















### 3.1.4 Choice of Indicators

To realize greater commitment to information sharing and promote improved access to information by local communities there is the need to monitor some carefully selected indicators to inform the advocacy of Civic Response and the wider CSO community. Indicators like the VPA transparency list which is focused on logging; general access to information from the Forestry Commission; and from other sources would show how much progress or farther Civic Response is from the advocacy goal. Also monitoring how large land acquisitions are done and the roles of decision making platforms would help inform how community consent and participation is being enforced in the forest sector. Monitoring the indicated listed below is therefore the best means of tracking how closer government and other mandatory entities are close or far away from mainstreaming transparency and enhancing local participation in decision making..

- Indicator 1.1 Compliance with Ghana's VPA Transparency list
- Indicator 1.2 Access by communities to information on logging
- Indicator 1.3 Access by communities to information on REDD+ projects
- Indicator 1.4 Access by communities to information on large land investments
- Indicator 1.5 Availability and functionality of decision making platforms at the community level
- Indicator 1.6 Quality of community consent in the decisions on salvage logging operations
- Indicator 1.7 Quality of community consent in the decisions on REDD+ projects.
- Indicator 1.8 Quality of community consent in the decisions on large land investments.

### 3.1.5 Justification for Choice of indicators

Participation of local communities in forest allocation and harvesting processes are legality requirements in logging operations. It is only when communities have the required information that they would be able to know the valid loggers are. For this reason availability and accessibility of relevant logging information through compliance with the transparency list is a clear indicator of the fulfilment of government commitment. Similarly it is only by tracking and assessing the availability relevance of information to REDD+ project communities that communities could give their informed consent on such projects. This rationale also applies to the indicator which assess information access and availability on large land investments and the associated consent. Additionally, it is only by understanding the usefulness and relevance of local level forest decision making platforms that could further inform advocacy for improved community participation for other sector related processes and for legal review.

### 3.1.6 Advocacy Plan

**Indicator 1.1 Compliance with the VPA Transparency list**

**Indicator 1.2 Access by communities to information on logging**

a. Monitoring products:

- A report on community access to information on logging by mid-November, 2015
- A synthesis report on compliance with the transparency matrix by March 2016
- A brief paper on the relevance of the right to information law for the forest sector by April 2016
- A position paper on access to information and transparency for the forest sector by March 2016.



b. Actions:

- Publish reports and briefs on CR, FWG and Logging off websites, as and when each output is produced.
- Share report on community access to logging information with community stakeholders, to appreciate what is within their right and what the information gap is.
- Distribute and engage with relevant community stakeholders particularly assemblymen to take steps to improve their access to information.
- Engage with FC to discuss the reports on information caps and compliance with transparency annex and jointly develop proposals for proactive information sharing.
- Present and engage with reports as and when produced with the IM.
- Put the report on the agenda of the MISC & JMRM at the half-year meetings of MSIC to show government's performance and compliance with the transparency commitments.
- Share position paper with the Legal working group and consultant to secure greater buy-in for the forest legal reform by mid-2016.

c. Reactions

- FC publishes information in line with the transparency list commitments by December 2016
- FC improves systems for access to information on logging and other forest processes including REDD+ in the district level by December 2017
- Communities make more demands of the FC for information from Mid 2016

**Indicator 1.3 Access by communities to information on REDD+ projects**

**Indicator 1.7 Quality of community consent in the decisions on REDD+ projects.**

a. Monitoring Outputs

- A case study and a brief assessing information access by local communities to REDD+ Projects by August, 2016.
- A flyer on what communities must know regarding REDD+ project by August, 2016

b. Actions

- Share the report and brief of the report on CR, FWG and Loggingoff.info websites.
- Share report with the Forest and community rights media group and other environmental media platforms for much wider in-depth discussion of the emerging issues.
- Share and engage brief with REDD+ project implementers and District Assemblies to redress the specific issues identified.
- Share and engage the report with the FC, National REDD+ Sub Working Group and the working group on Safeguards to highlight the threats and concerns identified
- Share report with Commissioner for Human Rights and Administrative Justice (CHRAJ) and Parliament in cases of human rights and administrative violations.
- Use findings to design a flyer on what communities must know about REDD+ projects for capacity building programs by June, 2016







