



‘Improving off-reserve logging in support of a functional VPA’

**REPORT ON TRAINING OF FOREST SERVICE DIVISION STAFF ON OFF-RESERVE LOGGING DO'S AND DON'TSS**

SUBMITTED BY:

SFMP-G

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## **1.0 Introduction**

The Ghana Sustainable Forest Management Partners (SFMP-Ghana) is a platform of five organizations that are joined by the vision to promote sustainable forest management in Ghana. These organizations are the National Working Group on Forest Certification (NWG), Rural Development and Youth Association (RUDEYA), the Kumasi Wood Cluster Association (KWC), Agri-business in Sustainable Natural African Plant Products (ASNAPP), and Friends of the Earth (FoE-Gh). SFMP-Ghana is supported by FAO to implement a project titled 'Improving off-reserve logging in support of functional VPA'. As part of project the activities, a one-day training workshop for Forest Service Division staff was organised on the 3<sup>rd</sup> February, 2016 at the Catholic Pastoral Centre at Goaso for 30 participants drawn from Kade, Jasikan, Asankragwa, Dunkwa, Goaso, and Nkawie forest districts. The participants were in the category of assistant regional managers, assistant district managers, range supervisors who are the frontline field foresters in the Ghana Forestry Commission. In attendance was the FAO Programme Officer responsible for Forestry and Natural Resources, the designated officer responsible for the management of this project on behalf of FAO.

The purpose of the training was to build the capacity of relevant FC Staff for them to be well informed and empowered and to also introduce them to a validated list of do's and don'ts to engage in responsible ORL negotiation and implementation.

## **2.0 Training Objective**

### **2.1 Objective**

- To train thirty (30) relevant FC staff on ORL negotiation process and procedures

### **2.2 Expected outcome**

- 30 FC Staff trained on ORL negotiation process and procedures.
- 30 FC Staff engaged in responsible ORL negotiation and implementation.

## **3.0 Activity Details**

### **3.1 Arrival and Registration of Participants**

The workshop started at 10:00am with registration of participants followed by an opening prayer which was said by Mr. Peter Anane from the Jasikan forest district. A total of 30 participants attended the training. Please refer to Annex 2 for participant's list.

## 4.1 Overview of Sessions

### 4.1.1 Welcome Address by-Project Coordinator

Mr. Gustav Adu, the Project Coordinator gave the welcome address. He introduced the Mr. Godwin Phylis Cudjoe, Programme officer for EU-FAO FLEGT Programme in Ghana and was happy he was present at the workshop assess how the project is being carried out and its effectiveness contribute to VPA -FLEGT implementation, once it gets started. Mr. Adu stated that VPA was already eight years into developing its procedures and implementation systems to issue FLEGT licenses to cover timber exports to EU countries and Export Permits to all other countries. It will in due time cover the domestic market as well. All sources of timber must clearly be identified and authorized to be legal. The standards to define legal timber, the procedures to follow to access the timber and place it in the supply chain are easier to apply in on-reserve forest areas but a bit fluid when it comes to the off reserve areas. And yet, legality covers timber from both off and on-reserve areas. For the importer and domestic vendor, none should be legally exempted. They are obliged to handle legal material in all cases and at all times. There is extreme interest among Civil Society groups, communities, farmers, and Traditional Authorities in the timber resources in off-reserve areas in respect of;

- i. logging legal rights, by which an individual or logger acquires the right, and
- ii. the benefits that they will derive for social development and compensation for damage they may suffer during the logging process.

The project picked six districts to find out how resource rights were given out and the benefits ensued from the use of the resource to the forest communities. The project implementing team collected information and data to assess if and how procedures and practices used conformed to prescribed law, regulations and guidance to be followed in good forestry management. From observation, analyses and conclusions out of the field data the project developed a list of Do's and Don'ts to aid first line forestry field staff in a simple, step-by-by step application of ORL processes and for the community and society as whole to monitor and ensure that systems are followed as best as possible. The list of Do's and Don'ts were checked, discussed and validated by a selected group of FC district, regional and national field staff, loggers, community and farmer representatives. The training being offered was to test how foresters can be made aware of the list, best ways of applying them and assess their effectiveness in ORL operations. He stated that this first training is for FSD staff since they are key in VPA and wants the training to be participatory as possible. He further stated that the second training will be for communities and loggers.

He emphasized that the project will be contributing to the implementation of the VPA through the provision of knowledge and tools for supporting principles 1 and 3 in particular of the Ghana legality standards. He stressed that the finalized list of the Do's and Don'ts will be developed into a booklet to be used for training and monitoring reference. He disclosed that the booklet will be available for use by the Forestry Commission's staff, community and farmers' representatives, Civil Society Organizations and Logging companies. He ended by urging the participating stakeholders to apply the same interest and engagement they showed during the inception workshop to ensure a successful validation workshop.

