

2016

CIVIC RESPONSE ANNUAL REPORT



Prepared by Civic Response

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ABOUT CIVIC RESPONSE

Civic Response is a leading natural resource and environmental (NRE) governance policy advocacy organisation working to entrench resource rights.

Founded in 2003 in Accra, Ghana by a group of activists with experience in resource rights campaigns both locally and globally, Civic Response undertakes activities which address the policy needs of communities who depend directly on natural resources, particularly forests.

We are actively engaged in the global climate change discourse especially as it relates to forests.

Mission: Civic Response seeks to change social arrangements that entrench marginalisation, exclusion and division as well as provide advocacy and networking support to self-organised citizens' groups in the natural resource and environment sector.

Vision: A just, productive, pluralistic and tolerant society collectively in control of its resources and systematically improving development opportunities for all citizens' and communities.

Our work is divided into three programmes:

Forest Governance: Forests are at the core of Civic Response's work.



Under the Forest Governance programme we advocate for forest sector policy and regulatory reform based on community tenure, management and enterprise. We seek forest management systems that provide just, democratic and sustainable development at local and national levels.

Minerals Governance: The focus of Civic Response in the minerals sector is the salt sub sector.



This sub-sector has many community rights challenges but little advocacy attention.

Climate Governance: The overall objective for our climate governance work is that democratic and development-rights based responses are adopted and implemented



MEET THE TEAM



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Administrator**



**Albert Katako
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**Samuel Mawutor
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PROGRESS IN THE YEAR

GENERAL OVERVIEW

The year 2016, an election year in Ghana, began on a fairly good note for forest governance when Civil Society Organisations (CSOs) in the forestry sector, the Timber Industry and the Ministry of Lands and Natural Resources (MLNR) chalked a landmark breakthrough by overcoming nearly two decades long of political hurdles that were the main reasons for illegal logging in Ghana. Following over ten years of advocacy, the three stakeholders finally got together to craft a new bill to put an end to this dilemma. This bill, when passed by the new Parliament will enable Ghana to export FLEGT licensed timber to the European Union.

Civic Response also has good reasons to celebrate 2016. Work done by the Civic Response team on tree tenure and benefit sharing in 2015 was incorporated into the draft national tree tenure and benefit-sharing framework. Tree Tenure and benefit sharing were identified by both REDD+ and FLEGT as the incentive to improving forest cover. We are happy to observe our work contributed to a national agenda.

However, the latter half of 2016 also experienced some downsides in the forest governance sector. There was unprecedented illegal mining in GSBA's and protected forest reserves by mining companies with strong links to political power which rendered law enforcement by regulatory agencies impossible. Companies who were issued with entry permits to prospect in forest reserves and GSBA's took advantage and began full-blown surface mining that could have caused massive loss of forest cover. This experience also tested the ability of

CSOs with a common focus to work together towards a common purpose.

Thus, Civic Response, Wacam, Kasa Initiative and the National Forest Forum Ghana (NFF-G) jointly launched an advocacy campaign which compelled the companies to pull out of the forest reserves and thus saved forest cover, biodiversity and sources of some of our rivers. The second half of 2016 also witnessed a boom in reckless illegal Rosewood logging in the fragile northern Ghana ecosystem never like before. Spontaneously and under the leadership of A Rocha Ghana, Civic Response and other CSOs engaged in another campaign alongside the mining campaign to curb down the illegalities. The campaign is not over! The battle is on!! *Aluta Continua!!!* We in Civic Response wish to use this opportunity to salute all CSOs who have been and continue to be involved in the struggle against activities that abuse community rights and destroy our environment. We remind all and sundry that ***Nature does not need us to survive but we need Nature to survive.*** We all have a responsibility to behave responsibly.

Apart from these, Civic Response also launched the Civil Society-led Independent Monitoring in Ghana Project (CSIFM-Ghana). The two-year project aims at making information available in the GWTS accessible. Overall, the objective of the Project is to ensure that Civil Society is actively monitoring the issuing of a credible, transparent, and acceptable FLEGT licence. The project is being implemented by Civic Response through the FAO FLEGT PROGRAMME, with funding from European Union, the Swedish International Cooperation Agency and the

United Kingdom Department for International Development.

