

December 2014

# Forest Governance Learning Group

## Ghana

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Stronger collaboration for improved forest  
governance



## Author information

This report was written by Civic Response on behalf of FGLG Ghana

## About the project

For more information about this report, or the Forest Governance Learning Group and the Social Justice in Forestry project, visit <http://iied.org/forest-governance-learning-group>, or contact: James Mayers, [James.Mayers@iied.org](mailto:James.Mayers@iied.org).

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Published by IIED, December 2014

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# 1. Key issues and anticipated outputs

**Key issues** in social justice in forestry that the team sought to address were:

- Strengthen community participation in forest governance
- Shaping the tree tenure reform agenda
- Governance learning to inform the sector reform

The specific expected FGLG Ghana **outputs anticipated** in the July 2010 to September 2013 framework work plan were:

- a. a core multi-stakeholder team of activists networked to the nerve centres of forest policymaking in Ghana and willing to engage systematically over the long term to achieve reforms;
- b. a larger multi-stakeholder audience that can take core team outputs forward towards policy change and reform;
- c. governance learning products such as:
  - i. presentations of information and analyses to FGLG participants on topical issues within our thematic areas;
  - ii. analytical briefs for stakeholders (policymakers, Industry and civil society) on issues arising from FGLG deliberations; and
  - iii. information and analytical briefs to IIED and FGLG groups outside of Ghana on governance reform; and
  - iv. presentations at annual FGLG learning events and other cross-country exchange events.

The learning group committed to track forest governance reforms in Ghana including initiatives led by government such as the Forest Carbon Partnership Facility's Reduced Emissions from Deforestation and Forest Degradation, the Forest Investment Program, the Natural Resources and Environment Governance program and the Voluntary Partnership Agreement. These initiatives were to be tracked alongside other bottom-up CSO led initiatives such as the Governance Initiative for Rights and Accountability in Forest Management (GIRAF), the Forest Forum Processes, Making the Forest Sector Transparent and the Rights, Resources and Constitution campaign.

The degree to which these anticipated outputs have been achieved, and the modifications to them made over the duration of the initiative, is discussed below.

## 2. Structure of the team and wider consultative groupings

### Convenor and Civic Response

The learning group in Ghana is structured around the convenor, the core learning group and the reference group. Each plays a complimentary role in support of forest governance learning. Civic Response convenes the learning group and is responsible for the coordination and management of the project in Ghana. It facilitates platforms for interaction on forest governance and follows up on issues that emerge from such platforms. The convenor is also responsible for reporting at the international learning events and for providing feedback and recommendations for priority actions in the ensuing year. Civic Response's Kyeretwie Opoku is the convenor and he is supported by Samuel Mensah Mawutor.

### Core group

This consists of key thought-leaders from civil society, industry, government and academia who meet periodically to deliberate on forest governance issues (See Annex 1). They were selected by virtue of the influential roles they play in the forest sector in general, and with the REDD and FLEGT-VPA processes in Ghana in particular. This core group – which included several individuals involved in the earlier phase of FGLG work - was asked to reflect on these key processes and related actions (or inaction) and to draw learning into forest governance reforms stimulated or necessitated by these processes. However, periodic meetings, that were expected to be a key mechanism for this core group, were achieved less frequently than hoped due to the difficult schedule of these key actors and the practical difficulty in finding suitable times and places for such group-wide meetings to take place. The strategy was thus modified to involve more one-to-one meetings amongst these actors both in formal and informal settings – which proved a useful means of gathering and discussing relevant information and insight.

### Reference group

This comprises a range of stakeholders engaged in the forest sector that, in particular, have been part of the Voluntary Partnership Agreement (VPA) and REDD processes in Ghana. This group includes community representatives, the Trades Union Congress, and the Disability movement<sup>1</sup> among others. One function of this group is to engage with the analysis and products of the core group and then to feedback these views to the various constituencies these groups represent. Another function is to serve as a platform for critical inputs and lessons from bottom-up processes for inclusion in policy making. Over the course of the initiative, this group also increasingly referred to the National Forest Forum platform which discusses forest governance using bottom-up processes, while providing key reflections, feedback and recommendations for government policy making and policy implementation.

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<sup>1</sup> A representative of the Ghana Association for the Blind was a member of this contact group to represent the collective interest of the physically impaired. This representative was active in most meetings of the contact group during the negotiation phase till the signing of the VPA.

## 3. Main tactics used

### **Core group meetings**

The FGLG Ghana core group used a range of tactics including convening meetings of the group, meeting targeted stakeholders to take forward issues, meetings on the sides of Forest Watch Ghana (FWG) forums and using national forest meetings where most discussants are present. During the Natural Resource Summit in 2011 and 2012, and the FWG meetings in 2011 and 2012, such tactics were employed, for example to follow-up on the progress with implementation of the Forest Investment Programme (FIP) proposal.

### **One-to-one meetings**

Where opportunities occur, key individuals linked to processes in the sector and members of the core group have been engaged on a one-to-one basis. This included engagement with the initial consultant to the Ghana FIP proposal to understand the timeframe for his work and how his team intended to address the major recommendations from the FIP mission in 2011 which raised the need to address tree tenure as a major driver of deforestation and a potential area for investment of funds to strengthen and secure land and tree tenure arrangements. This was the main strategy for obtain an understanding of the progress of REDD and FLEGT processes and their attendant implementation challenges.

