



FAO - EU FLEGT PROGRAMME



Food and Agriculture
Organization of the
United Nations



Sweden
Sverige



GUIDELINES FOR CSOs AND COMMUNITY LED INDEPENDENT FOREST MONITORING IN GHANA



**REVISED EDITION
RUDEYA PUBLICATION, MAY 2022**

CONTRIBUTORS

Rural Development and Youth Association (**RUDEYA**) Staff: Kofi Kyerematen Tieku, Stanley Kwaku Manu, Owusu Asare, and Nathaniel Kyeremateng Kobia. Resource Management Support Centre (**RMSC**) Staff: Kofi Affum Baffoe, Valerie Fumey Nassah, Yaw Atuahene Nyarko, Godfred Ohene-Gyan, Charles Anin-Agyei and Michelle Nyaniba Aikins.

ACKNOWLEDGEMENT

This document is revised user-friendly guidelines for independent forest monitoring in Ghana. It has been developed under the project “*Enhancing the capacity of forest communities in forest governance, monitoring and community development projects in Mankranso forest district, Ghana*”. The revision was financed by The International Tropical Timber Organization.

The contents of this document are simplified and enhanced version of “Guidelines for Civil Society/Community led Independent Forest Monitoring in Ghana” developed under the project “*Establishment of Civil Society/Community led Independent Monitoring Mechanisms in Support of the Voluntary Partnership Agreement Implementation in Ghana*”. This project was carried out under the FAO/FLEGT Program with funds from EU, Sweden and UKaid.

Rural Development and Youth Association (RUDEYA) appreciates the contribution of the Resource Management Support Centre (RMSC) towards the development of the guidelines. The RUDEYA field team, Forest Service Division (FSD) and forest fringe communities who provided practical information to enhance the user guide is acknowledged.

FOREWORD

The local communities have rights and responsibilities in the management of forest resources on and off-reserves. The policy on collaborative forest management with communities has not translated into expected forest governance outcomes. This is partly attributable to lack of enabling environment for legislation and institutionalization of local independent forest monitoring.

The need to involve Local Independent Monitors and Communities to help, observe and report on illegalities in the forest reserves is urgent. However, the involvement of local communities and Civil Society Organizations (CSOs) must be structured and standardized. Hence, RUDEYA together with FC have revised the guidelines to streamline roles and responsibilities of independent forest monitors at the local level. This will provide requisite support, observations and report on forest illegalities that may occur within forest reserves and off reserve areas.

The revised guidelines provide a modest step to define the scope of involvement of key stakeholders at the district and local level in forest monitoring. They also improve Independent Forest Monitoring and forest governance in Ghana for sustainable forest management.

The revised guidelines are user-friendly. They guide communities to undertake independent forest monitoring under VPA in Ghana. The scope, principles and approaches to monitor and mechanisms for reporting have been explained. Further, the institutional arrangements to complement government's efforts in VPA implementation have been captured. Lessons learnt from the use of this revised guidelines will help to institutionalize and develop policy briefs for enactment of appropriate legislation on Local Independent Forest Monitoring.

TABLE OF CONTENTS

CONTRIBUTORS	2
ACKNOWLEDGEMENT	3
FOREWORD	4
LIST OF TABLES	6
LIST OF FIGURES	6
ACRONYMS	7
KEY TERMS AND CONCEPTS	8
 1.0 INTRODUCTION	 10
1.1 Forest and Wildlife Monitoring	10
1.2 Triggers for Monitoring	11
1.3 Scope of Monitoring	12
 2.0 FOREST GATE OPERATIONS	 12
2.1. Monitoring Forest Reserve Areas	13
2.2 Monitoring of Logging in Off Reserve Areas	14
 3.0 SOCIAL RESPONSIBILITY AGREEMENT	 15
3.1 Monitor SRA Negotiation and Implementation	15
 4.0 DISBURSEMENT AND UTILIZATION OF TIMBER ROYALTIES	 17
4.1 Monitoring revenue collection and disbursement of timber royalties	17
 5.0 OTHER TIMBER OPERATIONS	 19
5.1 Illegal Timber Operations	19
5.2 Reporting Mechanism	20
5.3 Institutional and Governance Arrangements	20
 6.0 PRACTICAL GUIDELINES FOR MONITORING	 23
6.1. Social Responsibility Agreement	23
6.2 Acknowledgement of Social Obligation Compliance	26
6.3. Log Measurement and Conveyance Certificate	28
6.4 Timber Utilization Contract	31
6.5. Certificate of Registration of Property Mark (Form C)	33
6.6. Approved Yield (TUC), with Restricted Species Permit	35
6.7. Tree Information Form	37
6.8. Log Information Form	39
 7.0 REFERENCES	 41
 ANNEX	 42
Annex 1 Operational Guidelines: Civil Society Monitoring of Voluntary Partnership Agreement in Ghana	

LIST OF TABLES

Table 1 Monitoring sheet for logs under forest reserves	13
Table 2 Monitoring sheet for logs under Transportation.....	14
Table 3. Guidelines for Revenue Disbursement of Timber Royalties.....	18
Table 4. Institutional and Governance Structures in the implementation of VPA.....	22
Table 5. Information on Social Responsibility Agreement	23
Table 6. Content of Acknowledgement of Social Obligation Compliance	26
Table 7. Content of Log Measurement and Conveyance Certificate.....	28
Table 8. Content of Timber Utilization Contract Document.....	31
Table 9. Content of Certificate of Registration of Property Mark (Form C)	33
Table 10. Content of Approved Yield Permit	35
Table 11. Tree Information Form.....	37
Table 12. Content of Log Information Form.....	39

LIST OF FIGURES

Figure 1. Multi-stakeholder discussion to develop Civil Society/Community Independent Forest Monitoring standards	10
Figure 2. Triggers for CSOs and IMF monitoring.....	11
Figure 3. Relevant information about the operational area	12
Figure 4. Information guideline for monitoring off-forest reserves	15
Figure 5. Processes from pre-negotiation to custody of SRA documents	15
Figure 6. Enforcing sanctions to handling of financial transactions.....	16
Figure 7. Illegal sawn timber.....	19
Figure 8. Monitoring report guidelines	21
Figure 9. Page 1 of Sample SRA document.....	24
Figure 10. Page 2 of Sample SRA document	25
Figure 11. Sample of Acknowledgement of Social Obligation Compliance.....	27
Figure 12 Sample Log Measurement and Conveyance Certificate	29
Figure 13. Sample Log Measurement and Conveyance Certificate for plantation timber.....	30
Figure 14. Sample of Timber Utilization Contract Document	32
Figure 15. Sample of Certificate of Registration of Property Mark (Form C).....	34
Figure 16. Sample of Approved Yield Permit.....	36
Figure 17. Sample for Tree Information Form.....	38
Figure 18. Sample for Log Information Form.....	40