Outside of campaigns, Civic Response enjoyed some fresh bloods into the organisation. We welcome Jemima Opare-Henaku, the new Communications Officer and Albert Katako, Head of Programmes.

As we move into 2017, we look forward to new exciting opportunities. Welcome 2017! Happy New Year!!!

FOREST GOVERNANCE PROGRAMME

Processes to improve forest governance in Ghana are on course. At the national level, implementation of the FLEGT - Voluntary Partnership Agreement (VPA) has advanced. Tree tenure reforms are finally taking shape and some legal reforms are happening.

FLEGT-VPA Implementation

2016 began not on a bright note with tensions between CSOs and the Minister for Lands and Natural Resources on the question of special permits. There was consensus on the need for guidelines for special permits. However, there was disagreement on putting the guidelines into law or an administrative regulation. In mid-year, a landmark breakthrough to address over a two decade-long political hurdle was reached between CSOs, Government, and the timber industry. The breakthrough was on the deadlocked conversion of forest concessions which expired in 1998 with the coming into force of the Timber Resource Management Act (TRMA), Act 547 (1998); the payment of Timber Rights Fees (TRFs); and Special Permits. The Act required all timber companies with concessions to have them converted into Timber Utilization Contracts (TUCs) within six months of the coming into force of the TRMA and to pay the corresponding Timber Rights Fees (TRFs). However, the Forestry Commission (FC) was unable to provide the processes for the conversion. This led to the FC issuing Timber Utilization Permits (TUPs) which are permits for

providing timber for community level social works to timber companies in spite of the clear provision in the TRMA that TUPs ***shall not be used for commercial logging***. This was the genesis of illegal timber logging in Ghana. Timber companies were logging in concessions that had expired and were not paying TRFs and FC compromised by issuing timber companies with TUPs and “special permits” found in Section 6.2 of Act 617 (2002). The challenge with the special permit is that it provides the Minister with arbitrary and discretionary powers to issue timber rights contrary to provisions in Article 296 of the 1992 Constitution. In view of this, special permit was not recognised in the VPA as a valid timber right. In 2015, the then Minister for Lands and Natural Resources sought to include the special permit in the VPA. After almost half a year of dialogue, a compromise was reached to develop guidelines backed by law to remove the arbitrariness and discretionary nature of the clause on special permit. Thus in 2016, a new bill was developed jointly with CSOs, Timber Industry and the Government (MLNR and Attorney General’s Department) which addressed the 20-year-old conversion and payment of TRF issue and the inclusion of modified version of special permit into the VPA. Once the bill is passed by Parliament, major challenges responsible for illegal logging in Ghana would have been addressed and Ghana will be ready to export FLEGT licensed timber products, hopefully, in 2017.

Capacity building in forest monitoring for communities

Training for Partners to engage with local communities

Civic Response organised a two-day capacity building and strategy meeting for partners to be able to engage with local communities on tackling illegal logging and deforestation. Civic Response trained partners on the Ghana-EU VPA commitments and CSO governance vision, basics of climate change and local level responses and on tenure reform. These partners went on to work in 11 districts in Ashanti, Western, Eastern, and Brong Ahafo regions of Ghana. Feedback from partners indicates that collectively, they engaged 13200 community members.

Training of community members

Civic Response's main interest in forest governance, among others, is respect for communities' rights as owners of forest resources and the security of communities' livelihoods. An empowered and assertive community is fundamental to realising this.



Community capacity building on forest & rights

While communities own forest resources, the FC is the regulator and managers of forest resources on behalf of communities. Over the years, communities have forgotten about their ownership responsibilities such as demanding accountability from the FC, monitoring the work of timber companies and asserting their rights with regards to the fulfilment of Social Responsibility Agreements (SRAs) by timber companies. Thus in 2016, Civic Response trained about 600 community representatives drawn from 70 communities from 11 districts in Western, Ashanti, Eastern and Brong Ahafo Regions. The training which, lasted from July to September 2016, covered six modules:

