



## FOREST GOVERNANCE LEARNING GROUP - GHANA<sup>1</sup>

### WORK PLAN FOR 2008

February 2008

#### Summary

FGLG is an alliance of independent agencies working in Burkina Faso, Ghana, Cameroon, Malawi, Mozambique, Niger, South Africa, Uganda, India, Vietnam and Indonesia. Sub-groups in each country exchange learning and develop ideas on practical, just and sustainable forest governance – and then help to make them work. FGLG is steered by the International Institute for Environment and Development (IIED) and supported financially by the European Commission and the Dutch government<sup>2</sup>. Activities include participatory analysis, learning and training events, network building, supported uptake of governance tools, and taking direct opportunities for governance reform. Inter-country capacity-building work and engagement with international policy processes is also emphasised. Country groups involve opinion-formers and decision makers, plus individuals who articulate the issues faced by those marginalized from governance, and other facilitators who work with them.

FGLG-Ghana work has helped shape the governance reform agenda in Ghana since 2004. **Social justice in forestry** is its focus. To date the Ghana sub-group has:

- a. conducted studies on the legality and impacts of forest utilisation permits and on impacts of local forest institutions;
- b. hosted a learning event for all FGLG country groups in 2004, and participated in further such events in South Africa in 2004, Uganda in 2006 and India in 2007;
- c. developed a tool for advancing community rights in forestry - "People's Law";
- d. presented findings to the World Conservation Union Congress in November 2004, the Commonwealth Forestry Conference in February 2005, and the European Commission in April 2005;
- e. supported Forest Watch Ghana's capacity building for forest forum facilitators, which led to increasingly effective forums: 28 district, 10 regional and 1 national;
- f. facilitated "Chatham House rules" discussions amongst key policymakers, civil society activists and administrators in the forestry sector in Ghana
- g. supported agenda development amongst community forest management and enterprise practitioners' network – including "Akosombo III" communiqué – a clear programme with targets in line with Millennium Development goals etc.
- h. galvanised civil society engagement with Forest Law Enforcement Governance & Trade (FLEGT) process with results including: Ministerial agreement on participatory principle; government acceptance of national 'governance

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<sup>2</sup> The FGLG website is: <http://www.iied.org/NR/forestry/projects/forest.html>, and the Coordinator of FGLG at IIED is [james.mayers@iied.org](mailto:james.mayers@iied.org)

objectives'; strong influence over legal standard; and acceptance – through work on fleshing out the EC-Ghana Voluntary Partnership Agreement (VPA) by assessing its potential impacts – of revival of reform agenda after 15 years

Broadly, FGLG-Ghana has worked as a catalyst - providing evidence and analysis that has strengthened the constituency for reform in civil society and the state. It continues through a process of discrete shuttle diplomacy to facilitate consensus building amongst key players and institutions to drive the reform process forward. Thematically it has explored the synergies between:

- formal top-down governance reform processes - principally the FLEGT negotiations with the EU but also the Natural Resources, Environment and Governance programme supported by the World Bank and other donors; and
- bottom-up initiatives – principally the Forest Voices Project initiated by Forest Watch Ghana but also the collaborative forestry management “Akosombo III” process

In 2007, on the recommendation of the wider FGLG, the Ghana team sought to incorporate governance training for mid-level managers into its programme. The group was not able to implement this during 2007.

### **The Challenge of 2008**

The governance reform process in Ghana has entered a critical phase. The Forest Voices Project concluded in July 2007 and successfully dovetailed into an FAO supported National Forest Forum project and an agenda-setting process for Community Forest Management and Community Forest Enterprise (Akosombo III). Through these processes an articulate community rights movement has emerged. This movement has made specific formal demands for transitions in forest tenure, policymaking and management to which the formal top-down reform process must respond. At the same time, the Government of Ghana and the EU have indicated their intention to conclude FLEGT negotiations by June of 2008. This deadline also reflects the political reality that, with 2008 being an election year, it will be difficult to hold the political elite's attention beyond June.