areas and private forest plantations go to the administrator of stool lands to be disbursed using the constitutional formula<sup>13</sup>. Fees from Timber Rights Fees are not shared with communities or their representatives. All naturally occurring trees, are vested in the president on behalf of the people of Ghana while anyone who plants a tree in practice holds the rights on the tree subject to the land or farm sharing arrangement. The 2012 forest policy seeks to deepen individual control of naturally occurring and planted trees to create incentive for nurturing and planting more trees. The policy commits government to “enact legislation the will enable communities and individuals be benefit from trees on their farms and fallow lands, provide off-reserve tree tenure security, authority to legally dispose of resources and allocate greater proportion of benefits accruing from resource management to community members Individually or collectively”. The policy also seeks to “rationalize forest fees and taxation systems and improve the framework for apportioning, recover and distributing equitably and effectively forest rent (royalties) among the resource owners, state and users of the resources through consultative processes. How these statements would be implemented is of keen interest of many civil society groups.

### 3.2.3 Advocacy Objectives

Our broad objective is to improve the equity and fairness in the distribution of benefits from forests, particularly for local communities. To realize this, the following sub-objectives are being pursued;

- a. Greater effort by the Forestry Commission to comply with its legal mandate to collect stated fees and charges.
- b. District Assemblies enhance their communication on and use of forest and other royalties
- c. SRAs as community benefits are better negotiated, executed and further improved for local communities.

### 3.2.4 The Choice of Indicators

The Forestry Commission has the mandate to collect fees and charges in the forest sector and their efficiency largely lies on the extent to which they are able to enforce their mandate. The opposition they face in this task is onerous, hence their failure does not only impact their revenues, but also that of the communities who have very little or no benefit from forest management. What could qualify as a benefit is SRA, however how they are negotiated and implemented contributes largely to its impact. There are opportunities to open up the discussion on community benefits in the policy, hence this is an achievable objective. Again effective channelling of royalties from logging to district assemblies could enhance their accountability to their constituents. For this reason, the following indicators will be used.

Indicator 2.1	Stumpage fee collection by the Forestry Commission
Indicator 2.2	District assembly use of royalties
Indicator 2.3	Compliance with Social Responsibility Agreements and compensation

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<sup>13</sup> Constitution of Ghana Article 267(6)

### 3.2.5 Justification for Choice of indicators

Over the last few years, the contribution of the forest sector to GDP has steadily declined. Government's explanation is that fewer logging permits were issued in 2012 and 2013<sup>14</sup>. Stumpage fees is one of the major sources of revenue for the state and if the state needs to make gains from the extraction of its forests, then there is urgent need to fully recover the rent from the industry to increase to increase the resources at the disposal of the state to tackle illegal logging among other challenges. The effective collection of stumpage fees, which is much easier collect and within the legal limits is a good indicator of the course of the FC. At the local level, monitoring SRAs and the District Assembly use of royalties would provide the needed evidence to open the debate on equitable benefit sharing and what is really needed for the development of local communities. Moreover communities are easily mobilized around SRAs and compensation for crop destruction; issues that affect them directly, hence this is an opportunistic entry point for engaging community interest for other demands in the sector.

### 3.2.6 Advocacy plan

#### **Indicator 2.1 - Revenue Mobilisation by the Forestry Commission**

- a. Monitoring Outputs
  - A report on the revenue losses to state and communities from failure to properly collect revenue by December 2015
  - A press statement on the report by February, 2015
- b. Actions:
  - Hold meetings with the FC to identify the support they need to assert their revenue collection rights in the sector in February, 2016.
  - Publish report on CR, FWG and Loggingoff.info and also share with industry actors.
  - Put a press statement in the Media and engage with selected journalists to take enhance public awareness on this in advance of the JMRM.
  - Share a copy of the report with the President's economic Advisor and the leadership of the parliamentary select committee on lands and forestry in February, 2016
  - Develop joint advocacy with CSO groups and develop further strategies for issues that emerge subsequently.
  - Share and engage report with notable traditional authorities to put pressure on FC and industry to collect the required rent.
- c. Reactions
  - FC is pressured and reviews efforts to collect stumpage fees and its debt.
  - The report fuels a national discussion on realistic on the reality of taxes in the forest sector and the sustainability of the current logging industry from February, 2016
  - MoF, PSC & Donor increases pressure to on the FC to implement the regulations properly on the collection of revenues.