### **Research**

One main research project was conducted in the final period of the initiative, focused on the fiscal regime in the forest sector - more specifically, on the question of review of stumpage fees. Stumpage fees have not been revised for years, as the law requires them to be, so the question is how much revenue has been lost and why is this situation perpetuated? This research in turn feeds into broader questions of forest fiscal reform for greater capture of resource rent and for equitable distribution of such rent among resource owners and dependants as well as resource managers.

## 4. Main actions taken over the project period.

### 4.1. Actions of the core group

#### 4.1.1. Focusing and committing to the work plan

A core group meeting in February 2011 in East Legon considered and further developed a draft work plan for the period to late 2013 and the specifics of the first year. Core group members committed to making their inputs to the work plan and it was agreed that the different roles and positions of the core group made an effective complementary set for this work. In particular it was useful to get the buy-in of AbuJuam – Chief Technical Adviser on forests in the Ministry – who committed to leading discussions on the Forest Investment Programme and to focus attention on tree tenure reform. These commitments and the finalised work plan were circulated to all in the core group, to IIED and some in the (still evolving at that stage) reference group.

#### 4.1.2. Targeting Administrative allocation of Forest Permits

Revelation from internal Forestry Commission (FC) sources that 111 salvage permits had been issued for logging in 2011 stimulated a core group meeting. Such permits are issued administratively, without recourse to competitive bidding and parliamentary ratification – the recognised process under the VPA. The core group helped steer a civil society reaction to these revelations. The analysis of the CSO core group members fed into the development of a letter to the minister of Lands and Natural resources in 2011 to protest against the use of administrative permits such as salvage permits instead of using the mainstream Timber Utilization Contracts. The reason provided by Ministry and the Forestry Commission was that:

“The Forestry Commission Board negotiated with the judgment creditors<sup>2</sup> in an out of court settlement to avoid them put into effect the court orders. The agreement reached with them was to give them some compartments of Ehwiaa whilst the rest were to be allocated to genuinely distressed companies who had run short of raw materials and were laying off their workers. The beneficiaries are to pay all statutory forestry fees including Timber Right Fees (TRF) and also comply with all Forestry Rules and Regulations”.

Regardless the issuing of salvage permits for the purpose of the distress of the timber companies was criticised for which reason government committed to cease the issuance of such salvage permits<sup>3</sup> and parliaments commitment to keep a watchful eye on the FC<sup>4</sup>. These commitments were apparently abused showing from the report by Global Witness<sup>5</sup> issued in 2013. The case of the salvage permits was an issue presented by the Management Committee of FWG. Subsequently this was raised in a meeting with both the outgoing and the incoming Minister for Lands and Resources in early 2011.

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<sup>2</sup> In the case of the Tonton forest reserve it related to the creditors of Ehwia Sawmill and the company's employees which begun court proceedings against the company to recover various sums in various courts which lead to the auction of the Company's property including their TUC area. For the salvage permits in the Sui Forest Reserve it was a replacement allocation given to Messers George Grant Company for their loss of access to the now Ankasa River Forest Reserve after it was declared as a Wildlife Reserve.

<sup>3</sup> Available at [http://www.fcghana.org/VPA\\_2/assets/file/JMRM\\_mission1/JMRM\\_Aide\\_Memoire3.pdf](http://www.fcghana.org/VPA_2/assets/file/JMRM_mission1/JMRM_Aide_Memoire3.pdf)

<sup>4</sup> Can be accessed from <http://loggingoff.info/document/response-ghanas-ministry-land-and-natural-resources-salvage-permits>

<sup>5</sup> Available at <http://www.globalwitness.org/ghanapermits>

#### 4.1.3. Targeting Tree Tenure

The core group also took this opportunity to put forward the main elements of a concept note and an approach for an initiative – to be discussed with the ministry - to address tree tenure in Ghana. This suggested initiative included targeted consultations with various interest groups and synthesis and analysis of earlier reports and studies on tenure. The ministry began development of the Terms of Reference (TOR) for the initiative. This process was carried on by Civic Response which produced a concept note for a consultative process towards reviewing tree tenure arrangements in Ghana.

A core group meeting was also convened on the 3<sup>rd</sup> and 4<sup>th</sup> of July, 2012 on the side of the meeting of Forest Watch Ghana in Tamale. This raised concerns about the slow pace of sector reform processes for VPA implementation and dwindling civil society engagement with the VPA. The meeting also identified progress with the national forest forum and some momentum on domestic market reforms. In all these issues, land and tree tenure security is fundamental – and the group was galvanised in its belief that progress on this could drive other necessary reforms in the sector.