This means that social-justice oriented reformists must press for consensus amongst diverse stakeholders over community tenure rights, community management rights and democratised policymaking. This will make huge demands on FGLG-Ghana members. They will have to:

- Review the situation and chart a tactical programme to influence the VPA Steering Committee in the requisite direction
- Generate or resource the generation of briefs supporting new national policy and legislation regarding community rights
- Deploy FGLG-Ghana and members' available time and resources to shape outcomes along the desired lines
- Conduct governance issues and methods training for middle level FC management
- Organise a forum (post VPA-signing): reflecting on reform process of the last few years (and FGLG's role in it); identifying changing priorities (with e.g. biofuels developments, prospects for Reduced Emissions from Deforestation and forest Degradation [REDD] and trade changes); and charting a 5-year course of forest governance reform action.

Annex 1 provides the activity plan for 2008. Annex 2 provides some background on FGLG-Ghana.

## Annex 1 Forest Governance Learning Group-Ghana. Activity Plan 2008

|                           | Intervention logic  | Objectively verifiable indicators of achievement  | Sources and means of verification   | Assumptions   |
|---------------------------|---|---|---|---|
| <b>Overall objectives</b> | <b>Social justice in forestry</b>   |   |   |   |
| <b>Specific objective</b> | <b>Provide tactical support to amplify initiatives that improve the social justice content in Ghana's forest governance reform processes.</b>   |   |   |   |
| <b>Expected results</b>   | <p><b>1. Initiatives for democratisation of forest policymaking and recognition of communal tenure and management rights enhanced.</b></p> <p><b>2. Lessons of governance reform process and ways forward identified, evaluated and installed in the work of key stakeholders</b></p> | <p>1.1 Policy and legislative proposals for: democratic consultative processes for policymaking; and restoration of communal tenure &amp; management rights</p> <p>1.2 Core sector reforms incorporated in legal standard and government response to VPA impact assessment; and substantive stakeholder on a VPA signed in mid-08</p> <p>1.3 Three pilot approaches to alternative tenure and enterprise designed &amp; monitored</p> <p>2.1 Participatory forum (post VPA-signing) held – with documented lessons and ways forward</p> <p>2.2 Two governance training events for mid-level forest managers held</p> <p>2.3 EOP reports published</p> | <p>1.1 Policy &amp; legislative briefs</p> <p>1.2 Concept notes, detailed plans, implementation notes and "governance gossip" reports on developments and consensus-building efforts</p> <p>1.3 Technical assistance consulting contracts &amp; project documents</p> <p>2.1 Meeting report</p> <p>2.2 Workshop / training reports</p> <p>2.3 Reports on learning, transferable tactics, impacts and ways forward</p> | <ul style="list-style-type: none"> <li>• Stakeholder preparedness to engage in the VPA process is maintained and further developed</li> <li>• The 2008 general elections do not completely distract politicians and senior officials from the reform agenda.</li> </ul> |

|                   |   |   |  |  |
|-------------------|---|---|--|--|
| <b>Activities</b> | <b>Activities to achieve Output 1</b> <p>1.1 Support drafting of proposals in FLEGT negotiations process for policy and legislative reform supporting civil society / communities' demands for:</p> <ul style="list-style-type: none"> <li>1.1.1 democratic consultative process for forestry policymaking</li> <li>1.1.2 full restoration of communal tenure &amp; management rights over off-reserve and degraded reserves</li> </ul> <p>1.2 Maintain advocacy for core sector reforms in work on legal standard and impact assessment for VPA, and support consensus-building towards a mid-08 conclusion to VPA-FLEGT negotiations</p> <p>1.3 Provide technical assistance to FWG in design &amp; monitoring of pilots for 3 alternative tenure and enterprise approaches</p><br><b>Activities to achieve Output 2</b> <p>2.1 Organise participatory forum (post VPA-signing) to: evaluate forest governance situation in Ghana, take on board emerging changes such as biofuels, REDD and trade, and scope 5 year agenda with key stakeholders</p> <p>2.2 Hold 2 governance training events for mid-level forest managers</p> <p>2.3 Prepare and publish EOP reports on learning, transferable tactics, impacts and ways forward</p> | The means for each group of activities follow the detailed budget [Available separately] <p><b>Means</b></p> <ul style="list-style-type: none"> <li>• Human resources</li> <li>• Travel</li> <li>• Equipment and supplies</li> <li>• Local office/action costs</li> <li>• Other costs, services</li> <li>• Total</li> </ul> | Project progress will be reported in 3-monthly progress reports and in a project evaluation report |  |
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### Introduction