ACRONYMS

CSO	Civil Society Organisations
DM	District Manager
EU	European Union
FAO	Food and Agriculture Organization
FC	Forestry Commission
FFC	Forest Fringe Community
FLEGT	Forest Law Enforcement, Governance and Trade
FSD	Forest Service Division
GhLAS	Ghana Legality Assurance System
GIS	Geographical Information System
GPS	Geographical Positioning System
GWTS- DSS	Ghana Wood Tracking System – Decision Support System
IFM	Independent Forest Monitor
IM	Independent Monitor
IMT	Independent Monitor Team
LAS	Legality Assurance System
LIM	Local Independent Monitor
LMCC	Log Measurement Conveyance Certificate
MMDA's	Metropolitan, Municipal, District Assemblies
MLNR	Ministry of Lands and Natural Resources
MoFA	Ministry of Food and Agriculture
OFR	Off Forest Reserve
RMSC	Resource Management Support Centre
RUDYA	Rural Development and Youth Association
SCS	Scientific Certification Systems
SFMP-GH	Sustainable Forest Management Partnership
SRA	Social Responsibility Agreement

TIF	Timber Information Form
TUC	Timber Utilization Contract
TVD	Timber Validation Division
VPA	Voluntary Partnership Agreement
UKaid	United Kingdom Agency for International Development

KEY TERMS AND CONCEPTS

- i. **Forest gate** - ‘Forest gate’ in this guideline refers to the location of the timber trees in the forest reserve or in their natural habitats off reserve.
- ii. **legality licensing** - The process for ascertaining compliance with the legality matrix for the purpose of the issuance of a legality licence.
- iii. **Licence** - A licence granted by the Forestry Commission for the purpose of VPA Regulations.
- iv. **Licensee** - The holder of a legality licence granted by the Forestry Commission.
- v. **Logger** - A harvester of timber.
- vi. **Official Inspector** - A person appointed by the Commission to audit or conduct, an inspection of the activity of a timber logging company.
- vii. **Production Forest Reserve** - An area in a forest reserve where controlled logging activities are permitted.
- viii. **Professional Forester** - A person who holds a university degree in forestry or a certificate at a level acceptable to the Ghana Institute of Professional Foresters.
- ix. **Regional Manager** - The Regional Manager or an authorised representative of the Regional Manager.
- x. **Restricted Species** - A permit issued under regulation for the regulation of the felling of a species of timber specified in the Ninth Schedule.
- xi. **Stumpage Fee** - The rate used to calculate stumpage fees according to regulation 60 which is determined by the Minister in consultation with the Commission and the Administrator of Stool Lands, having regard to the market demand and the inventory on levels of timber species.
- xii. **Wood Tracking System** - Includes a chain of processes that relate the monitoring and reporting system used by the Commission to ensure that a timber product of the class description specified in the Second Schedule meet the criteria required by the Commission.

1.0 INTRODUCTION

Ghana's forests and wildlife resources management recognize multi-stakeholder interests. The management approach provides sustainable social, economic, and environmental goods and services. However, due to strong interest in forest resources management by local stakeholders, Ghana has promoted and developed regulations for transparent governance, equity sharing and stakeholder participation. The genesis of the current regulations resulted from the ratified Ghana-EU Voluntary Partnership Agreement (VPA) in 2009 by Parliament. The regulations (Annex 1) ensure forest law enforcement, governance and trade in legal timber. Article 10 (Independent Monitoring) and Article 16 (Stakeholder involvement in the implementation of the agreement) of the VPA provided entry points for key stakeholders such as local communities and Civil Society Organisations (CSOs) to fully participate in transparent monitoring of forest operations. Figure 1 shows multi-stakeholder discussions at a community meeting.



Figure 1. Multi-stakeholder discussion to develop Civil Society/Community Independent Forest Monitoring standards

1.1 Forest and Wildlife Monitoring

The Forestry Commission (FC) provides forest management plans, timber rights, allocation types, timber operational specifications and payments under Social Responsibility Agreements (SRA). The required SRA payments are made to stakeholders, including civil society and local communities. The FC has established a Rapid Response Unit (RRU) with the assistance of Regional Coordinating Councils (RCC) to fight illegal logging. Objective 4 (Revised 2012 Ghana Forest and Wildlife Policy regulations) helps stakeholders to understand the issues and opportunities in forestry and wildlife management by:

- (i) Allocating timber resources through transparent processes and continuous monitoring of forest utilization operations. This ensures compliance with forest management specifications and environmental protection standards.
- (ii) Facilitating and enhancing local participation and control. This is done through decentralization of forestry operations at the district level.

To achieve (i) and (ii), guidelines for local independent forest monitoring are required to increase



Figure 2. Triggers for CSOs and IMF monitoring

stakeholders' confidence. Local independent forest monitors appointed by the Ministry of Lands and Natural Resources (MLNR) make better decisions to ensure transparency in forest and wildlife-related activities. Their activities complement the work of FSD and TIDD Timber Validation Department (TVD) and RMSC of FC.

1.2 Triggers for Monitoring

Figure 2 shows combination of one or more triggers for CSOs/community-led independent forest monitoring. Frequency of monitoring in targeted and planned forest and off-reserve is established in consultation with the Forestry Commission. For reported concerns, allegations and complaints, adhoc site visits are carried out.

1.3 Scope of Monitoring

Monitoring guidelines cover forest governance consistent with Ghana's Legality Assurance System of VPA. This allows CSOs and local communities to monitor with little or no duplication of other FC's Departments, Units and Institutions.

The scope of the CSO and Community-led Independent Forest Monitoring (IFM) guidelines focus on five (4) thematic areas:

- i. Forest gate operations (On Reserve)
- ii. Social responsibility agreement negotiation and implementation
- ii. Revenue collection, disbursement and utilization of timber royalties
- iv. Other timber operations

2.0 FOREST GATE OPERATIONS

The Ghana-EU Voluntary Partnership Agreement (VPA) provides opportunity for local communities and CSOs to actively participate in monitoring forest operations. Their participation ensures additional transparency. This section covers community involvement in monitoring forest operations from documentation on timber rights to regulations on timber harvesting both on and off-reserve areas. The community volunteers monitor to ensure that TUC/Permit holders comply with standards in the logging manual and processes outlined under the Ghana Wood Tracking System - Decision Support System (GWTS - DSS).