#### 4.1.4. Helping to make forest forums work

The Tamale meeting also discussed a trend which appears detrimental to the purpose of forest forums – duplication of systems and efforts. Some Districts in which Civic Response and Forest Watch Ghana, with the support of the Governance Initiative for Rights and Accountability in Forest Management (GIRAF) project funded by the EU, had been facilitating forum processes, were also the same areas of work by the National forest Forum which is now incorporated as an NGO (NFF-G). The core group decided to meet with the FC's Collaborative Resource Management Unit (CRMU) of the Resource Management Support Centre (RMSC) to begin discussions to resolve this emerging problem. Discussion there centred on streamlining forest forums to enhance voices in forest management. The core group recommended further discussions with the various forum facilitators to begin a process of building synergy and coherence. Reference in this was made to the vision of forums created and agreed in the 'Akosombo series' of meetings a few years ago. It was proposed that dialogue should seek to make forest forums devoid of internal bureaucracy, independent of government and an effective outlet for community concerns in forest management. Such a dialogue could be facilitated by FGLG (see section 6 below). Furthermore the secretariats of both Forest Watch Ghana and the NFF-G are expected to carry this process forward.

#### 4.1.5. Research on the costs of failing to revise stumpage fees

Drawing on concerns that the state is failing to capture adequate revenue from timber exploitation, and that communities and resource owners are not getting an equitable share, a study was commissioned into the cost for non-review of stumpage fees from 2003. This study of costs of non-review of stumpage is expected to be concluded in December 2013 such that follow-up actions can be taken in early 2014. These follow-up actions include report validation with key stakeholders, publication of research report, policy and legislative briefs, press briefings, engagement with key stakeholders including the Ministry of Lands and Natural Resources, the VPA Joint Monitoring and Review Mechanism (JMRRM), and the Parliamentary Select committee on lands and natural resources. Civic Response which convenes the core group in collaboration with Forest Watch Ghana will carry this discussion forward.

## 4.2. Actions with the reference group

### 4.2.1. Questioning rights and responsibilities – in reference group and forest forums in 2011

The reference group was convened, 18-20 May 2011 in Accra, to explore progress with the implementation of some international forest initiatives and to understand the extent to which they are harmonized or lack coherence. In attendance were 33 participants drawn from Forest Watch Ghana, facilitators of community and district forest forums, international and local NGOs and government stakeholders. Sector initiatives explored included the Forest Investment Programme (FIP), VPA implementation, the National Forest Plantation Programme, implementation of the Non Legally Binding Instrument on all types of forest, and the financial mechanisms of carbon trading. Two government members of the Core group, namely Abu Juam and Chris Beeko, led discussion on the FIP and VPA implementation. Additionally, the video documentary, produced previously by FGLG in Ghana, 'Trees in Local Hands', was shown to participants to stimulate discussion about a more effective approach to manage the many small-scale chainsaw operators. Concerns raised in the dialogue focused in particular on the VPA:

- Would VPA improve revenues for communities?
- Would VPA increase the cost of lumber thus making the resource more inaccessible?
- There is still a need for greater awareness raising and understanding of the VPA in Ghana.
- The export orientation of the VPA significantly improves the export trade at the expense of the domestic market access to legal timber.
- There is an urgent need to clarify tree tenure and carbon rights and a strong concern to strengthen the community ownership rights of those who nurture trees on their farms
- To what extent would REDD+ secure community access to forest resources and community forest ownership rights?

These concerns were key issues that were passed to the CSO representatives to the Multi-Stakeholder implementation of the VPA for further discussion. Issues relating to tenure and benefit sharing were also expected to guide the concept note on roadmap to redress tree tenure which was being developed by Civic Response. This meeting provided the first opportunity of its kind for the reference group to have a general understanding of the range of forest initiatives and also to interact with government officials on these same issues.

FGLG also contributed to the 2011 National Forest Forum which took place in September that year. In attendance were about 150 participants from various communities, regions and sector stakeholders. The event was a culmination of a process of forest forums in 19 administrative districts in Ghana. Key issues raised at the national forum included the following:

- Activities of Fulani herdsmen and the allegations of intimidation, armed robbery and rape which had become a topical national issue<sup>6</sup>.
- Lack of transparency in the use of royalties by traditional authorities and the roles of chiefs in negotiating social responsibility agreements.
- Promotion of alternatives to charcoal and fuel wood to reduce the impact of desertification and land degradation in the three Northern Regions.

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<sup>6</sup> Some local communities in the Ashanti and Eastern Regions and Transitional regions of Ghana had resorted to "their own means" to resolve their challenges with the activities of these trans-boundary herdsmen which included allegations of rape, crop destruction and intimidation of locals who were opposed to the settlement of these herdsmen in their area.

- Closer collaboration between forest officers and forest fringe people is needed to address local challenges with forest governance
- Realistic solutions such as small scale Timber Utilisation Permits (TUPs) and regularization of chainsaw milling are needed to solve the problem of illegal chainsaw milling, rather than the current blanket ban.