- Module 1: The need for community participation in forest monitoring
- Module 2: Logging operations in Ghana (Areas of community interest)
- Module 3: Securing community interest in SRA processes
- Module 4: Compensation for destroyed crops in off-reserve
- Module 5: Practical application of lessons
- Module 6: Securing community interests in REDD+ projects in Ghana (REDD+ Safeguards)

The community representatives attended the training in groups of 40 and each group went through the six modules in three days in a residential workshop mode. While it is early days yet to “feel” any impact of the training, two months after the training, Civic Response followed up to the communities to monitor how communities were using the knowledge acquired. It was heart-warming to note that most of the community representatives had mobilised the rest of the community members and shared with them what they had learnt and some had gone further to mobilise chainsaw

operators within their communities to desist from illegal logging, having realised from the training that the chainsaw operators were rather stealing resources belonging to them. Community members were provided with a dedicated contact number to report illegal activities observed in their forests. By the end of 2016, 10 reports detailing forest infractions, frustrations of the community champions, or challenges in implementing the new knowledge had been received.

Field Monitoring to Support Local Level Community Struggles

Civic Response undertook a series of field visits to nine of the districts where communities were engaged. The field missions lasted for 40 days spread over four teams and in two separate missions. The aim was to reinforce the information provided to the local communities

and also to support the emerging challenges that these community champions who were trained were facing. These field visits were used to support local community struggles against illegal mining, illegal logging, and failure of companies to meet their social obligations.

Support to Forest Watch Ghana

Civic Response continued to serve as the secretariat for Forest Watch Ghana: a national forest governance advocacy campaign platform of over 40 NGOs. As part of this responsibility, Civic Response convened three meetings for the Coalition in the year. One of these meetings put up a social media campaign on the need to protect wetlands¹.

Response and partners funded a journalist’s investigation into the matter and broadcasted the findings in a press release² and a petition.

Also, Civic Response in collaboration with Forest Watch Ghana and other civil society groups put up a press release and a petition to the President of the Republic of Ghana to halt plans to mine the Tano Offin Forest Reserve, which is a globally significant Biodiversity Area. Civic



¹<https://www.facebook.com/1321027834634698/photos/a.1321035331300615.1073741827.1321027834634698/1331207073616774/?type=3&theater>

² <http://civicresponsegh.org/group-calls-for-a-halt-in-mining-in-forest-reserves/>

MINERALS GOVERNANCE PROGRAMME

Exposing illegalities in natural resources exploitation through media investigations

The focus of Civic Response's Mineral Governance campaign had been on supporting communities in Ada whose livelihood depends on salt winning from the Songhor lagoon.



The long-term objective is to advocate for a pro-poor policy on sea salt winning with associated governance, institutional and legal reforms that promotes environmental sustainability and entrenches community rights, as well as promote the development of an integrated salt industry linked to the oil and gas industry. However, 2016 witnessed unprecedented surface mining in forest reserves, especially protected forest reserves and in Civic Response operational areas, compelling Civic Response to act.

Thus, in conjunction with Wacam, Kasa Initiative and the National Forest Forum – Ghana, a joint media campaign was launched aimed at identifying, exposing and shaming public officials, individuals and companies engaged in illegal surface mining in the forest

reserves and to bring the issue into the public domain. The media campaign lasted for two weeks involving about 15 media houses in various forms of media discussion. Our investigations revealed that companies were issued with licences to prospect in the Upper Wassaw Forest Reserve in Bibiani Forest District, Fure River Forest Reserve, Tonton Forest Reserve all in Asankrangwa Forest District, Subri River Forest Reserve in Takoradi Forest District and Tano Offin Forest Reserve in Nkawie Forest District. However, these companies took advantage to engage in full-scale surface mining. Tano Offin Forest Reserve is also a GSBA. A petition was also sent to the President of the Republic of Ghana drawing attention to international and local implications. At the international level, Ghana is a signatory to the UN Convention on Biodiversity with commitments to protect biodiversity; the President of the Republic is the co-chair of the SDGs, thus, these actions tarnish the reputation of Ghana before the international community, not forgetting that some Development Partners have provided funds for the maintenance of some of these forest reserves. At the local level, there are grave implications on environmental degradation and loss of water bodies. These actions led to the withdrawal of one of the mining company from the Tano Offin forest reserve. The irony of the matter is the approach used by some of these mining companies in their operations. The companies are using the services of well-armed, muscle-bound private

security men who obstruct and thwart the work of Forestry Commission and communities to inspect and monitor what the companies are doing in the forest reserves. They also intimidate peace loving local communities living on the fringes of these forests. This development is rather alarming because a nation with pockets of areas within its borders under the control of private armed security is one nearing anarchy and chaos.