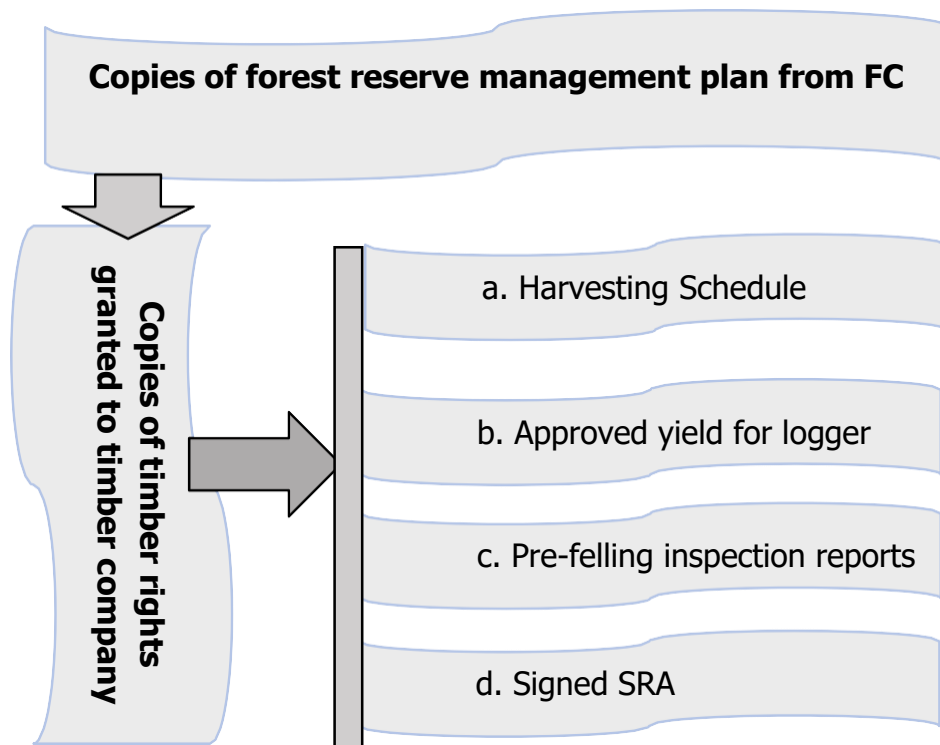


Figure 3. Relevant information about the operational area

2.1. Monitoring Forest Reserve Areas

Monitoring timber-harvesting operations in plantations, forest reserves and off-reserves involve background checks and field work. Figure 3 presents copies of documents from FC and those required from the timber company as background information. LIMs should check whether the logger has the permission (timber rights) to fell trees or has been given an approved yield. See section 6 for more details. Table 1 shows the information to record for reserves (on and off-reserves) and Table 2 for logs under transportation. The fieldwork should be planned to involve District FSD officer and the logger.

Table 1 Monitoring sheet for logs under forest reserves




Information to approve on felled timber	
 <p>Stump markings of tree of approved yield felled in GIS captured operational area.</p>	GIS captured operational area corresponds to area on the ground.
	Trees felled are within the approved yield.
	Tree stumps have been properly marked with white water proof paint showing locality, property mark, species, stock number, contractor number, compartment number and forest reserve.
	Fell timber not close to streams, rivers, community sacred sites, hilly areas and environmentally sensitive areas.
Comments:	

Table 2 Monitoring sheet for logs under Transportation

Information to check on logs under Transportation	
	
Logs in transit	Marking at one end of log
<ol style="list-style-type: none"> 1. LMCC/PLMCC covering the logs 2. Details on the LMCC/ PLMCC match with the truck and logs 3. Validity or expired LMCC/ PLMCC 4. Properly marked logs at both ends with white water proof paint 5. Time of transportation of logs between 6:00 am and 6:00 pm, excluding weekends and holidays 	
Comments:	

2.2 Monitoring of Logging in Off Reserve Areas

Monitoring timber-harvesting operations in off-reserves is important. It requires interacting with affected farmers and communities to for their consent and satisfaction with loggers' operations in terms of compensations and environmental concerns. Figure 4 shows information required by LIM.

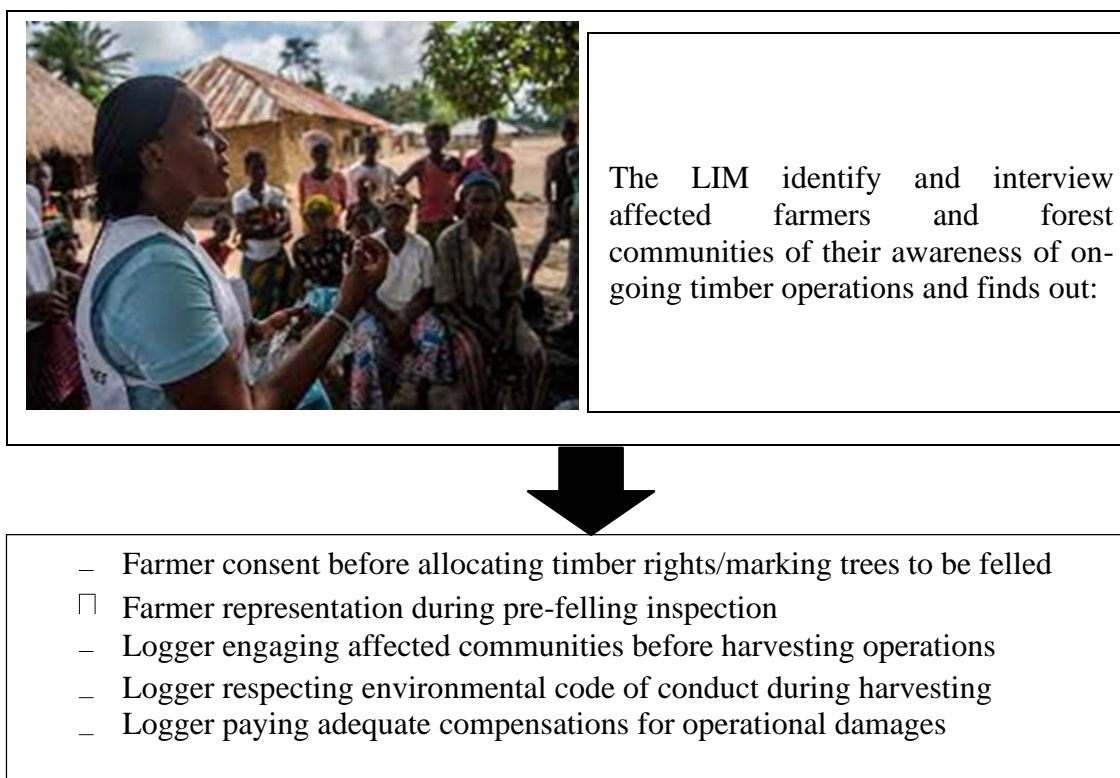


Figure 4. Information guideline for monitoring off-forest reserves

3.0 SOCIAL RESPONSIBILITY AGREEMENT

The VPA principles on timber harvesting operations and fiscal obligations, Regulation 26 (1) of L.I. 2254 require that a holder of timber rights shall negotiate a Social Responsibility Agreement (SRA). This should be with communities in and around five kilometers (5km) of the contract area. The timber rights holder provides cash, amenities, services or benefits to cater for negotiated development needs of the communities. The beneficiary communities have to know the timber contractor(s) operating in their area(s) to negotiate. The value is 5% of the stumpage fee. The SRA guidelines and code of conduct of Resource Management Support Centre (RMSC) of FC are used.

3.1 Monitor SRA Negotiation and Implementation

Appointed LIMs inform the district forest office about their intention to monitor SRA implementation in selected on and off-reserve sites at scheduled period(s). They gather relevant information about SRA of interest from FSD District offices where negotiations and implementations took place. The LIMs follow the processes of SRA guidelines which are organized in two (2) phases. Phase 1 (Figure 5) starts from pre-negotiation to documentation of SRA documents and Phase 2 (Figure 6) continues from implementation of SRA to enforcing sanctions.