#### ***4.1.2 Forest Districts Presentations***

This session presents a summary of comments made by the participants after each forest district made a presentation on how ORL permit is awarded, SRA negotiated and implemented and compensation for crop damage are carried out in their districts. The presentations were done by the assistant district managers. Each district also highlighted some peculiarities though the ORL procedures are same.

#### ***Order Of Presentation;***

##### **Nkawie**

The Assistant District Manager reiterated that in order to minimize litigation, the district has designed a format for the applicants and the format has been used for a year now to collect farmer information. Copies of the format were distributed to participants for study.

Comments and discussions were centered on the following.

- Design of the form. Suggestions made to increase the species code column.
- Its uniqueness to Nkawie.
- How useful it has been in bringing litigation issues down.

##### **Goaso .**

Highlights of the Assistant District Managers presentation were that;

- The logging right letter of consent is taken from the Chief/ elders
- Mostly what is paid as SRA has been less than the 5%.
- FSD has no role in compensation negotiation between logger and farmer. They come in only when there are complaints.
- Community is consulted to confirm that SRA is fulfilled before Loggers' property mark is renewed.
- There is a REGISTER to record SRA transactions.
- A quarterly circular is sent to the Regional FC Manager and DISTRICT ASSEMBLY to inform on SRA payments.

##### **Asankragua**

Key among the processes enumerated by the Assistant District Manager were that;

- Communities have been encouraged to form committees to negotiate and manage SRAs
- The committees' formation are facilitated by the district forest office.
- The District Office appreciates what is termed "Community Demand" and facilitates negotiation between logger and community so that the former can support community projects in excess of what it provides as SRA
- Compensation paid for damaged crops is negotiated between farmers and loggers,
- Compensation negotiation often takes place in the field.
- FSD does not direct the process of compensation negotiation.

- Letter of consent for loggers to log on their lands/farms is given by farmers.
- Chiefs give consent only when there is a community project to be undertaken on the land. In such cases where there could be more than one farmer on whose land logging will be undertaken, the chief signs and the individual farmers also sign the consent letters.
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### **Kade**

The Kade Assistant District Managers listed following as essential processes followed;

- With the issue of Salvage Permit, the loggers take letter of Consent from Ministry of Agriculture (Cocoa farm rehabilitation), Farmers, and landowners before they submit their application.
- Afterwards, the ADM do the consultation and verification before it went regional and national FC offices.
- Communities over demand for SRA and their impression is that loggers gain more money from the trees but they understate the SRA.
- Community sometimes demand that roads are constructed before the logger starts his operation.
- SRAS values demanded could be too high and go against the contractor or low and not benefit the community.
- Based on the mining history at the place, community demand for SRA and compensation payments are high but the loggers do pay.

### **Jasikan**

The Assistant District Manager presented the following as ORL practices at the district;

- The 5% SRA payable is calculated for the contractor to pay 50% before he begins operation and the remaining 50% paid as the work progresses.
- Sometimes community do demand more than the 5% SRA for development work
- The district has no problems with compensation payments.
- Communities' perception is that the loggers earn a great deal of money from their work. Their expectations to benefit from such income by the loggers is always high.
- Educate the communities that the 5% SRA paid is meant for community development work.

### **FSD Role**

#### **Issues identified from the district presentations**

- When to sign the SRA should be streamlined.
- Criteria used to allocate trees to be harvested to loggers.
- FSD should calculate SRA arising from a logging right and make the information available to the community and the contractor alike.

- If the cost of a development project required by a community is high then the community can negotiate with the contractor for additional support beyond the SRA it paid.
- FSD be a reference source of information and guidance and at the same time witness of SRAs.
- Under TUC, SRA is signed before the logging is awarded. Under the Special Permit or Salvage Permit, SRA can be conveniently calculated and signed after permit is granted; it when number of trees to log and the stumpage values are known.
- Because salvaging is differently done in different places, it is important that RMSC is consulted in determining the actual trees to be salvaged
- RMSC must allocate number of special permit trees to be harvested. District offices must not usurp that function as it illegal. They must seek legal dispensation to do so if there must be justifiable reason (such as such trees being harvested by chain saw operators) if the procedure to seek RMSC authorization would take much longer.
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#### ***4.1.3 Presentation by Gustav Adu***

The project coordinator took participant through the principles 1 and 3 of the legality checklist on off-reserve logging. He indicated that the Principle 1 has to do with the Source of timber. He stressed that it is important that the source of the timber follow the right procedure and that if the use of GPS is good for delineation of the area then we should all agree to use them. He noted that written consent is important and evident should be there. The consultation process is important and must be documented. The procedure and process are as good as the law he stressed

Presenting on the criteria 3:6 which deals with the SRA, he asked a rhetorical question whether in practice they do use the TUC procedure or the Special Permit system. He urged them to consult RMSC to help them to calculate the volumes so that they can estimate the stumpage more easily.

He mentioned that the criteria 3:7 deals with compensation and emphasized that compensation is a negotiation issue between farmer and the loggers. He further stated that in negotiating the rate to be paid for a damaged crop, FC staff should help the process by gathering data/ information to help farmers in the negotiation process.

