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NRGF Framework - What does "framework" mean in the NRGF, and how is a framework different from "a tool or tools"?

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What is a Framework ?   A "Framework" is the basic structure underlying a system, concept, or text: e.g., "the theoretical framework of political ecology"; a **frame of reference against which to measure and which guides construction of laws, regulations, policies.** At the same time, a Framework is the **essential supporting structure** of a building, or as in the image of NRGF as the fundamental supporting structure for the other IUCN products placed inside it.   The term "Framework" implies both structural integration, and an encompassing frame of reference against which things "inside it" can be measured for "fit". **A framework is a defining setting, not just a setting.   A framework is not "a tool" or a "set of tools".**

The IUCN Natural Resources Governance Framework is reference document, with values and principles against which actions, laws, etc, can be tested for their "fit." Examples of frameworks include: national Constitutions, the Bill of Rights in the USA, UNDRIP, and the principles agreed upon in treaties.   Questions/statements/processes, etc, are tested against the principles in the framework to determine if they "fit" or how they need to be modified so that they "fit".   For example, courts can test an action taken by the State as to whether they meet the criteria for ¨right to due process¨, or test an Act of Congress against Article One of the Constitutions (which sets bounds on what the legislature can do).   In this particular case of the NRGF of IUCN, given that the other Knowledge Products of IUCN are placed "inside" this framework, an illustrative question might be "how is the Red List process incorporating stakeholder participation? (assuming there is some statement about stakeholder participation in the NRGF). Or "how does the IUCN project incorporate local governance?" (assuming there is a statement regarding local governance in the NRGF etc). **The NRGF "Knowledge Basket" (knowledge product) will include tool/s to guide the assessment of the strengths and weaknesses of actions, law and policies in relation to the principles established in the NRGF.** Tools will help IUCN and its members to assess whether, for example, stakeholder engagement has adequately incorporated attention to local governance. If respecting indigenous rights to territory and self-determination is a principle of NRGF, then questions that will arise may include: how did this IUCN project / product (or national policy) respect

indigenous rights to territory and self-determination? Or NRGF can be used beyond the IUCN context, to assess how do the laws, policies and regulations of a country incorporate the necessary principles for good Natural Resources Governance outcomes, for example.

For a Framework to be shared, there must be a shared understanding of the meanings of words, particularly the principles and values whose meaning can change over time. Just as jurisprudence establishes the shared meaning of a law within a given society and culture, and can define legal reform needed when key principles and evolving cultural values are not being met by the current law, a Framework must be flexible enough for modification. For example, a Constitution is amended or a new Constitution is written when it is clear that major adjustments are needed to meet the standards on which the original framework was built (i.e., Amendment for women's right to vote, or a new Constitution to decolonize the basis framework of law). **Where are the principles that will form the NRGF and guide any future adjustments?** In the past ten years, IUCN has adopted "rights-based approaches" -- which indicates that Human Rights have become a key principle to be used for constructing the NRG Framework. Other principles are drawn from Resolutions and other key IUCN documents. Principles may be in conflict - as efficiency and human rights may conflict- so the key principles must be taken "as a whole", not as single values/principles.

What is a Governance Framework?   Governance is the central concept in the NRGF. Governance has many meanings and does not necessarily translate with identical meanings between countries/cultures.   For USAID, for example, governance is the relationship between government and civil society -- as the broad definition of governance used in the USA. In other countries, governance can refer to the ability of a government to control the behavior of the population, without consideration of the role of civil society as a key actor in the politics of creation and application of laws.   Hence, one of the challenges for construction of a "Governance Framework" is to create a reference Framework for different forms of government while being true to the core values and principles that ground that Framework.

A governance framework is based on culture and law. Law is a cultural form (legal practice is cultural practice) and culture itself carries regulatory force[1].   Hence another challenge facing NRGF is to shape an NRGF that can be applied in a diversity of cultural and legal settings, including in contexts where multiple cultures co-exist, as in the case where Indigenous Peoples live as nations within nations.

RECOMMENDED REFERENCES

USAID Center for Democracy and Governance Technical Publication Series, launched in 1998 - and written by experts - focuses on four elements: Rule of Law, Elections and Political Processes, Civil Society and Governance.   Key reference publications include:

Democracy and Governance- A conceptual framework http://www.hsdl.org/?view&did=445874;

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[1] Law as Culture, Naomi Mezy, 2001, *The Yale Journal of Law & the Humanities*, Vol.13, p.35-67, http://web.law.columbia.edu/law-culture;; Post, Robert C., "Law and Cultural Conflict" 2003, Faculty Scholarship Series. Paper 180. http://digitalcommons.law.yale.edu/fss_papers/180

Decentralization and Democratic Local Governance Programming Handbook,
http://www.au.af.mil/au/awc/awcgate/usaid/local_gov.pdf

A Handbook for Fighting Corruption,
http://www.au.af.mil/au/awc/awcgate/usaid/fighting_corruption.pdf

A Handbook on Legislative Strengthening
http://www.usaid.gov/sites/default/files/documents/2496/200sbb.pdf

Handbook of Democracy and Governance Program Indicators
http://dmeforpeace.org/sites/default/files/USAID_Handbook%20of%20Democracy%20and%20g
overnance%20program%20indicators_0.pdf

Greening Democracy and Governing the Environment: USAID Experiences from the Field
http://pdf.usaid.gov/pdf_docs/PNACN009.pdf