considerations in establishing effective and functional institutions for implementing benefit sharing agreements, which are listed below:

- **Knowledge management.** Discussions highlighted the need to build capacity to generate quality data, as this could help strengthen cooperation and thus would contribute to institution building. It was suggested that a Memorandum of Understanding or agreement between key stakeholders working on data generation and management could help establish quality baseline information for future reference.
- **Transparency** and trust between stakeholders is important for successful implementation of a joint agenda for implementing a benefit sharing agreement. This could be achieved through a participatory approach and effective stakeholder engagement.
- **Effective dispute resolution mechanisms.** The agreement needs to be solid and must foresee and provide mechanisms to deal with possible future disputes.
- **Financial support** or budget planning. Availability of resources is critical to the implementation of any agreement.
- **Standards and norms** relating to the implementation of an agreement must be **harmonised** at the trans-boundary level.
- Need for **constant monitoring and evaluation** throughout the implementation period of an agreement.

The discussions during the exercise also highlighted the difficulties in identifying environmental flows, participation of stakeholders and cost implications as major hindrances in the implementation of an agreement.

### **Box 3: Senegal River Basin case study**

#### **Case Study**

##### **Lessons from the Senegal River Basin**

The Senegal River Basin Development Organisation is considered a model for promoting cooperative trans-boundary water management and joint water investments. Established in 1972 by Mali, Mauritania and Senegal, its mandate was to strengthen member states' economies and protect livelihoods through the development of water and power resources from a basin-wide perspective. Below are some of the learnings from the experiences of this institution with regard to benefit sharing:

- Early adoption of principles for benefit sharing establishes a positive framework for cooperation;
- The concept of benefit sharing has acquired a broader definition to include more sectors and stakeholders;
- Benefits and costs are shared with the population at large, not just among nations;
- Reconciliation of national development goals and local development on the ground is important; and
- Institutions and legal frameworks need to be flexible to adapt to evolving values and ideas around benefit-sharing.

### 3 Wrap up session

The discussions during the wrap up session clearly indicated that training workshop was helpful for participants in developing a deeper understanding of basic concepts and the steps that could be followed in implementing benefit sharing agreements in real life situations. It also provided opportunities for exchange of ideas between the participants who come from different sectors and organisations. The participants showed keen interest in learning more about real life examples and models of benefit sharing working in other parts of the world. They felt that more time should have been given for discussing successful case studies of benefit sharing agreements.

The discussions also highlighted that benefit sharing is an important concept for conflict resolution and a tool that should be known to policy makers in order to have a better impact on the ground. It was also emphasised that governing bodies should consider the issue of water in the context of good neighbourly relationships. Also, it was highlighted that while benefit sharing is a way to cooperate, without sharing costs and benefits it is not possible to cooperate.

IUCN's future plans regarding benefit sharing workshops was discussed. It was expressed that because there is little awareness about the concepts and how to operationalise a benefit sharing agreement there is a need to disseminate this knowledge to a larger number of people in the 3S region. It was suggested by the participants that in the next phase of BRIDGE, IUCN shall take this concept to both policy makers and communities at the grassroots level. Participants also requested IUCN to work on guidelines on how to apply benefit sharing principles in the context of the 3S Basins.



**Image 4: Dr Isabelle Fauconnier, lead workshop trainer, interacting with the participants during the role-play exercise © IUCN Asia**

## APPENDICES

## Appendix 1: Workshop agenda

### **BRIDGE workshop on benefit sharing: An instrument for improved trans-boundary water governance**

Four Wings Hotel, 40 Sukhumvit Road 26  
Klongtoey, Bangkok 10110 Thailand  
15-16 July 2015

Time	Day 1 (Wednesday, 15 <sup>th</sup> July 2015):
08:30 - 09:00	Registration
9:00 - 09:30	Workshop opening and welcome, presentation of the agenda
09:30 – 09:45	Introduction to BRIDGE Presentations by IUCN
09:45 – 10:00	Group picture
10:00 – 10:15	Coffee break
10:15 – 12:00	Session 1: Introduction and road map to benefit sharing in a shared river basin Presentations by IUCN
12:00 – 13:00	Lunch
13:00 – 15:00	Session 2: Identifying and building benefit-enhancing scenarios Presentation and practical exercise facilitated by IUCN
15:00 – 15:30	Coffee break
15:30 – 17:00	Session 3: Benefit valuation and methods of sharing benefits Presentation by IUCN
17:00 - 17:15	Wrap-up of Day 1
Time	Day 2 (Thursday, 16 <sup>th</sup> July 2015):
08:30 - 09:00	Registration
09:00 - 10:15	Session 4: Negotiating an agreement Introductory presentation by IUCN and video
10:15 - 10:30	Coffee Break

10:30- 12:00	Continued: Negotiating an agreement Negotiation role-play exercise facilitated by IUCN
12:00 - 13:00	Lunch break
13:00 - 14:30	Continued: Negotiation role-play exercise facilitated by IUCN
14:30- 14:45	Coffee break
14:45 - 16:15	Session 5: Implementing a benefit sharing agreement Work session facilitated by IUCN and group discussions
16:15 - 17:00	Workshop wrap-up and closing
17:00-17:15	Feedback for evaluation