#### **4.2.2. Developing stronger stakeholder policy capacity - zonal and national forums and groups in 2012**

FGLG supported three stakeholder consultations on FLEGT implementation and challenges in improving forest governance. These were convened for 5 district forest forums facilitated in the Northern Region, 12 district from Brong Ahafo, Ashanti and Eastern Regions, and 12 districts from the Western, Central and Volta Regions. The first two of Zonal forest forums took place in Tamale in the Northern Region of Ghana and the latter at Ho in the Volta Region. Stakeholders represented at this stakeholders meeting and included various forest user groups such as local farmers, teachers, and domestic traders in lumber, chainsaw loggers, NGO activists, and government officials from forestry services division, the National Fire Service, District Assemblies and the Police Service. Key issues that emerged from the three forums included:

- Massive illegal harvesting of rosewood from the northern savannah was likely to further destabilize the already fragile nature of the savannah ecology.
- Disruptive activities including allegations of rape, overgrazing, intimidation of local farmers, destruction of crops and farms by trans-boundary pastoralists. This is coupled with to the failure of District Assemblies to develop and enforce local laws such as bi-cultural protocols to locally redress this problem. The forum recommended that law enforcement agencies should implement national laws to protect local rather than claim to the ECOWAS Protocol on free movement of people and services as the major challenge in taking the needed action against such offenders.
- Fiscal returns from natural resource exploitation are inadequate and not transparent in disbursement.
- Invasion of many forest areas including forest reserves by illegal miners causes major forest destruction.
- Obtaining funding to sustain community and district forest forum processes is a challenge.
- Concerns amongst some stakeholders about the fate of chainsaw loggers and their value chain in the light of new domestic market timber policy.

All districts present based on the discussions and the recommendations developed action plans as the first step to redress the district specific challenges the emerged. The action plans were targeted at the specific little actions such as feedback to the community, follow-ups with duty bearers and speaking with identified target groups. Additionally FWG participated in the Vice Presidential debate on Natural Resources and submitted two specific questions on the domestic market reform process and the challenges raised the allegations of criminal actions by some pastoral herdsmen. There were positive responses from the vice-presidential aspirants. They all committed to support the domestic reform and gave various solutions to the trans-boundary herdsmen problem including dialogue with neighbouring countries of these herdsmen, better equipping the police and developing specific policies for the kraals as opposed to the free-range cattle grazing.

Additionally, FGLG supported the 2012 National Forest Forum held in Accra between 11<sup>th</sup> and 16<sup>th</sup> November. Again, it was extremely useful to have key government and core group players, Chris Beeko of the FC and Musah Abu-Juam of the Ministry, present for dialogue in particular on VPA implementation and the Forest Investment Programme. Two critical issues were raised on the VPA Implementation. Firstly, Timber Resources (Legality Licensing) Regulations have been passed by Parliament into law (Legislative Instrument 2184). This LI gives legal basis to the issuing of FLEGT licenses and it also establishes the Timber Validation Council to supervise the work of the Timber Validation Department of the FC. This law however, unlike its earlier drafts, omits provision for

organized civil society on the Council<sup>7</sup> – despite wide recognition, for example, of civil society’s integral role in development and negotiation of the VPA. The forum recommended that the FC and the Ministry of Lands and Natural Resources should tackle this situation. Secondly, the forum was concerned by the reduced level and quality of interaction between government and civil society since the ratification of the VPA. A reason offered by government was the ‘technical’ nature of implementation, requiring the bulk of the work to be done by the FC – a notion contested by others. It was also realized that there was the need to enhance the capacity of local communities on REDD+ and the FIP for communities and their intermediaries to effectively participate in those processes as well as take advantage of its opportunities.

These key issues were carried on as advocacy issues by both Forest Watch Ghana members and the various forest forum districts. Copies of the recommendations by the forums were submitted to the Ministry of Lands and Natural Resources, Parliamentary Select committee on Lands and Natural Resources, and Ministry of Local Government and Rural Development to be included in the ministries response. A response to the Rosewood problem was only came 2013 however. In September 2013 Cabinet issued a directive to stop all exports of Rosewood from Ghana with effect from December 31, 2013. Though this ban seems like the needed political action, it still allows room for a last mad-rash by the rosewood exporters in a bid to beat the ban.

Finally and at the end of 2012, on the 13<sup>th</sup> and 14<sup>th</sup> December, a reference group meeting was convened to further debate progress with VPA implementation, the forest policy and legislative review process and to re-strategize for a review of the Ghanaian Constitution. The Civil Society Coalition on Land, the National Coalition on Mining, the Kumasi Wood Cluster Association (An association of medium and small scale enterprises based in Kumasi), the Domestic Lumber Trade Association (DOLTA), Forest Watch Ghana members, selected District Forest Forums and other forest sector NGOs were all in attendance. Key emerging issues included:

- CSOs have lost a core of senior leadership over the last 4 years and this has slowed the momentum of CSO engagement.
- CSO relations with the Parliamentary Select Committee on Lands and Forest, and the Attorney Generals Department should be strengthened to ensure that CSOs know of all forest legislation that is put before Parliament and that future Legislative Instruments have better CSO inputs.
- CSOs should petition the presidential committee implementing the government white paper<sup>8</sup> to institutionalize free prior and informed consent (FPIC) and a more appropriate compensation for loss of land and for crop compensation as fundamental governance principles in the process of allocation of natural resources.
- Networking and internal coordination among CSOs should be strengthened, and capacity building of the reference group should be sustained for greater consistency and a stronger constituency to contribute to national and local level policy making.

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<sup>7</sup> The VPA agreement refers to the body as a ‘Council’ however the law LI2184 refers to the body as a ‘Committee’.