#### **Indicator 2.2 District assembly use of royalties**

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<sup>14</sup> The -14% growth in 2011 and -1.4% growth in 2012 was attributed to decline in forestation program, reduction in permits awarded and effective enforcement of ban on illegal logging. The growth of 0.8 is attributed to reforestation investments.

- a. Monitoring Outputs
  - A report on the challenges and constrains of use of Royalties by the District Assemblies by December 2015.
  - A discussion paper on the use of royalties by District Assemblies by December 2015.
  - A video documentary based on the findings of the report by March 2016..
- b. Actions
  - Publish and share report and upload video on CR, FWG and Loggingoff.info
  - Work with FWG members to engage various district assemblies with the report and the emerging results from March 2016
  - Begin a national consultative process on the use of forest royalties by district assemblies through engagements with the Ministry of Local Government and Rural Development, MLNR and other relevant state agencies from March 2016.
  - Engage local communities to demand for greater accountability in the use of such revenues by District Assemblies.
- c. Reactions
  - MLNR and MLGRD feel the need to commence a discussion on benefits to communities from natural resources June 2017
  - The larger CSO supports the need for reform on the use of royalties in Ghana
  - Local communities make demands on District Assemblies for greater accountability in the use of royalties from June 2017

**Indicator 2.3      *Compliance with Social Responsibility Agreements and compensation***

- a. Monitoring Outputs
  - a. A data base of SRA's in Ghana by December 2015
  - b. A picture report of SRA's in Ghana by December 2016
  - c. A report analysing the challenges, opportunities and lessons of selected SRA's in Ghana. April, 2016
- b. Actions
  - Share database with other NGOs, FC and the RMSC and host on the CR website
  - Publish reports and share report on FWG, CR and logging off
  - Share and engage report with local communities, CSOs, FC and Industry to start collective thinking on the problem of SRA.
  - Hold discussions with the CRMU and the RMSC to push for new guidelines for SRA negotiation and enforcement in Ghana.
- c. Reactions
  - A database of SRA's is live and providing relevant information to local communities by March 2016
  - The discussion on benefit sharing from logging becomes a key campaign issues for communities and CSOs.

## Annex 1 – Monitoring Methodology & Advocacy plan

This section describes the methodology for obtaining information on the indicators identified in the monitoring system, and summarises the expected advocacy actions from each.

Greater Forestry Commission VPA commitment to transparency			
Indicators	Methodology	Actions	Reactions
<p><b>1.1 Compliance with VPA Transparency list.</b></p>	<p>i. <b>Meeting:</b> with FC (Raphael Yeboah) to explain our planned study.</p> <p>ii. <b>Deskwork:</b> Send official requests for information to the FC and track how/when it responds.</p> <p>iii. Ask selected District-level FWG partners to make and track similar requests to district offices.</p> <p>iii. Complement this with information on web sources.</p> <p>iv. Analyse the information against the Transparency List.</p> <p><b>Outputs</b></p> <ul style="list-style-type: none"> <li>• :A report on the information gap in the forest sector</li> <li>• Synthesis report on compliance with the transparency matrix</li> <li>• A brief on the relevance of the right to information law for the forest sector</li> <li>• A legal position paper on access to information and transparency for the forest sector</li> </ul>	<p>The report is expected to be published alongside Output 2 (on access to information by communities) and the advocacy actions will be with both together.</p> <p>i. Publish the findings and recommendations, <i>making clear links to FLEGT obligations to demonstrate that a few simple acts of greater openness by the FC would go a long way in improving community relations and meeting the spirit and the letter of VPA obligations.</i></p> <p>ii. Stakeholder meeting with the FC &amp; FSD on transparency, looking at FC charter commitments.</p> <p>ii. Share widely with the Ministry, FC, and community stakeholders, and upload to relevant sites.</p> <p>iii. Engage the Ministry and the Forestry Commission with the findings and proposals for proactive information sharing based on the report.</p> <p>iv. Include on MSIC agenda for adoption and report to JMIRM to get its political buy-in.</p> <p>v. share position paper with legal working group and the consultant when hired to secure greater buy-in for the forest legal reform.</p> <p>v. Monitor the progress with any subsequent commitment based on the proposals made.</p>	<p>FC publishes information in line with the transparency list commitments</p> <p>FC improves systems for access to information on logging in the districts.</p> <p>Communities make more demands on the FC for information</p>