The demonstrations by Juabo, Sraha, and Ayiem communities in the Bibiani Forest District of Western Region and several others on this

matter clearly show a growing distrust for state institutions to enforce laws, and disgust at wanton illegal mining of forest reserves with impunity by companies with the support of politicians.

Almost all our forest reserves in the south were established to protect sources of our major water bodies and continuous invasion for mining is undermining the intent and purposes for setting up the forest reserves. The Water Research Institute predicts that should this situation persist, Ghana faces a looming water crisis and would have to resort to imported water. WRI further projects that “there would be no treatable water source either surface or underground by 2030 should this continue.” Civil Society believes this should be a matter of national security concern.

LAND AND TREE TENURE

The focus of Civic Response’s land governance is a national land governance framework that is climate conscious and socially just, especially to ensure the rights and interest of small landholders including tenant farmers are secured. In this era of carbon offsetting, there is massive rush by companies for large tracts of lands for forest plantations to capture carbon and to grow biofuels in tropical countries to enable such companies continue to emit more carbon dioxide. A study released by

the IIED, the FAO and International Fund for Agricultural Development (IFAD)³ found that in four African countries - Ethiopia, Ghana, Madagascar and Mali - approved land acquisitions from the period 2004 to early 2009 totalled 2 million ha, including acquisitions by foreign investors of over 1.4 million ha. Four (4)

³ FAO, IFAD, UNCTAD and World Bank (2010). ‘Principles for Responsible Agricultural Investment that Protect Rights, Livelihoods and Resources’, *Discussion Note*. Rome, Food and Agricultural Organization, International Fund for Agricultural Development, United Nations Conference on Trade and Development and World Bank

case studies of large-scale land acquisition in four districts in Ghana commissioned by Civic Response in 2016 showed that in each case, large numbers of poor farmers were displaced from their only source of livelihood without any processes of Free Prior Informed, Consent (FPIC) and without giving them the opportunity to negotiate compensations due them. Compensations paid were determined by the companies and were only paid for cash crops; food crops were considered flowers.

Although some farmers were given the opportunity to work on the lands they were driven away from, for the new owners, they assessed that they earned about a quarter of what they used to earn when the land was under their control. Those who were not so fortunate to be given the opportunity to work for their new landowners ended up in a worse form of poverty. It is not yet clear whether acquisition of large tracts of land complied with provisions in Ghana's 1992 Republican Constitution on land lease.

The injustices associated with large-scale land acquisition are of concern to Civic Response and is one of the reasons why Civic Response is involved in land governance – to create

awareness among land users and landowners to assert their rights, roles and responsibilities related to local level land governance and administration. It is also to enable landowners to become aware of the risks associated with large-scale land acquisition.



Meeting with community representatives

Thus in 2016, Civic Response took 600 community representatives drawn from 70 communities across 11 districts in Western, Eastern, Ashanti and Brong Ahafo Regions through training on how to negotiate for compensations. This process is expected to continue so as to improve local level land governance and administration.

CLIMATE GOVERNANCE PROGRAMME

Ghana signed an MoU with Shenzhen Energy Group of China to invest USD1.5 billion in a coal-fired power plant (a technology that would pose a great risk to the environment) to produce 700MW of power.



Civic Response's main objective is to mobilise CSOs and communities to campaign against this coal energy investment in Ghana. In the course of the year 2016, Civic Response supported New Generation Concern (NGC), a member of Forest Watch Ghana to secure a \$5,000 funding from Global Green Fund (GGF) to campaign against this coal energy investment in Ghana. The campaign is yet to start because the fund, which was transferred back to GGF due to some administrative setbacks, is yet to be transferred back to NGC.