<sup>8</sup> A White paper was issued by Government on what recommendations it intended to implement based on the recommendations and research report submitted by the Constitution Review Commission. Available <http://www.ghana.gov.gh/index.php/information/reports/2572-white-paper-on-the-report-of-the-constitution-review-commission-presented-to-the-president>

## 5. Self-assessment of the impacts of FGLG in the changing context of forest governance in Ghana

The international FGLG initiative 'Social Justice in Forestry' is being independently evaluated in late 2013. The FGLG-Ghana team supplied a self-evaluation to the consultant carrying out this evaluation, Peter Branney – it is attached as Annex 2. The remainder of this section provides further self-assessment in the changing context of forest governance in Ghana.

### 5.1. Opened doors for effective sector governance

FGLG has played a key role in sustaining dialogue and opening spaces for interaction with government institutions and for taking processes up. The FGLG links has contributed significantly to gaining access to government officials for the work of civil society particularly FWG. This has ensured that informal channels to government, access to information and advocacy opportunities have remind alive outside official engagements. This has been critical in getting FWG informed and proactive in forest governance reform initiatives in Ghana. The strong contacts which has been built through FGLG with these government actors has therefore contributed greatly to the effectiveness of FWG.

### 5.2. Stronger community participation in forest governance

Community participation in forest governance was a major innovation of the 1994 forest and wildlife policy which eventually led to the Akosombo Dialogues in the early 2001. The Akosombo Series of discussions from 2001 was intended to deepen efforts at collaborative management which eventually resulted in the creation of forest forums. The new Forest and Wildlife Policy further supports participatory process for collaborative participation in forest governance, hence a political commitment and support for such bottom-up citizens' process.

FGLG core group members have been active in these forest forum processes, facilitated by Civic Response and FWG, with backing primarily from the GIRAF project. These processes in 2011 produced useful recommendations which were further taken up by forest watch Ghana for the review of the forest and wildlife policy. Recommendations for the policy from the 2011 national forest forum event, including legislating participatory forest governance processes and legal backing for owning of naturally occurring trees in the off-reserve areas have been accepted.

But the effects of forest forums have been somewhat diluted by a sudden proliferation of similar processes which, rather than working in complementarity for increased overall effect, have tended to work in parallel with unnecessary duplication of effort and even competition for legitimacy and credibility. These competing forest forum platforms included the Multi-Stakeholder Dialogue (MSD) which was being facilitated by Tropenbos, the National Forestry Forum - which had been set up government as a limited liability company - and the forest forum processes facilitated by Civic Response and FWG. These forums varied in their structure and linkage to national process as well as their processes for engaging communities and how community issues were represented at the national level.

The FGLG core group recognised the need to tackle this situation. It consulted with the main players and developed a roadmap towards more effective and coherent forest forum processes and convened a meeting, with the Collaborative Management Unit of the Resource Management Support Centre

(RMSC) and the National Forestry Forum, to finalize the roadmap. That meeting has become a turning point. Dialogue among the initiatives has increased and so far the MSD and the National Forestry Forum have merged into one platform, which has also strengthened its community outreach activities to establish stronger links with their constituents. Discussions between this platform, RMSC and Civic Response/FWG will continue to optimise effectiveness. Where the earlier national forest forum events were dominated by community representatives, which gave them strong and effective voice but also meant the events were highly critical of government policy development and implementation efforts - with low level government representation forced into being purely defensive and reactive – more recent events have been characterised by more of a balance of stakeholders and a more collaborative spirit.

### 5.3. Steps towards long-needed tree tenure reform

Tree tenure in Ghana is still as confused and insecure as in the early 1990s. Currently, ownership of trees on farms in the off-reserve areas lies with the state rather than with the farmers who have invested in their protection and nurture. Current benefit sharing arrangements for such trees if they are logged are further skewed against local communities thus contributing to the illegal logging and degradation of forests. Incentivising local communities and farmers by granting them greater tenure security and ownership of such naturally occurring timber species is likely to strengthen their forest protection efforts.

These tree tenure issues have been recognized by the both the VPA and REDD+ as major drivers of deforestation in Ghana. However, practical steps and immediate actions to begin a process of tree tenure reform – and to consider related issues of land tenure reform - only began in 2011 when discussions commenced between the Ministry of Lands and Natural Resources and Civic Response. Currently, under the FIP, funds are likely to be available for participatory processes towards reform. What is needed is a synthesis and update of the practical options for tree tenure to inform and catalyse this process. Besides naturally occurring trees on farms in the off-reserve areas, which has been the major focus of tree tenure discussion, the Ministry is also exploring tree tenure and benefit sharing arrangements in modified taungya systems, forest plantations and naturally occurring trees in the off-reserve areas. A concept note and road map for this process of reaching reform, heavily influenced by FGLG members – who believe that the time has come for practical consideration of the underlying proposal of granting ownership of natural occurring trees to farmers - is being discussed with the Ministry.

### 5.4. Civil society's key role in VPA implementation re-established

The role of CSOs in the negotiation processes leading to the signing of the VPA was quite well defined and energetically played. It has been weaker in the development phase leading implementation of the VPA. In this phase government's emphasis has been on the development of technical systems including the wood tracking systems and aspects of the legality assurance system to deliver legal timber. Participation of CSOs has been limited, in part due to there being no requirement for such participation agreed between the government and the EC, unlike in the negotiation phase. However, there are reform processes that require CSO participation including the review of forest policy, the consolidation of forest laws, the development of the legality verification manuals and protocols, and others. The exclusion of CSOs has thus sometimes resulted in hostile engagements with government in a bid to keep spaces open for CSOs. CSOs raised concerns with their exclusion from the Timber Validation Committee (see above). FGLG members were active in discussion and difficult negotiation with the ministry and the FC – and a seat has been returned to CSOs. The new forest and wildlife policy, which as noted above FGLG members were active in developing, will be expected to precipitate legislation for participatory processes for decision making in the forest sector. This is an important step in strengthening the role of CSOs generally in forest governance.