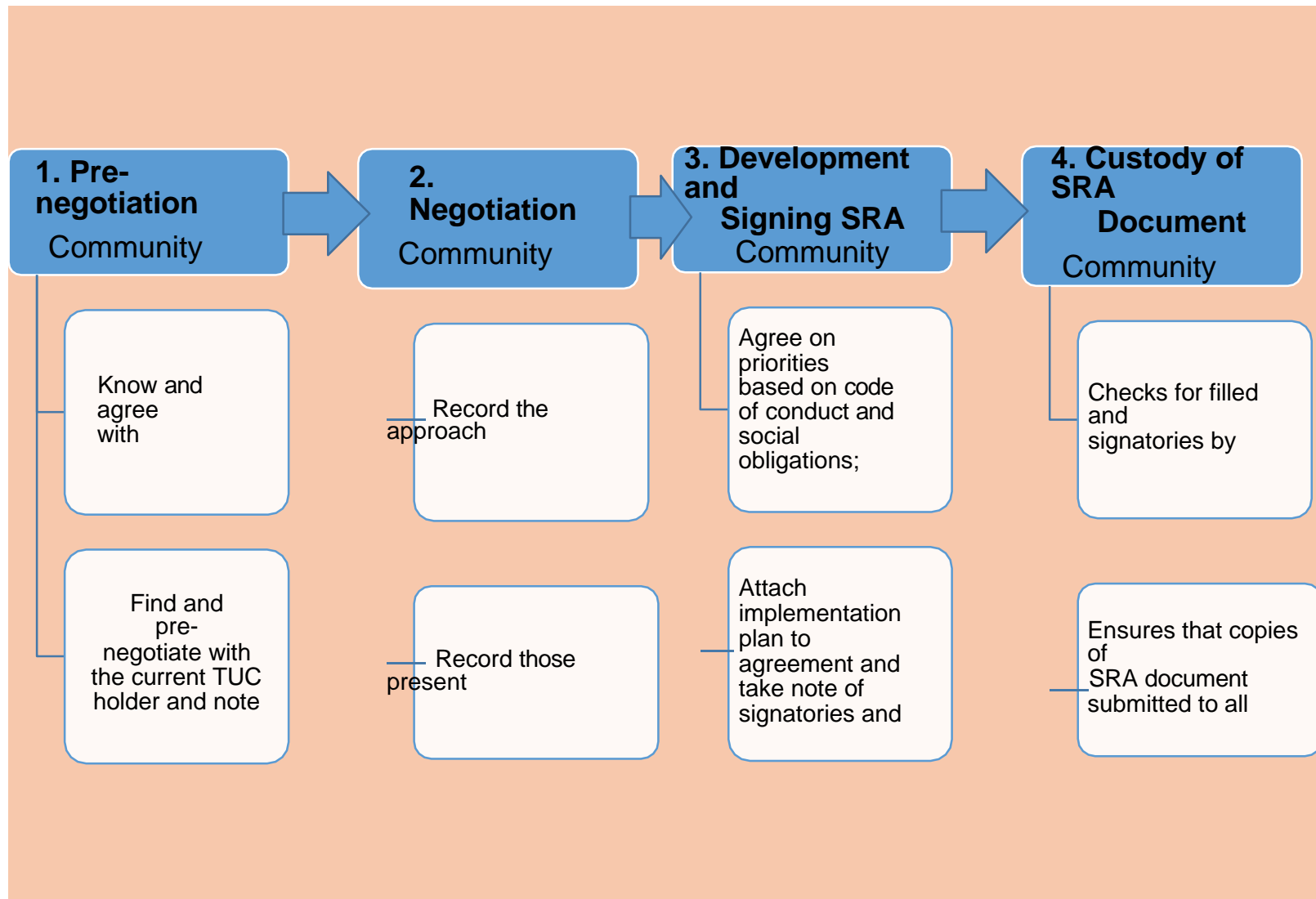


Figure 5. Processes from pre-negotiation to custody of SRA documents

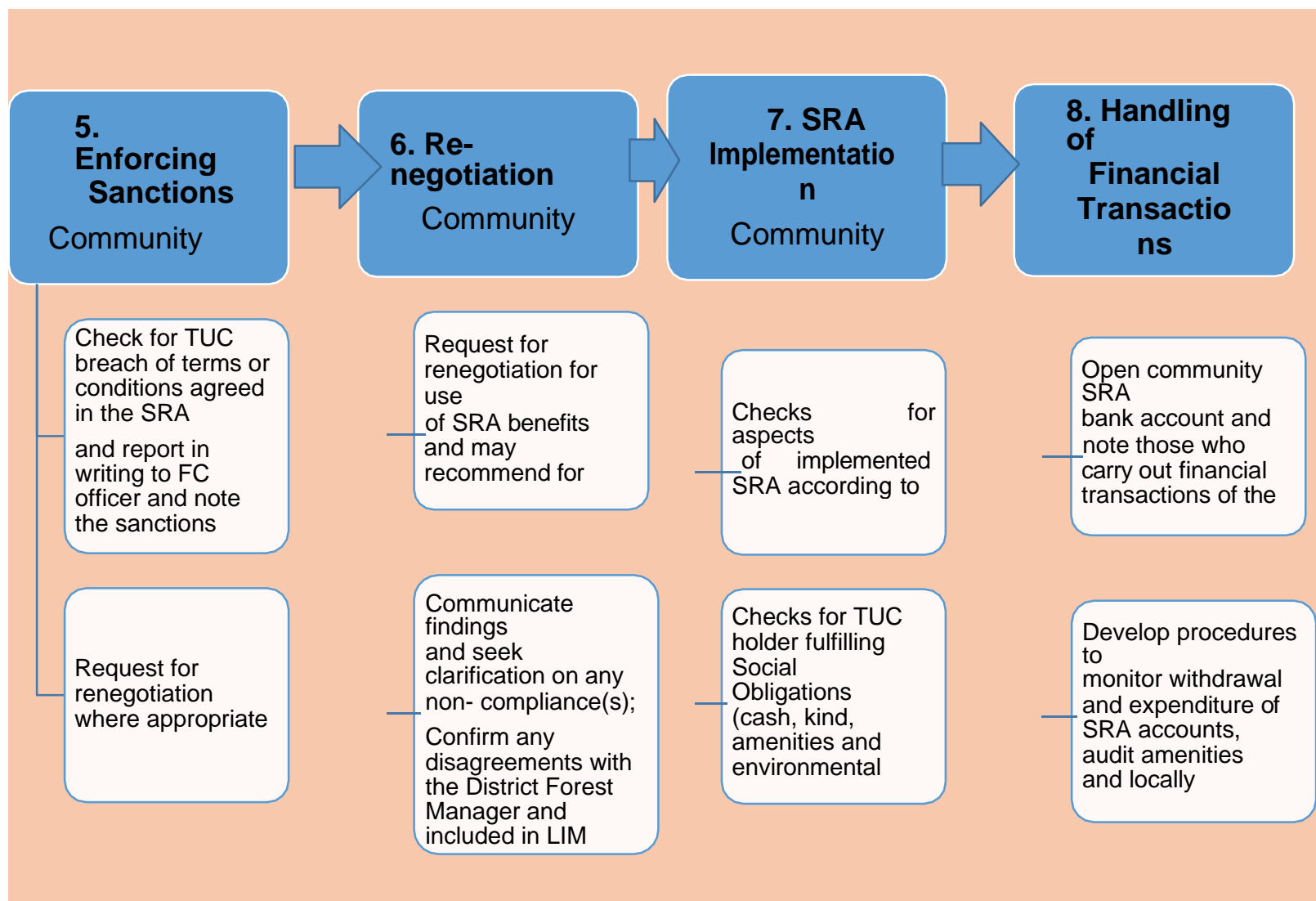


Figure 6. Enforcing sanctions to handling of financial transactions

4.0 DISBURSEMENT AND UTILIZATION OF TIMBER ROYALTIES

LIMs need to know how funds accrued from Forest and Wildlife resources are disbursed. Article 267 (6) of Ghana's Constitution prescribes the formula for distributing timber royalties from Off- and On-reserve areas. Table 3 shows how funds are allocated to different institutions. The 1992 Constitution does not state how the 55 % royalties to District Assemblies should be used on behalf of forest communities.