## Appendix 2: List of participants

<b>BRIDGE Workshop on Benefit Sharing (15-16 July 2015)</b>					
	<b>Last name</b>	<b>Name</b>	<b>Position</b>	<b>Organisation</b>	<b>Country</b>
Mr	Bora	Gnan	Technical Officer	Department of New and Renewable Energy (NRE), Ministry of Mines and Energy, Cambodia	Cambodia
Mr	Botkosal	Watt	Deputy Secretary General	Cambodia National Mekong Committee (CNMC)	Cambodia
Ms	Bouakeo	Phaylin	Department of Water Resources	Administration-Planning Division, Ministry of Natural Resources and Environment (MONRE)	Lao PDR
Mr	Dao	Trong Tu	Chair of Viet Nam Mekong Water Dialogue	Centre for Sustainable Water Resources Development and Climate Change Adaptation (CEWAREC)	Viet Nam
Mr	Fongkhamdeng	Phousavanh	Deputy Director	Administration-Planning Division, Department of Water Resources, MONRE	Lao PDR
Mr	Homkingkeo	Chanlakhone	Technical Staff	Water Quality Monitoring and Management Division, Department of Water Resources, MONRE	Lao PDR
Mr	Inthachak	Sengsoulivanh	Head of Water Resources Section	Department of Natural Resources and Environment, Champasak Province	Lao PDR
Mr	Kingkhambang	Khonekeo	Deputy Director National	ASEAN Cooperation on Environment Division, National Environment Programme	Lao PDR

			Environment Programme Coordinator	Coordinator, MONRE	
Ms	Le	Thi Huyen	Officer	Department of Rural and Water Resource Management, Directorate of Water Resources, Ministry of Agriculture and Rural Development	Viet Nam
Mr	Le	Anh Tuan	Deputy Director	Research Institute for Climate Change (DRAGON Institute - Mekong), Can Tho University	Viet Nam
Mr	Mean	Meach	Project Coordinator	3S River Protection Network (3SPN)	Cambodia
Mr	Meas	Khov	Deputy Secretary General	Tonle Sap Authority (TSA)	Cambodia
M	Nguy	Thi Khanh	Director	Green Innovation and Development Centre (GreenID)	Viet Nam
Mr	Nguyen	Huu Thien	Freelance wetlands specialist		Viet Nam
Mr	Pham	Tan Ha	Freelance GIS and water resources expert		Viet Nam
Mr	Phapho	Keoudone	Technical Officer	Power Generation Division, Department of Energy Policy and Planning, Ministry of Energy and Mines	Lao PDR
Mr	Pintheary	Preap	Office Chief,	Ministry of Foreign Affairs and International Cooperation (MFAIC)	Cambodia
Mr	Samet	Sok	Project Assistant	Royal University of Phnom Penh (RUPP)	Cambodia

Mr	Senglong	Yourk	Programme Manager	Fisheries Action Coalition Team (FACT)	Cambodia
Mr	Sensathith	Khatthaneth	Technical Officer	ASEAN Cooperation on Environment Division, MONRE	Lao PDR
Mr	Sereywath	Pich	Deputy Director	Department of Community Fisheries Development' Ministry of Agriculture, Forestry and Fisheries (MAFF)	Cambodia
Dr	Sunleang	Srey	Director	Wetlands and Coastal Department, Ministry of Environment (MOE)	Cambodia
Mr	Tom	Say	Chief, Human Resource Development Office	Department of Agriculture Extension (DAE), MAFF	Cambodia
Ms	Truong	Tung Hoa	Officer, Department of Water Resources	Ministry of Natural Resources and Environment	Viet Nam
Mr	Vannalath	Vilavong		Department of Natural Resources and Environment of Champasak Province	Lao PDR
Mr	Vannara	Tek	Executive Director	NGO Forum Cambodia	Cambodia
Mr	Vorsak	Bou	Programme Manager	Birdlife International	Cambodia
Mr	Vu	Thi Thanh Tu	Researcher	Institute of Foreign Policy and Strategic Studies, Diplomatic Academy of Vietnam	Viet NAM
Mr	Nguyen	Duc Tu	Water and Wetland Program Coordinator	IUCN Viet Nam Office	Viet Nam
Ms	Le	Thi Thanh	Programme	IUCN Viet Nam Office	Viet Nam

.		Thuy	Assitant		
Dr	Fauconnier	Dr Isabelle Fauconnier	Water Policy and Sustainability Adviser	IUCN Global Water Programme	Switzerland
Mr	Glemet	Raphael Glemet	Senior Programme Officer, Water and Wetlands	Natural Resources Group, IUCN Asia Regional Office (ARO)	Thailand
Mr	Sinha	Vishwa Sinha	Programme Officer	Natural Resources Group, IUCN ARO	Thailand
Mr	Adam	Starr	Country Manager	IUCN Lao	Lao PDR
Mr	Pheakdey	Sorn	Water and Wetlands Coordinator	IUCN Cambodia	Cambodia



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