Stronger participation and clearer consent in forest management decisions			
Indicators	Methodology	Actions	Reactions
<p>decisions on REDD+ projects.</p> <p>3.4 Quality of community consent in the decisions on large land investments.</p>	<p>documents of REDD+ type projects. Study the current status of work on REDD+ safeguards.</p> <p>ii. <b>Fieldwork</b>: Purposefully sample communities and REDD+ or land project implementers to ascertain the information and communication made to them with regard to the specific project, and how they (community) understand the projects implications, through focus group discussions and interviews.</p> <p>iii <b>Desk Study</b>: collect information from news files (both print &amp; electronic) access to information and participation in decisions regarding REDD+ projects and cases of large scale land acquisition projects in Ghana.</p> <p>Iv. <b>Output</b> : A video documentary report highlighting stories from communities on their understand of REDD+ type projects and how they expect to benefit.</p>	<p>ii. Target advocacy at REDD+ project implementers to improve their systems for information sharing with communities.</p> <p>iii. Feed findings into national and international discussions on community rights and land governance.</p>	<p>regulations and procedures) to ensure FPIC is respected.</p> <p>The FC and others involved in REDD+ policy recognise the gaps in information sharing with communities and commits to engage better with communities on specific REDD+ projects.</p>

Theme 4:	Improved equity and fairness in benefit sharing from Forest Resources		
Indicators	Methodology & Output	Actions	Reactions
<p><b>Revenue collection by the Forestry Commission</b></p>	<p><i>i. Desk Study:</i> analyse Auditor General reports, Annual Audited Accounts of the FC (and trade data if available and useful), and speak to researchers to seek to determine revenue due to the state. Check Disbursement Reports (and possibly, leaked FC information) on the indebtedness of industry to the state. Find out why the revenues are not being collected (perhaps via interviews with government officials).</p> <p><i>ii. Fieldwork:</i> Check in Districts what stumpage rate is being charged (50, 75 or 100% as per the phased increases), and interview officials on why the revenues are not being collected.</p> <p><b>Output 6:</b> A report, press statement and brief on the revenue losses to state and communities from failure to properly collect revenue. Aim for an LAS evaluation, either the pre-launch one or a 2016 independent monitor's audit.</p>	<p>Press statement and use of varied media engagements to draw public attention to the revenue losses.</p> <p>Raising the report with MSIC and at the JMRRM (and privately with the FC, before the JMRRM) noting the problem has existed for decades but needs to be resolved if timber is going to qualify for a FLEGT licence.</p> <p>Engage with the Ministry of Finance and the President's economic adviser to ensure they take steps to block the revenue leakages.</p>	<p>FC is pressured and reviews efforts to collect stumpage fees and its debt.</p> <p>The report fuels a national discussion on realistic on the reality of taxes in the forest sector and the sustainability of the current logging industry from February, 2016</p> <p>MoF, PSC &amp; Donor increases pressure to on the FC to implement the regulations properly on the collection of revenues.</p>
<p><b>District assembly use of royalties</b></p>	<p><b>Desk Study:</b> check on forest royalty disbursement to 12 districts in at least 4 regions from FC and OASL.</p> <p><b>Field work:</b> Identify the use of Royalties in selected districts and the benefits communities have seen (the successes and challenges)</p> <p><b>Field Work:</b> Collect the Medium Term plans and annual budgets of the 12 districts to analyse for their focus on forests and communities and</p> <p><b>Desk Study:</b> Analyse the use quantum and use of royalties in listed districts</p>	<p>Develop a discussion brief and guidelines to engage with the MLNR and MLGRD for adoption.</p> <p>Share brief, video &amp; guidelines with MSIC to highlight the issue of district assembly misuse of royalties, &amp; ensure this is seen as central to legality of timber. On the basis of this, ensure these guidelines are adopted into LAS.</p>	<p>MLNR and MLGRD feel the need to commence a discussion on benefits to communities from natural resources June 2017</p> <p>The larger CSO supports the need for reform on the use of royalties in Ghana</p> <p>Local communities make demands on District Assemblies for greater</p>





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