4.1 Monitoring revenue collection and disbursement of timber royalties

Step 1

Gather relevant information on revenue collected and disbursed. Sources of information are from the Forest Service's Division (FSD) district office, Forestry Commission website- www.fcghana.org and approved VPA-wood tracking system (WTS) web portal.

Guidelines for preliminary information on revenue collected and disbursed

- ✓ Stumpage fees collected in the operational area of interest
- ✓ Trends in revenue collection in the forest district for the past five years
- ✓ Trends in royalty disbursed to forest district beneficiaries for the past five years
- ✓ State of indebtedness of stumpage fees by loggers in the forest district


Step 2

LIMs have to inform the district forest office about their intention to conduct periodic monitoring of stumpage fees collected and disbursed. They should plan office or field visits with the cooperation of the FSD district office and timber right holder(s). The information guides include:

Preparatory guide for monitoring and reporting revenue collected and disbursed:

- ✓ Interview royalty beneficiaries about timely receipt of royalties
- ✓ Challenges of FC in processing royalty disbursement
- ✓ Communities' awareness of timber royalties received by their Assemblies
- ✓ Projects undertaken by District/Municipal Assemblies with royalty funds.
- ✓ Transparent receipts and use of royalties from Assemblies.
- ✓ Validate and seeks clarification on any non-compliance(s) with the affected district office
- ✓ Note points of disagreement in LIM reporting.

Table 3. Guidelines for Revenue Disbursement of Timber Royalties

Distribution Stages	Institutions	Criteria for distribution	Calculation formula	Percent (%) of total revenue	Sample using GHS 1,000,000
					
Stage 1	Forestry Commission	50 % of Total value	Total revenue x 0.5	50	GHS 500,000
Stage 2	Administrator of Stool Lands	The rest (50%) in Stage 1 is treated as 100% and 10% of the 100% is allocated	(Total revenue x 0.5) x 0.1	5	GHS 50,000
Stage 3A	District Assembly	The rest (90%) in stage 2 is also treated as 100% and 55 % is allocated	((Total revenue x 0.5) x 0.9) x 0.55	24.75	GHS 247,500
Stage 3B	Stool Lands	The rest (90%) in stage 2 is also treated as 100% and 25 % is allocated	((Total revenue x 0.5) x 0.9) x 0.25	11.25	GHS 112,500
Stage 3C	Traditional Authorities	The rest (90%) in stage 2 is also treated as 100% and 20 % is allocated	((Total revenue x 0.5) x 0.9) x 0.20	9	GHS 90,000

5.0 OTHER TIMBER OPERATIONS

There are other timber operations that must be understood and where possible monitored. These include illegal timber operations, reporting mechanism, including institutional and governance arrangements.

5.1 Illegal Timber Operations



Informal logging often takes place during nighttime. Chainsaw-lumber (Figure 7) is transported illegally out of the forest. The illegal sawn lumber may be traded beyond the locality of origin and requires monitoring.

Figure 7. Illegal sawn timber

Step 1

Gather relevant information from community members/CSOs, FFCs on illegal activities that have taken place, are taking place, or will take place with respect to logging in forest reserves and off reserve areas.

Information guide for LIMs:

- ✓ Trends in illegal logging activities
- ✓ Up-dated information on transport of chainsaw lumber (type of vehicles used; information on suspected people and vehicles; suspected transport routes)
- ✓ Up-dated information on lumber species, processing, location and marketing of chainsaw lumber

Step 2

LIMs inform district forest office about their intention to conduct monitoring of informal timber operations in the forest district. Adhoc visits or planned field visits with FSD district office and timber rights holder(s) are necessary.

Activity guidelines

- i. Contact inhabitants of forest fringe communities (FFCs), communities in agricultural landscapes, CSOs to identify and prevent cases of illegal logging. Information gathering may include:
 - ✓ Name(s) of people and chainsaw logger(s) involved;
 - ✓ Location of trees (to be) logged;
 - ✓ Number of trees (to be) logged;
 - ✓ Species (to be) logged;
 - ✓ Date and time of logging (sound of chainsaws observed);
 - ✓ Materials observed (chainsaws, tractors, trucks, truck plate number, name of truck owner) with identification of makes and colors.

Step 3

Report quickly by appropriate means (mobile phone) of planned, suspected or detected informal logging to District Forest Manager to act accordingly without identifying the sources of information. Submit a report within 3 working days of detection to the District Forest Manager.

5.2 Reporting Mechanism

Figure 8 shows the approach for reporting findings from monitoring activities. Information from field interviews and observations are important. Verified information by FC officials on illegalities and infractions on forest laws must be included.

5.3 Institutional and Governance Arrangements

Although the 2012 Ghana Forest and Wildlife Policy underscores the importance of promoting and developing mechanisms for transparent governance and people's participation in forest and wildlife resources management, there is no established institutional arrangement to support independent forest monitoring at the local level. Apart from the FC, which is mandated under Act 571 to monitor forest operations, other stakeholders such as Traditional Authorities, District/Municipal Assemblies, Forest Communities and CSO (See Table 4) have roles to play.

5.3.1 Civil Society Organizations

CSOs and forest communities use existing networks and platforms such as Forest Forum to support independent forest monitoring. Activities include

- Creating capacity building/training-of-trainers' opportunities for such identified persons
- Establishing a process for appointing LIM and regularly furnish FC with the list of qualified LIMs for FC's approval
- Implementing an awareness campaign against illegal logging

5.3.2 Forestry Commission

The FC carries some other roles such as:

- Sensitizing FSD district offices on independent forest monitoring referencing stakeholder involvement in the implementation of VPA Agreement
- Providing easy access to information for qualified LIMs
- Ensuring that FSD district offices cooperate with LIMs in their course of duty
- Providing relevant training on FC manual of operations and other guidelines necessary for the work of LIMs
- Supporting awareness campaign against illegal logging