The Forest Governance Learning Group (FGLG) is a forum of policy discussants operating across eight African countries and three Asian countries<sup>3</sup>. The International Institute for Environment and Development coordinates the Group. The European Commission funds it. Its rationale is to study and propagate tactical approaches to forest policy reform in the countries where sub-groups operate. The initiative commenced as a pilot in 2004 with DfID funding. Each country group undertook one or two studies into critical national forestry policy issues. Group participants shared initial studies in two regional “Learning Events” held respectively in Ghana in July and in South Africa in October 2004. These studies and Learning Event reports as well as other useful information about the initiative are available on the FGLG website: [www.iied.org/NR/forestry/projects/forest.html](http://www.iied.org/NR/forestry/projects/forest.html)

The Forest Governance Learning Group, Ghana team, commenced work in April 2004. The Forest Sector Development Programme originally hosted the initiative. It involved the technical director of the ministry, the FSDP team leader, two members of the Parliamentary Select Committee on Lands and Forestry, a forestry industry consultant who serves on the Board of one of Ghana’s leading Forestry Companies and the Coordinator of an NGO active in forestry policy. In Phase I (2004), the Ghana team:

- conducted a study on “Legality and Impacts of Forest Utilisation Permits”;
- conducted a study on “Local Forest Institutions in Ghana”
- hosted a West Africa Learning Event with FGLG regional and international colleagues in July 2004;
- participated in a Southern African Learning event in the Republic of South Africa in October 2004;
- participated in the IIED “Power Tools” project developing a legal tool for advancing community rights in forestry called “People’s Law” (see [www.policy-powertools.org](http://www.policy-powertools.org));
- contributed to a CD-Rom of all work produced in Phase I by the FGLG in the various countries – this included the written products from all the above actions (available from IIED, contact [forestry@iied.org](mailto:forestry@iied.org));
- presented the “Local institutions” study at the World Conservation Congress in Bangkok, Thailand in November 2004;
- presented the work of FGLG-Ghana at the Commonwealth Forestry Conference in Sri Lanka in February 2005 and contributed to a paper on the FGLG as a whole “Forest Governance and Social Justice, practical tactics from a Learning Group approach in Africa” James Mayers, Adolfo Bila, Stephen Khaukha, Kyeretwie Opoku, Wellings Simwela, March 2005.
- designed a website

FGLG research and analysis contributed directly to the governance reform agenda in Ghana in 2004 - 2005. It strengthened the evidence basis for demands for reform particularly in relation to the permits regime and revenue collection. It stimulated articulate demand for change within the forestry establishment. It especially influenced the thinking and demands of civil society groups like Forest Watch Ghana. It has drawn Forestry Commission, ministerial and parliamentary attention to important policy and legislative problems in the sector. For example, FGLG studies

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<sup>3</sup> Cameroon, Ghana, Malawi, Burkina Faso, Mozambique, Niger, South Africa, Uganda in Africa and India, Indonesia and Vietnam in Asia.

established wholesale violation of Ghana's permits regime<sup>4</sup> and huge financial losses to the state and society. This inspired a civil society campaign to bring companies into compliance. The Ministry of Lands, Forestry and Mines approved a programme for achieving compliance by June 2006. Parliament also budgeted for Timber Rights Fees commencing in 2005. This could, with full compliance, amount to hundreds of millions of dollars in revenue. Donor efforts to have compliance included as a funding "trigger" for budgetary support to Government failed. However, compliance is now an indicator of programme achievement under the Multi Donor Budget Support system.

FGLG embarked on a second Phase 2005 - 2008. In its report, "Practical Tactics to improve Forest Governance in Ghana" the FGLG-Ghana looked at various options for taking the FGLG contribution to forest governance reform forward. This was developed into a specific plan of work (this annually updated document) that takes advantage of specific significant changes in the international governance environment.

### **Social Justice in Forestry**

The group determined in 2004 that as far as possible it would focus its studies and interventions on issues of social justice in forestry governance.<sup>5</sup> The group considers that these issues (fair access to resources, fair distribution of rents and participatory resource management) lie at the heart of the governance crisis affecting the sector. At one level, this is simply a matter of applying the values and principles of the 1992 Republican Constitution to the forestry sector.