## 6. Looking ahead

### 6.1. A learning group for the future

The relevance of a learning platform such as FGLG in Ghana remains very strong. The opportunity for interaction, reflection and moving forward on the basis of clear lessons from past experience, is established as a key component of effective stakeholder collaboration and information sharing to achieve improved forest governance. The current collaborators and targets of this work, namely the lead policy makers and organisation and enterprise leaders, do not necessarily stay in post for long. The same is true for core group members themselves. A longer term outlook is therefore needed. One key approach would be to focus on the 'next-generation' of thought leaders who are likely to have a more influential role in forest governance in the next 5 – 10 years. Already a number of such people have been identified and are interested in informal engagements to improve governance. They include some potential leaders in the Forestry Commission, industry and individual researchers and natural resource activists. Civic Response is committed to working with such a group in the long term to build stronger relations and influence in the forest sector whilst at the same time seeking to maintain work with the current core group and both informally and formally in the governance reform agenda.

### 6.2. Next steps on the governance reform agenda

Civic Response and the Management Committee of Forest Watch Ghana will continue to pursue the dialogue for more coherent and effective forest forums processes in Ghana. A key milestone will be a meeting in March 2014 of FWG, the leadership of the National Forest Forum (NFF-G) and the Multi-Stakeholder Dialogue of the Tropenbos-led project to plan 'Akosombo 4' - a national conference on collaborative forest resources management, following in the spirit of the three previous high-profile gatherings at Akosombo which instigated the original forest forum ideas. This gathering should also give real momentum to use of the findings of the stumpage fee study to advocate specific policy reforms and a concerted review of the forest fiscal regime around a more enlightened vision for the forest sector and greater local and sustainable benefit from it. Akosombo 4 should also be key for the tree tenure reform work.

Civic Response, is also expecting new funding from the EU to up-scale tenure and benefit sharing arrangements which were piloted by Care International in the Western region. Work on this is anticipated in the Eastern, Brong Ahafo and Northern Regions of Ghana - areas with different land tenure arrangements. Through this and other project means – those involved in FGLG will seek to maintain and further develop some resourcing for the core functions of the learning group. Civic Response will also continue to work with Forest Watch Ghana, to follow-up the legislative reform and the implementation of the new forest and wildlife policy.

## Annex 1: Core group members

Name	Stakeholder group
Kyeretwie Opoku	Convenor
Samuel Mawutor	Co-Convenor
Elijah Danso	(formerly Deputy Head of Environment, Netherlands Embassy) now Forest Consultant
Wellington Baiden	Industry – Portal Limited
Chris Beeko	Forestry Commission
Musah Abujuam	Ministry of Lands and NR
Samuel K Nketiah	Research
Kingsley Bekoe Ansah	Civil Society

## Annex 2: FGLG Ghana team self-evaluation, Oct 2013

### Notes:

- This format gives you an opportunity for self-evaluation of the performance of FGLG and its impacts from the start of the initiative in 2005 until 2013.
- By completing this format you will contribute to the overall evaluation of FGLG and influence the design of any future initiatives on forest sector governance.
- One completed copy of this format should be prepared by each country team.
- All answers should refer to the performance and impacts of FGLG in your own country
- The completed format should be emailed to [peterbranney@msn.com](mailto:peterbranney@msn.com) by the country convenor (on behalf of the whole team) by 11<sup>th</sup> October 2013 at the latest (for Ghana, Uganda, Tanzania, Malawi, South Africa, Vietnam and Indonesia) or handed over to Peter Branney during country visits to Cameroon, Mozambique and India during the period 8-21<sup>st</sup> October 2013
- You may wish to hold a meeting with all representatives of the FGLG in your country to discuss your response to these evaluation questions. Answers should be based on consensus amongst the team.
- You can write as much as you wish in response to the evaluation questions. Please try to be open and honest in your answers because this will help to identify lessons and will support future approaches to forest governance based on these experiences.
- In the table below, the first column contains a question. Please write your answers in the second column.

Country	Date of assessment
<b>Approach of FGLG initiative (in your own country)</b>	
1.1 What were the major forest governance issues and opportunities in your country since 2005? [list them?]	<ul style="list-style-type: none"> <li>- Lack of tree tenure clarity in the off reserve areas and the inequity in the distribution of forest rents.</li> <li>- Corruption within the forestry sector including abuse of permits regime and the strong political alliances between the timber industry and the politicians, illegal domestic trade.</li> <li>- weak enforcement of laws</li> <li>- poor collaboration between policy makers and civil society and limited channels and avenues for dialogue between them</li> <li>- Participation of local forest communities in forest decision making was still weak though there were efforts at collaborative forest management.</li> </ul>
1.2 What have been the most effective methodologies that FGLG has used since 2005? [describe as many as you wish. You could refer to the country level methods from page 23 of the project document]	Research, publishing summaries of research findings, using public advertisers announcements, official and informal engagement with government officials and policy makers, the use of corridor meetings and engaging policy discussants at platforms of forest sector events.