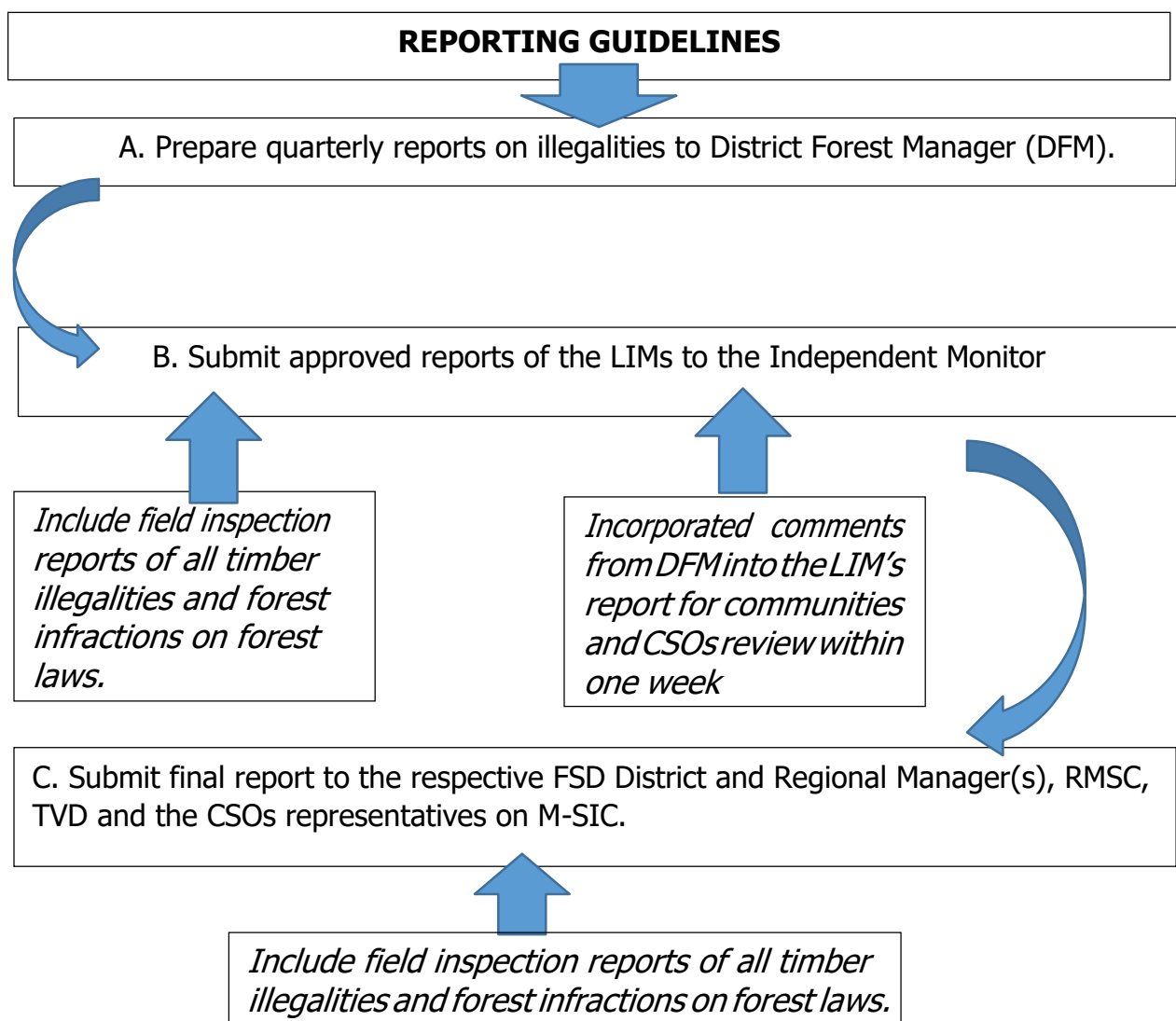


Figure 8. Monitoring report guidelines

Table 4. Institutional and Governance Structures in the implementation of VPA

Institution	Responsibility	Location
The Ministry of Lands and Natural Resource (MLNR)	<ul style="list-style-type: none"> Responsible for sector planning and policy direction for monitoring and evaluation of development policies and programs. 	Accra
The Forestry Commission (FC)	<ul style="list-style-type: none"> Responsible for forests and wildlife management in Ghana. FC provides services for sustainable development and management of forests and wildlife, and optimize their contribution to national socio-economic development. 	Head Office in Accra and has offices in all regions and forest districts within the country.
The Forest Services Division (FSD)	<ul style="list-style-type: none"> Manages forest throughout Ghana. FSD enforces forest laws and regulations, and ensures that stakeholders such as local communities and timber companies obey rules and regulations. 	All regions and forest districts in Ghana
The Timber Validation Department (TVD)	<ul style="list-style-type: none"> TVD verifies and validates application for timber products licenses 	Accra
The Timber Industry Development Division (TIDD)	<ul style="list-style-type: none"> PTIDD provides technical services for the growth of the timber industry. The services include development of skills, grades, standards, and the provision of marketing information for industry. TIDD issues licenses to cover timber products to be traded 	Located in 10 regions in the country and beats in selected districts
The Resource Management Support Centre (RMSC)	<ul style="list-style-type: none"> Explores, develops, facilitates institutionalizes, implements and monitors forest and wildlife management systems in accordance with the national forest and wildlife policy. 	Kumasi
Civil society groups and communities	<ul style="list-style-type: none"> Use existing networks and platforms at district, regional and national level to monitor various stages in the implementation of VPA to support independent forest monitoring. 	Forest fringe communities District levels

5.3.3 Municipal/District Assemblies (MDAs)

The Assemblies carry out duties such as:

- Providing resources to support the work of LIM
- Liaising with FSD district offices and traditional authorities to sensitize communities on independent forest monitoring
- Providing political leadership in promoting independent forest monitoring at the local level
- Demanding accountability from CSOs and local communities on the work of independent forest monitoring
- Supporting awareness campaign against illegal logging

6.0 PRACTICAL GUIDELINES FOR MONITORING

This section provides legal documents to guide LIMs to monitor both legal and illegal harvests. The contents are described so that LIMs can be confident on their reporting. The requirements were taken from Ghana Timber Document Guide published by NEPCo version 1 2017.

6.1. Social Responsibility Agreement

Social Responsibility Agreement (SRA) applies to all entities felling timber from natural forest and non-private land plantations. The purpose is for communities to benefit directly and financially from the exploitation of timber resources from their area. Table 5 shows content of SRA and Figures 9 and 10 sample SRA document.

Table 5. Information on Social Responsibility Agreement

SRA Document Content
Name (Logging Company, TUC Holder or Contractor and Forest community
Area of operation 5km radius
Value of benefits (5 % of stumpage fee)
Issuance of SRA (TUC/Contractor)
Signature/Seal (Signatories differ from community to community)
Witnesses (Representative of timber harvesting entity, community and FSD official
NB:
1. Check documentation of agreements, conditions and terms of agreement
2. Check implementation Workplan, copies of agreements lodged with community and TUC holder,

SOCIAL RESPONSIBILITY AGREEMENT FORM

COMMUNITY and

This agreement is made this 23rd of May 2017 between the chiefs and people of

herein after called, the community acting by its lawful attorneys and
herein after called, the **COMPANY**, located in Kumasi.

1. Whereas:-

- a. The Minister of state responsible for Lands and Natural Resources (The Minister) has granted to harvest timber in the Nkwabesi Forest Reserve, which is situated within Bekwai Forest District in the Ashanti Region of Ghana.
- b. It is a condition of the grant that execute this agreement with the forest fringed community and the District Assembly in order that the communities and inhabitants of the area shall be assisted with certain social/economic amenities and services or benefits as enshrined in the Timber Resources Management Regulation, LI 1649 of 1998.
- c. The parties hereto be bound by this agreement pursuant to the terms hereof.