In 2016, Civic Response brought together 600 community representatives from 11 districts in four regions in Ghana to share their experiences on the causes, effects and solutions to climate change.

The meeting was also used to enhance participants' awareness about REDD+ and FPIC.



Training of community representatives

Also, Civic Response in collaboration with FERN supported Chris Lang of REDD+ monitor to investigate the activities of Vision 5050, an NGO that is into some shady Climate Change mitigation strategy in Western, Eastern, and Brong Ahafo regions. After his investigations, Chris came up with a publication on the outcome of the studies (<http://www.redd-monitor.org/2017/01/24/vision-2050-forestry-in-ghana-the-inequities-of-a-carbon-credit-project/>). This has confirmed local suspicions about the company and hence the affected communities are seeking to break ties with Vision5050.

Apart from the aforementioned, Civic Response, in the course of the year participated in national and international climate change discussion platforms. As a member of CSOs platform on SDG 13, Civic Response participated in its meetings and took the opportunity to make an input into localising the SDG 13 indicators in Ghana.

Also in the course of the year, two of Civic Response's staff participated in COP 22 in Marrakech where they took advantage to

participate in Climate-Land Ambition Rights Alliance (CLARA) and Accra Caucuses meeting. The Accra Caucuses meeting was used to

discuss the relevance of Accra Caucuses in the current Climate Change discussion at the international level.

SOME ACHIEVEMENTS IN SUMMARY

GENERAL ACHIEVEMENTS

- ✚ Three training manuals developed and published
- ✚ Land tenure report also published
- ✚ Advocacy on mining in forest reserve: mining in Tano Offin Forest Reserve successfully stopped
- ✚ Advocacy on rosewood could have triggered the present ban
- ✚ An alliance was built at COP22 against coal power generation in Ghana. Civic Response got information that it was possible to get some monetary support to fight against coal power generation. NGC successfully applied and received the funds for the anti-coal campaign.

ACHIEVEMENTS IN SUMMARY**ACHIEVEMENTS STEMMING FROM CAPACITY BUILDING EXERCISE**

- ✦ SRA successfully signed in Brekuline (Sefwi Wiawso District) for the first time; renegotiated in Yawkrom in Bodi District and Aboagyekrom in Sefwi Wiawso District; all in the Western Region.
- ✦ All three communities have documented SRA agreements.
- ✦ Sui community also negotiated for compensation with respect to a road construction that destroyed their crops. The community successfully engaged the contractor and the Ghana Highway Authority. Some community members have received payment for compensation.
- ✦ Some three communities including Gurumesa and Saaman in the Wasa Amenfi East District of the Western Region successfully signed SRAs.
- ✦ There is increased communal commitment in Sui (Sefwi Wiawso District) and Kama (Bodi District) to protect forest reserves; community members after the training have become extra alert in their bid to fight against illegal operations.
- ✦ Knowledge transfer from trained community representatives to communities in entirety.

PLANS FOR THE NEXT YEAR (2017)**FOREST GOVERNANCE**

- ✚ Institutionalise Civil Society Independent Forest Monitoring
- ✚ VPA implementation
- ✚ Engage in Tree tenure and benefit sharing framework dialogue and implementation
- ✚ Analyse the final tree tenure and benefit sharing framework and distil pro-community elements that need to be highlighted in Legislative Instrument (LI)
- ✚ SRA national data base development
- ✚ Monitor forest governance indicators to assess extent of compliance and impacts
- ✚ Use of media campaign to expose, name, shame; possible prosecution of politicians behind illegal natural resource exploitation
- ✚ Facilitate FWG engagements with policy and lawmakers on various forest governance issues: illegal logging; surface mining in forest reserves, land grabs, campaign to protect Atiwa forest reserve
- ✚ Influence policy and legislative reviews

MINERALS GOVERNANCE

- ✚ Analyse the new mining policy and legislation and publish gaps that affect community social, democratic and environmental rights
- ✚ Analyse mining and minerals policies and legislation for consistency with forest, climate and other environmental policies. Publish findings and use findings to engage policy makers
- ✚ Support community capacity building and dialogue on governance of the Songhor lagoon and its future developments