Economically, for the vast majority of Ghanaians (between 60% - 70%) forest resources are the principle assets available for the pursuit of development. A reconstitution of the forest rights regime towards greater equity and support for sustainable community use is necessary if we are to address the poverty status of forest fringe communities and their constituent socio-economic groups (farmers, food collectors, herbalists, hunters, researchers, animist religious practitioners etc.) as well as the artesian industries that depend on them. Clearly, the achievement of the Millennium Declaration requires greater emphasis within the Ghana Poverty Reduction Strategy (for example) on harnessing the potential of our forests.

Social justice in forestry is also crucial for resource sustenance. Best-practice thinking today is that forest fringe communities (who under Ghana law "own" the forests) can control illegal logging, illegal farming and bush burning where state forestry institutions have failed<sup>6</sup>. Most of these communities had well-established values, rules and practices that nurtured "their" forests prior to the establishment of the export economy and state annexation. Their exclusion and marginalisation over the last 70 years in favour of the timber industry and state bureaucrats has bred apathy and indeed antipathy towards commercial trees. Restoring access to rent and decision-making is the best way to both restore the value of forests to these communities and empower them to act accordingly.

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<sup>4</sup> i.e. with the Timber Resources Management Act, 1997, (Act 547)

<sup>5</sup> See "Practical Tactics for Governance"

<sup>6</sup> The Collaborative Resource management Unit has sponsored Community Forestry Committees, Community Biodiversity Advisory Groups and Protected Area Management Advisory Boards, which it uses for implementing work. However, no true collaboration exists because the preponderant culture within the Commission is hostile to sharing power with communities.

## **Focus in 2007**

In 2007 FGLG continued its focus on the Voluntary Partnership Agreement (VPA) and the Forest Voices Project (FVP). Events in 2006 confirmed our initial prediction of a need to holistically unite bottom-up and top-down approaches to achieve governance reform. The centrality that the two issues of “participation” and “institutionalisation” respectively in the VPA and FVP processes demonstrates this clearly. In 2007 therefore the focus was on facilitating a significant merger of the two processes in order to optimise both. In addition the Ghana sub-group will aim to introduce governance training for mid-level managers of the Ghana Forestry Commission. This again represents a meeting point for the two approaches pursued in 2006 and is a way of further institutionalising and sharing the learning generated by the group.

### **Voluntary Partnership Agreement**

The EU and the Government of Ghana commenced negotiations for a VPA in December 2006. In 2007 the two parties made progress in negotiating:

- a. a definition of legal timber that will apply to trade between Ghana and the EU;
- b. a verification or tracking system that will enable the identification of timber as legal or illegal;
- c. a machinery for managing the verification process and certifying cargos;
- d. a system of third party auditing of the entire legality assurance system described above;
- e. a system for applying the legality assurance system to domestically traded timber products and (presumably) to non-EU markets.

According to the draft road map prepared by GOG (and regularly revised) final agreement should be reached by mid 2008.

The Government of Ghana has set up a Steering Committee to manage its preparations for VPA negotiations. The Steering Committee has commissioned a number of studies to help shape its positions. A critical issue for forestry stakeholders today is that of participation: what are the minimum standards and processes of stakeholder consultation that must apply to the VPA process? Indeed, civil society organisations have described the achievement of these standards and processes and their institutionalisation as more important than any possible trade deal between EU and GOG.

To date FGLG-Ghana has:

- a. undertook to manage a social impact study for the GOG Steering Committee;
- b. facilitated discussion about the participation problem amongst senior forestry officials and civil society leaders in formal meetings and in informal one-on-one engagements; and
- c. facilitated discussions about the creation of a forestry think tank that could intervene in shaping the intellectual and participatory character of the forest sector and its more effective integration into national development policy processes.

## **Forest Voices Project**

The DFID funded civil society initiative the “Forest Voices Project” concluded in July 2007. Under the project Forest Watch Ghana members have sustained and developed 12 District Forest Forums (out of 138) in six administrative regions were developed (out of 10) of the country. Forest Forums are democratic platforms for stakeholder consultation and accountability. The project also leveraged off an FAO-FC initiative to support 6 Regional Forest Forums and expects to crown this by July 2007 with a National Forest Forum. FWG members have also built community capacity to use these platforms to protect and promote their legal rights in forestry. FWG is convinced that these. Major challenges facing the forest forum include means of integrating their deliberations into the national policymaking processes on a sustainable basis.