2. Now therefore, the parties hereto agree as follows:-

- a. Community have agreed to use our share of the 5% SRA to construct a community Diaper Ground, a sum of GH¢1,535.00 out of the total sum of GH¢3,070.00 being shared.
- b. Community have agreed to use our share of the 5% SRA to construct a community Diaper Ground, a sum of GH¢1,535.00 out of the total sum of GH¢3,070.00 being shared.

3. Code of Conduct:-

- a. That the community shall make known in unambiguous terms to the company all cultural norms with respect to scared groves, shrines, trees, taboo days, rivers and streams, etc.
- b. That the Company, having been fully and adequately informed of all such norms shall show unquestionable respect for same, and shall endeavour to perform all the necessary customary rites as determined by the chiefs and people of the Traditional Area.
- c. That the Company shall ensure that drinking water sources are adequately protected.
- d. That where the Company's operation should accidentally cause any damage to already established infrastructure, the Company shall endeavour to restore same to the previous or better condition/state.

Figure 9. Page 1 of Sample SRA document

e. That the Company shall ensure prompt payment of all stumpage fees, rent and other statutory fees due and arising from their operations so as to facilitate the regular flow of revenue to the Traditional Council and the District Assembly.

f. That the Company, in observing and performing the terms of this agreement shall be allowed by the community to quietly and peaceably carry out its operations in the Area and should not be stopped in any way while the execution of the SRA is in process or being adhered to.

g. Any dispute arising from the implementation of this agreement SHALL be resolve amicably through dialogue, between the two parties, devoid of confrontations or violence.

h. Under no circumstance should any party take a unilateral action, without the knowledge of the other party.

i. If the two parties are not able to resolve an issue, then it SHALL be done through arbitration and the cost of arbitration borne by both parties.

4. IN WITNESS WHEREOF, THE DULY AUTHORISED REPRESENTATIVES OF EACH OF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT, EFFECTIVE AS OF THE DAY AND YEAR FIRST WRITTEN ABOVE.

<u>Company</u>	<u>Witness</u>
For and on behalf of	
Sign _____	Sign _____
Name _____	Name _____

<u>Community I</u>	
Sign _____	Sign _____
Name _____	Name _____

Figure 10. Page 2 of Sample SRA document

6.2 Acknowledgement of Social Obligation Compliance

Acknowledgement of Social Responsibility Obligation Compliance (ASOC) applies to all entities felling timber from natural forest and non-private land plantations. The purpose is proof of honoring SRA code of conduct issued by FSD. Table 6 shows content of ASOC and Figure 11 sample ASOC document.

Table 6. Content of Acknowledgement of Social Obligation Compliance

ASOC Document Content
Document holder (Logging Company, TUC Holder or Contractor and Forest Fringe communities)
Issuance of ASOC (Logging Company, TUC Holder or Contractor and Forest Fringe communities)
Signature/Seal (Logging Company, TUC Holder or Contractor and Forest Fringe communities and others)
Bank payment slips or vouchers
Documented acknowledgement of receipt of payments statements
Reports on agreed community projects and complaints
Reports on company's activities
NB:
1. Amount accrued must be endorsed by FSD
2. bank payment receipt must cover accrued SRA.
3. Documented acknowledgement of receipt of payments statements must be signed by Community Representative

ACKNOWLEDGEMENT OF SOCIAL OBLIGATION COMPLIANCE
COMMUNITY
FOREST RESERVE

We the undersigned Chief, Elders, Unit Committee Chairperson and the Assemblyman of the above named Community..... have received

..... on behalf of the Community..... from
..... in fulfillment of its social obligation in respect of

(Signed on behalf of Community.....) (Signed on behalf of Company.....)

Sign Sign

Name Name

Title Title

(Witness -)

Sign Sign

Name Name

Title Title

Witness - Forest Service Division

Sign

Name

Title

Dated: 2017

Figure 11. Sample of Acknowledgement of Social Obligation Compliance

6.3. Log Measurement and Conveyance Certificate

Log Measurement and Conveyance Certificate (LMCC) applies to all logging entities (Property Mark Holders) transporting logs. This assures that true volumes of wood products have been taken and captured as related to TIF and LIF. Table 7 shows the content of Log Measurement and Conveyance Certificate and Figure 11 depicts sample LMCC forms.

Table 7. Content of Log Measurement and Conveyance Certificate

Log Measurement and Conveyance Certificate
Name (Timber rights holder (contractor)
Property mark
Forest district
Locality mark
Reference LIF number
Registration number of vehicle
Driver's name
Destination of logs/forest products.
Issuance of Permit (FSD)
Signature /seal and Date:
1) FSD official authorizing the transport
2) the property mark holder/timber rights holder (contractor)
3) TIDD official inspecting the load and the transport documentation
Official FC logo and a hologram
Validity of LMCC (Used within 72 hours)
NB: Lumber Inspection Certificate (LIC) required before conveying lumber from one place to the other.

[illegible]


Authorised FSD Officer Name Designation Date of issue Expiry Date	Property Mark Holder/Agent Name Signature Date	Authorised TIDD Officer  Staff Number Name Signature Date
---	---	---

Figure 12. Sample Log Measurement and Conveyance Certificate


6.4 Timber Utilization Contract

Timber Utilization Contract (TUC) is a document for timber harvesting right signed by the sector minister and ratified by Parliament. Table 8 shows content of the TUC and Figure 12 sample TUC document.

. Table 8. Content of Timber Utilization Contract Document

TUC Document Content	
Name.....	
Area under contract not more than 125km ²	
Commencement date	
Expiry Date.....	
Annual ground fee	
Holder of document (Registered property mark holders)	
Issuance of Permit (Sector Minister)	
Salvage permit by FC (Chief Executive)	
Signature (Sector Minister)	
Seal Parliament seal	
NB: If the name of the owner is not the same as that on the harvesting permit request for any evidence of legal transfer.	

1577



TIMBER RESOURCES MANAGEMENT ACT, 1997 (ACT 547)
TIMBER RESOURCES MANAGEMENT REGULATIONS, 1998
(L.I. 1649)

TIMBER RESOURCES MANAGEMENT (AMENDMENT) ACT, 2002 (ACT 617)
TIMBER RESOURCE MANAGEMENT (AMENDMENT) REGULATIONS, 2003
(L.I. 1721)

TIMBER UTILISATION CONTRACT FOR FOREST RESERVE

THIS Timber Utilisation Contract is made this 21ST day of DECEMBER 2005 BETWEEN the GOVERNMENT OF GHANA acting by the Minister for LANDS, FORESTRY AND MINES herein referred to as the "Minister" which expression shall where the context so admits or requires, include his successors and assigns in office on the one part AND (name of partnership or company) of herein referred to as "the Holder" which expression shall where the context so admits or requires includes its assigns on the other.

WHEREAS:

- (1) The Government of Ghana is desirous of regulating the grant of timber rights in a manner that secures the sustainable management and utilization of the timber resources of Ghana; and,
- (2) For that purpose has adopted the process of competitive bidding by pre-qualified applicants for the grant of timber rights; and,
- (3) The Holder, in response to an invitation for bids for the grant of timber rights in a Forest Reserve area of land has submitted a successful bid and has been issued with a Notice of Grant of Timber Rights.