PLANS FOR THE NEXT YEAR (2017)**CLIMATE GOVERNANCE**

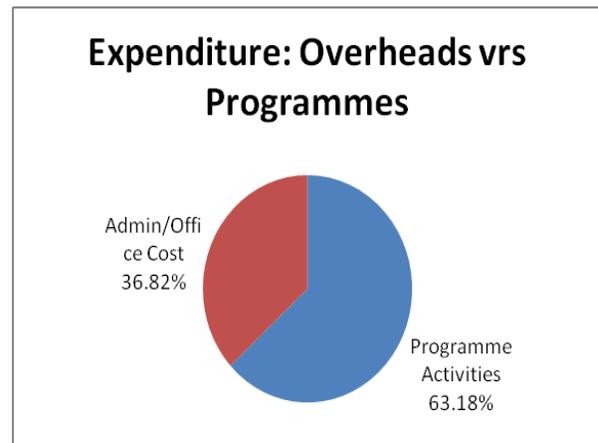
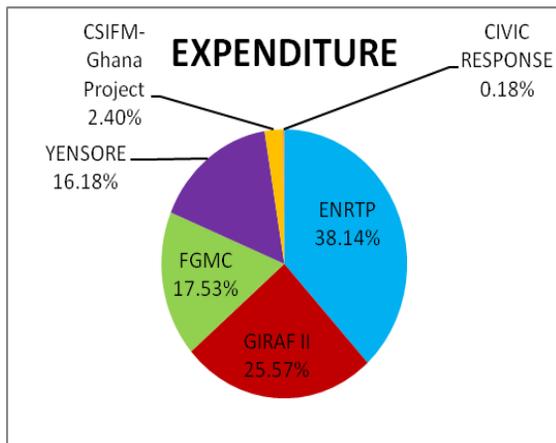
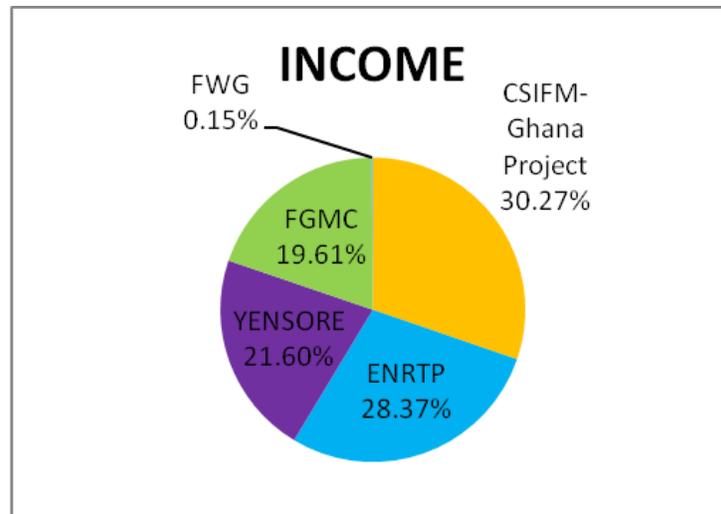
- ✚ Analyse national climate change response policies and strategies, (NDCs, SDGs, REDD+ Strategy, Forest policy) for coherence and engage with stakeholders on implementation approaches
- ✚ Develop training videos & manuals to train local communities to have a better understanding of climate change and its impacts
- ✚ Engage with the TFA 2020 process in Ghana on agriculture commodities promoting deforestation

LAND AND TREE TENURE

- ✚ Track the acquisition of large scale lands for plantations and other carbon offsetting projects in Ghana
- ✚ Monitor scale of land grabs and numbers of community people being displaced as a result for advocacy

FINANCIALS

Total funds received during the year under review amounted to GHC 1,224,788.77. Classification of funds by projects (in percentage) is as follows:



DONORS IN THE YEAR



FAO FLEGT PROGRAMME



Food and Agriculture
Organization of the
United Nations



PARTNERS IN THE YEAR



MORE PARTNERS...

- PROMAG
- New Generation Concern
- Nkawie Forest Forum
- DWENE KYEA BIE KUO (THINK OF THE FUTURE)

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