To date FGLG-Ghana has:

- a. supported FVP capacity building for civil society participants' work with communities and forums.
- b. encouraged a discussion about the relative merits and demerits of bottom up initiatives represented by the FVP and top down initiatives represented by the VPA.
- c. discussed with the IUCN FLEGT coordinator the possibility of joint governance training for Ghanaian forestry stakeholders; and
- d. crystallised (at the FGLG international learning event in Uganda) a commitment to governance training for mid-level FC management;

## **FGLG-Ghana participation**

A key lesson in the inception period of FGLG-Ghana was the value of a small network of active members operating within a wider network rather than a large fixed membership. Individuals participate in the sub-group's activities based on their own constituency and personal priorities. Often key decision makers prefer discrete private consultations to formal meetings. Key figures in the team are:

| <b>Participant</b>     | <b>Position</b>  |
|------------------------|--|
| Kyeretwie Opoku        | Convenor of FGLG-Ghana. Coordinator, Civic Response  |
| Andrew Adjei-Yeboah MP | Deputy Minister, Ministry of Lands Forest & Mines  |
| Collins Dauda MP       | Ranking Member, Parliamentary Select Committee, Lands & Forestry                               |
| Fredua Agyemang        | Technical Director, Ministry of Lands Forestry and Mines                                       |
| Chris Beeko            | Coordinator VPA Steering Committee, Forestry Commission  |
| Elijah Yaw Danso       | Social Forestry Consultant   |
| Gene Birikorang        | Forester and economist, consultant to Ministry of Finance & Economic Planning                  |
| Eddie Prah             | Forestry Consultant, Former Director Forestry Commission and Director, SAMARTEX Ltd            |
| Emelia Arthur          | Executive Director, Integrated Action for Development Initiatives                              |
| Angela Dannson         | Assistant Director, Policy, Planning Monitoring & Evaluation Division, Ministry of Agriculture |
| Wale Adeleke           | Facilitator, IUCN FLEG programme   |
| G. K Owusu             | Forestry Consultant, Retired Director of the Institute of Renewable Natural Resources          |

## **Meetings & Interactions**

- In 2006 we learned that sub-group participants / members were not keen to attend more than one or maybe two meetings a year. They clearly prefer to relate more informally and often through core members who are able to pass "messages" and build consensus amongst participants. The group therefore continues to hold full meetings about twice a year. These meetings will continue to operate under "Chatham House rules" to encourage greater openness and engagement.
- As agreed at the December 2006 international learning event the core members of the Learning Group develop a routine of informal one-on-one meetings with other participants to facilitate discussion and consensus building around governance issues.

## **e-communications**

- The level and preferred patterns of communication within the group and the limited possibilities for public reporting of deliberations (because of the Chatham

House rules approach) renders a dedicated Ghana website impractical. E-mail communications and more frequent phone and direct communications serve better.

### **Support for governance processes & policy studies**

FGLG-Ghana continues to:

- Support the discussion about participation initiated by civil society groups in Ghana in the context of the VPA process by jointly convening (with the IUCN FLEGT – SVBC coordinator) stakeholder meetings which can lead to progress on this front.
- Be a focal point for governance issues arising in the assessment of potential impacts of the VPA being conducted by IIED.

### **Learning Dissemination**

The core members of the sub-group continue to meet with different forest stakeholder groups such as the parliamentary select committee, National House of Chiefs, NGOs and other CBOs in the sector to gain their perspectives and to disseminate findings from studies. Given resource constraints, these engagements typically piggyback on other programmes and meetings.

In addition to reflecting on study reports and process monitoring reports, the sub-group seeks to share data, information and insights with other forestry governance players. In association with IIED FGLG-Ghana publishes (print and electronic) its findings. We also participate in regional learning events and exchanges with other country teams as a means of disseminating our learning. FGLG-Ghana aims to proceed with full transparency about its objectives and actions.

### **Capacity building, local level engagement and influence**

FGLG will remain a learning group. However the sub group will engage with those involved in actually pioneering governance solutions. We will continue to look for opportunities to intervene in the discussion and push the social justice and creativity agenda forward. This could include supporting the design and implementation of training workshops or other capacity building events for participants or simply carrying our agenda to other forums. Concretely in 2008 we will in association with IUCN's SVBC project, Forest Watch Ghana and the Collaborative Resource Management Unit of the FC work to hold two formal governance training workshops for FC middle level managers.