#### ***4.1.4 Presentation by Elvis Kuudaar***

Mr. Kuudaar's presentation focused on ORL negotiation based on the observations and findings from the baseline study and also the importance of timely reporting and of record keeping.

He stressed that with the VPA if compensation is not paid when due, and documented, the timber does not satisfy legality standards to be sold on both EU market and the local market. He emphasized that negotiation may done but still could be fair or unfair. He entreated FC to

document compensation negotiation and payment and educate actors to keep copies of such document as a matter of priority..

In presenting Principles 1 and 3, he mentioned that a traceable documentation of process is key. He noted some of the key elements in the process to be documented as field inspection, consultation, letter of consent, signing and payment of SRA and compensation. He indicated that FSD is the regulator and therefore cannot stand aloof on compensation issues. He drew the participants' attention to the fact that the law and the FC's manual of procedures say that it must be done.

He added that, as technical officers they should be able to prove and show all documentation on SRA and compensations.

### **Comments and suggestions:**

The following were the comments made:

- FSD should be able to ensure that the SRA should not be less than 5% and it is documented
- Loggers should have all documents on their files at the office of FSD.
- All documents are kept for individual loggers and are up to date.
- FSD is to collect and keep data and information on compensation.
- Some districts have started keeping records but should be improved.

### **5.0 Role Play on ORL in practice.**

The participants were guided to act the Off Reserve logging procedures through a role play on. Three key actors are involved in the ORL namely Communities, FSD and Loggers. The participants were divided into 3 groups. Group 1 was made to play the role of FSD, while group 2 play the role of the loggers and group 3 represents the community. The purpose of the role play was to demonstrate how practical ORL negotiation procedures and processes has been among the 3 key actors. After the role play, the participants made the following comments and observations:

- Procedure and process to gain logging rights was so cumbersome due to the fact that the application has to go through several administrative processes, approvals at the district, regional and national FC offices.
- FC should look at its charter again and see if they can improve the ORL process to make it less cumbersome to gain the logging right.
- The reason and motivation for loggers to repeatedly visit FC offices to do business must be reduced. Situations whereby applicant loggers physically carry documents from one office or station to another is not healthy and helpful. The process is prone to corruption as it increases human contact between persons with vested interest to expedite processes.

## ***6.0 Presentation by Betty Boante Abeyie***

The participants were taken through the Off-Reserves Logging Do's and Don'ts. The focus was on the role of FSD Off-Reserves Logging generated as an outcome of the baseline study in the six forest districts of Ghana. After taken the participants through it, the following were the comments and observations made:

- Contractors are not interested in restricted species to salvage because of the procedure they will have to go through.
- Some Loggers register a new property mark when they are indebted to the FC. They use the new property mark to apply for permits. It was agreed that, that act is a criminal hence the legal team of the FC must be made aware of the situation and take the issue up.
- FC might be aware but yet register a new property marks for the culprits and therefore becomes difficult for District Managers to challenge the situation.
- District Managers should focus on retrieving monies owed by loggers through legal means.

## **7.0 Conclusion**

Mr. Gustav Adu thanked all participants for their time and contribution and urged them to put the new information and knowledge into work to make the VPA more functional in Ghana. He emphasized the need for documentation and proper record keeping since that forms the basis for any verification audit

## ANNEX 1. AGENDA

PROGRAMME  
TRAINING FOR FSD STAFF ON OFF-RESERVE LOGGING  
3<sup>RD</sup> FEBRUARY, 2016  
CATHOLIC PASTORIAL AND SOCIAL CENTRE, GOASO

TIME	ACTIVITY	RESPONSIBILITY
9:00 – 9:15am	Registration	Henrietta Ofosuhene
9:15 – 9:20am	Welcome and training objective	Gustav Adu
9:20 – 10:20am	Pre-training Exercise (Share experiences on the processes in awarding permits from six forest districts)	Participants
10:20 – 10:50am	Presentation on: *ORL Negotiation from field studies and observations * Timely reporting * Record Keeping	Elvis Kuudaar
10:50 – 11:00am	Snack Break	Esi Banful
11:00 – 12:00pm	Role play (ORL in Practice)	Participants/Facilitator
12:00 – 12:15pm	Feedback on the role play	Facilitator
12:15 – 12:30pm	ORL do's and don'ts	Betty Boante Abeyie
12:30 – 1:00pm	Evaluation Exercise (using the H-Diagram)	Facilitator
1:00pm	Final Comments and Closing	Gustav Adu

### Role Play Scenario

Participants will form 3 groups representing:

1. Logger / representatives to process permits , negotiate SRA with communities and negotiate and agree on compensation with farmers
2. FSD (Manager, ADM, RS) receiving application from
3. Community (chief, odikro, unit committee members, farmer) to negotiate SRA

## ANNEX 2. PARTICIPANTS LIST

Scanned copy is attached