Country	Date of assessment
1.3 What changes have there been in approach of FGLG in your country since the start of the initiative? Why have these changes taken place?	<p>From 2010 FGLG Ghana returned to a function of a learning group and a platform where lead policy thinkers from government, industry and civil society could hold discussions and have dialogue on forest governance generally in Ghana. Due to challenges of the scheduling and the difficulty in getting all discussants present for deliberation the strategy was to engage these policy thinkers from industry on the sides of meetings through informal engagements. This meant that the function of FGLG as a core group of experts proposing ideas for action by the reference group was hindered. The reference group however, consisting of a broad range of forest sector actors which were convened annually through a National Forestry Forum. There reference group was therefore able to serve as the platform where national policy makers interfaced with civil society and local community representatives to received feedback on impact of policy implementation while contributing to the shaping of government policy.</p>
1.4 How effective has the team-based structure and approach of FGLG been? Comment on the strengths and weaknesses of this.	<p>A major strengthen of this structure is that it afforded the opportunity for a broader platform to engage government on local community challenges with forest management. Major concerns which have been addressed through such platforms over the years include the recognition of admitted farms of communities in forest reserves, increases awareness on forest policy and law, the contributions to the reshaping of the new forest and wildlife policy and the enforcement of Social Responsibility Agreements by many communities which participated in such discussions. A major weakness is the inability to sustain industry and government interest over the period on such broad platforms, though such important policy actors remained informally willing to engage with the reference group.</p>
<b>Performance and impact of FGLG (in your own country)</b>	
2.1 To what extent has FGLG has contributed to improved forest governance in your country [tick the best box and provide an explanation for your answer]	<p> <input type="checkbox"/> No contribution at all  <input type="checkbox"/> Minor contribution only  <input checked="" type="checkbox"/> Significant contribution  <input type="checkbox"/> Highly significant contribution         </p> <p>Explanation:</p> <p>FGLG took up the discussion on the multiplicity of forest forums which seem to duplicating efforts and raised the need to return the original concept of forest forums when they were established from 2002. This is quite an important step because forest forums consist of an opportunity for local communities to contribute to forest policy making and decision making hence the lack of a common purpose among those facilitating</p>

forest forums and threatened the relevance of bottom-up processes such as forums. The engagement with the Collaborative Resource management unit of the Forestry Commission and the secretariat of the National forest Forum was a major positive step, however the collective decisions which were agreed were not followed through. The engagement however has however created the space for dialogue between forums facilitated by the Forestry Commission and that facilitated by Forest Watch Ghana.

FGLG provides the opportunity to engage policy makers who are part of the learning at the same time guarantees access of csos to such individuals. Through the participation of Abu Juam in the learning group, he was consistently available to raise awareness among CSOs on the Forest Investment Plan from its inception stage to the finalization of the investment plan for Ghana.

CSO exclusion from the Timber Validation Committee (TVC) was an issue picked up with some members of the learning group (Government discussants). The change in position by government to accept civil society representation could to an extent be a result of the benefits of collaboration from a platform such as FGLG.

2.2 For each of the 4 outputs of FGLG – how do you rate the performance of FGLG [give a score where: (1) = governance impacts have been widely achieved that have had wider impacts on the ground; (2) = governance impacts have been achieved that have had some impacts on the ground; (3) = some governance impacts have been achieved but with little actual impact on the ground; (4) = there have been only limited learning or governance impacts with no signs of tangible impacts on the ground]. Give an explanation for your assessment score

#### **Output 1: Forest rights and small forest enterprise**

Score =

Explanation for score given:

#### **Outputs 2 & 3: Legitimate forest products + Pro-poor climate change mitigation and adaptation through forestry**

Score = 2

Explanation for score given:

FGLG through Forest Forums was instrumental in the consultation process for the new forest and wildlife policy. Issues such as community plantations, improved roles in forest management, participation in collaborative governance, improved benefit sharing regime and redressing the confusion and insecurity over tree and land tenure are significant outputs that were emphasised for uptake by the new forest and wildlife policy. This new policy seeks to strengthen community participation in governance and management of forests. Current analyses of the new policy by CSOs indicate that there are a plethora of opportunities for local forest communities than any previous policy.

Through association with FGLG government officials were more accessible to be invited to share their knowledge and contribute to CSO forest governance

discussions. FGLG discussants are thus more accessible to CSO meetings and engagements which in turn creates national opportunities for the civil society to function. The selection of Civic Response as the consultant for the lead the discussion and processes for Tree tenure reform is an important outcome of the familiarity and good will in the learning group.

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#### **Output 4: Trans-national learning and preparedness**

Score = 2

Explanation for score given:

Under the current phase of the project, Ghana has been part of 3 international learning events where we shared progress with forest governance and the learning group in Ghana. It also provided the opportunity for critique and feedback on the reports and the annual work plans from other partner countries. The current work with industry by Civic Response owes in part to experiences gleaned from the work plan and activities of the South Africa Learning Group.

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2.3 What external factors (outside the control of FGLG) have affected the impacts that FGLG has had? [describe them]

Tree tenure reform was expected to commence in earnest in 2011. Through the interaction of the Learning group, the CSOs were the preferred choice to undertake the process of tenure reform. Civic Response, secretariat of Forest Watch Ghana and the convenor for FGLG was given the mandate to produce a concept note to propose options and its implications for the review of tree tenure in Ghana. This was to precede the process of a nationwide consultation process aimed at strengthening local ownership and management of trees. However the expected funding for that process was not realized hence the opportunity slipped. Such a process, had it been led by Civic Response would have been directed by the inputs of FGLG discussants

2.4 Describe the performance of IIED as overall coordinator of FGLG in terms of (a) its capacity support and (b) overall management support for your in-country team and your team's actions.

IIED support for Ghana FGLG team was quite strong at the initial design of this phase of the FGLG and this culminated in the shaping of concept for work from 2011 to 2013. Support for the development of annual work plans for 2011 and 2013 at the international learning events was also quite useful for project management. However annual project management support through IIED country visits was limited. This would have strongly compensated for the challenges with human resource and thought leadership for FGLG in Civic Response which coordinates FGLG in Ghana.

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2.5 To what extent will partnerships and working approaches developed under FGLG continue after the end of the current phase? Comment on the sustainability of the FGLG initiative. What needs to happen for the effective approaches to continue?

FGLG in Ghana has holds the potential for improved forest governance though stronger collaboration between industry, civil society and government; a need which has been much recognized for the implementation of the VPA in Ghana. There is partial commitment by industry and government officials to engage however their efforts are weak. A platform for such dialogue is therefore necessary hence the FGLG model platform is timely and quite useful. This space for engagement however needs to be better institutionalized (not necessarily formalized or recognized by policy) to continue to function as a learning and reflection group for the forest governance reform. A more functional structure and more innovative approaches are needed to better secure the interest of policy makers going forward.

The function of a forest learning group is still very relevant and has a huge potential in the long term. New relationships with emerging thought leaders for the forest sector will have to be built to sustain the long term relevance of a governance learning group. Such a learning group, either different from the current learning group or additional, for the mid-level managers, CSOs activist and industry persons will also be a useful level of a learning group to share learning and for building networks for the long term, has a good potential of functioning and higher chance of success possibly do to more flexible schedules of such individuals.

2.6 Describe any changes in the relationship between government and civil society in your country as a result of FGLG?

Informal collaboration between government and civil society is quite strong as a result of FGLG. In a recent meeting between Forest Watch Ghana and the Ministry of Lands and Natural Resources, government acknowledged the progress in collaboration with CSOs both formally and though informal processes such as the learning group. Government wants this progress to be acknowledged formally and for CSOs to build on such collaboration to make suggest proposals and alternative actions to government. The membership of some policy makers on the FGLG platform also strengthened access to these policy actors.

2.7 Has the FGLG had any unexpected impacts? Describe these.

FGLG was instrumental in the development of the concept note for the process of tree tenure reform in Ghana until the process collapsed. Though the process was truncated due to lack of funding for the stakeholder consultation process, it has shifted the discussion to possible solutions to the land and tree tenure challenge in Ghana.

2.8 What evidence is there to show that the various activities that you have carried out have had impacts on the ground (for target groups)? Describe this evidence – or list any documents/sources of evidence

Through the National forest forum and its processes community concerns (mainly tree and land tenure, socio-economic rights for forest communities, consultation and participation in forest decision making) were raised in the 2011, 2012 processes. These concerns were the basis for FWG advocacy and submissions for inclusion in the revised forest and wildlife policy 2012. This is a major impact of the forums because the new policy sufficiently redresses these concerns raised. The new forest and wildlife policy thus addresses those community concerns and further more creates more opportunities for communities.

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### Lessons learnt from FGLG

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3.1 Describe any innovative approaches that FGLG has followed in your country

3.2 Describe (in bullets) any lessons from FGLG about effective ways of influencing forest policy and enhancing forest governance

Important thought leaders providing useful information to cso actors serve as a useful means of influencing national advocacy.

Collaboration with key policy makers in the governance reforms through a learning group provides useful information and opportunities for CSOs to lead reform.

Building relationships with high policy makers takes time and great effort. FGLG should target the policy makers of today but strategically build relations for the next line of thought leaders for future relevance and usefulness of a learning group.

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### Other comments about FGLG

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4.1 Do you have any other comments about the performance and lessons from FGLG? Please describe them here.

International learning events usually provided great opportunities to learn from forest governance processes and approaches in different countries; however leaning didn't seem to extend beyond those spaces. This could possibly stem from the fact that country activities, strategies and approaches differed from country to country.

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The Forest Governance Learning Group is an informal alliance of in-country groups and international partners currently active in seven African and three Asian countries. We aim to connect those marginalised from forest governance to those controlling it, and to help both do things better.

This report gives an overview of the activities and achievements of the Ghana FGLG team between 2009 and 2013.



## Project materials

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### Forests

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*Keywords:*

Forestry, Forest Governance Learning Group, Natural resource management



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Funded by:



This research was part-funded by UK aid from the UK Government, however the views expressed do not necessarily reflect the views of the UK Government. This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of IIED and can under no circumstances be regarded as reflecting the position of the European Union.