NOW THEREFORE the Parties hereto agree as follows:

1.0 Definitions

1.1 In this Contract the following terms shall have the following meanings:

"Annual Yield"	— the volumes permitted to be removed by the Holder as provided under the approved Bidding Prospectus governing the TUC Area.
"Chief Executive"	— means the Chief Executive of the Forestry Commission.
"Commission"	— means the Forestry Commission established under Act 571.
"Contract"	— means a Timber Utilization Contract entered into under the Timber Resources Management Act, 1997 (Act 547) herein called Act 547.

1

Figure 14. Sample of Timber Utilization Contract Document

6.5. Certificate of Registration of Property Mark (Form C)

This is applicable to Forest entities felling growing timber and transporting for processing with Property Mark (Three letter registered mark) for timber operators. Table 9 shows content of Certificate of Registration of Property Mark Figure 13 sample Certificate of Registration of Property Mark (Form C).

Table 9. Content of Certificate of Registration of Property Mark (Form C)

Certificate of Registration
Locality number (s) for endorsed Property Mark
Validity of registration (issued for 6-month duration).....
Date of issue
Expiry Date.....
Recipient company's property mark or symbol
Signature of the Executive Director of the Forest Services Division
Document issued by FSD
NB:
1. If the holder is not the same as the entity given on the certificate, request for a written permission from the Forest Services Division of FC.
2. Check if the certificate is being used for operations in the locality where it was issued for.
3. If expired, check evidence to verify whether it has been renewed.



FORM C

Original 107

TREE AND TIMBER DECREE, 1974

NRCD 273

No. 12788

Certificate of Registration of a Property Mark

This Certificate expires on: 31ST DECEMBER, 2017

Issued for Locality E.1, W.1, E.5, W.5, C.1, B.9, E.4, W.2 TUC No:

Forest District: MPRAS, JULABESO, ODA, ASANKA Stool:

Dankwa, Awaso, Bekope, Wiafusu, Bekwai

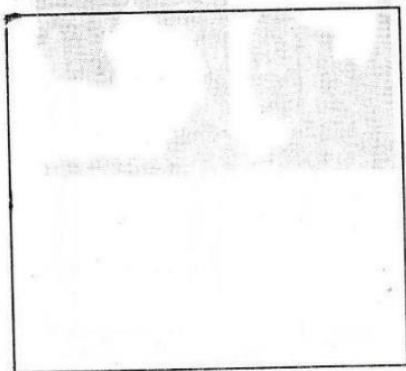
(CERTIFIED TRUE COPY OF APPROVED YIELD ATTACHED)

I Hereby Certify that the following Property Mark was registered by me on

the 6TH day of JULY 2017

in the name of

for the trees listed in the attached yield.



Date: 6TH JULY, 2017

Signed: [Signature]

Executive Director
Forest Services Division

Bekwai
Receipt No. REC 001961 of 28/06/2017

Copies

fee paid GHG 100.00

- | | |
|------------|------------------|
| 1. (Orig.) | Producer |
| 2. (Dup.) | TIDD |
| 3. (Trip.) | RM |
| 4. (Quard) | DM |
| 5. (Quint) | Book / Reference |

Contracts of Sale to be permitted only from the approved yield.

Figure 15. Sample of Certificate of Registration of Property Mark (Form C)

6.6. Approved Yield (TUC), with Restricted Species Permit

This is applicable to all Timber felling rights holders except timber permit holder who produce their own extraction plan for the blocks to be harvested which includes inventory of trees to be salvaged. The purpose is to ensure that only the approved number of trees/species are harvested by the operator. Table 10 shows content of Approved Yield permit and Figure 14 sample form for the approved yield permit.

Table 10. Content of Approved Yield Permit

Approved Yield
Timber Felling Rights Holder
Date of approved yield
Species name
Diameter
Stock / marking number
Diameter classes for natural forest timber
Issuance of Permit Regional Offices of the FSD of the FC
Signature Regional Manager of FSD of FC
Seal Regional Manager of FSD of FC
NB:
1. If the name of the owner is not the same as that on the approved yield permit request for any evidence of legal transfer.
2. Check if the number of stems and location of the yield summary the same as contained in the covering letter.

FOREST SERVICES DIVISION
FORESTRY COMMISSION

TEL: 03322-28216/28484
 FAX:
 E-MAIL:
 MY REF No: 917 S 256/172
 YOUR REF:

FC

DUNKWA FORESTRY OFFICE
 P.O. BOX DW 52
 DUNKWA-ON-OFFIN

30th September, 2016

THE RANGER ✓
I/C WAMASO RANGE
DUNKWA

Dear Sir,

YIELD APPROVAL FOR NORMAL AND RESTRICTED SPECIES
BONSA BEN FOREST RESERVE – COMPARTMENT
FELLING SERIES

RMSC Director's Ref Nos. FMU27/V10/11&12 of September 28, 2016
RM Ref. No. TC.58.V3/27 of September 29, 2016

Reference is made to the above quoted letters giving approval to Messrs
 Company Limited to harvest trees in of their TUC area in Bonsa Ben Forest
 Reserve.

a. Normal Species to be harvested

A total number of three hundred and sixty-five (365) trees have been approved for the
 company to harvest.

b. Restricted Species to be harvested

A total number of thirteen (13) restricted species have been approved for the company to
 harvest.

You are to ensure that:

- No other tree is felled outside the yield approved for the company.
- You are to strictly monitor the operations of the company to avoid any lapses because you
 would be held responsible for any lapses detected during their operations.

Attached is a photocopy of the yield to guide you.

Yours faithfully,

.....

DISTRICT MANAGER
DUNKWA FOREST DISTRICT

CC:

The Chief Ranger
 i/c Issuance of LMCC's
Twifo Praso

Figure 16. Sample of Approved Yield Permit

6.7. Tree Information Form

Tree Information Form (TIF) is applicable to all entities involved in logging. TIF captures all measured merchantable volume of the tree (s) immediately after felling. This is used for calculating stumpage fees. Table 11 shows content of TIF and Figure 15 is the sample form for TIF.

Table 11. Tree Information Form

Tree Information Form	
Company name	
Property mark	
Compartment number	
Forest district	
Locality mark	
Stool landowner	
District assembly	
Stock survey number	
Tree number	
Tree species trade name and code	
Tree measurement (length, diameter, and volume)	
Reference number of the related permit (pre-felling inspection or yield)	
Summary of species, number of trees and volumes	
Official logo and hologram of FC	
Issuance of certificate FSD of FC	
Signature (Ranger and FSD of FC)	
NB: Check if name and the property mark on the TIF is the same as the logging entity with the timber rights owner.	

6.8. Log Information Form

Log Information Form (LIF) is applicable to property mark holders. LIF is prepared by the Logger to the District Manager of FSD as application for Log Measurement Conveyance Certificate. It provides linkage to TIF and the LMCC to ensure trees felled are numbered. Table 12 shows content of LIF and Figure 16 is the sample form for LIF.

Table 12. Content of Log Information Form

Log Information Form
Company name
Property mark
Compartment number
Forest district
Locality mark
Stool landowner
District assembly
Stock survey number
Tree number
Tree species trade name and code
Tree measurement (length, diameter, and volume)

7.0 REFERENCES

1. CFMU/RMSC, 2004. Guidelines on Social Responsibility Agreement negotiation and Implementation, Kumasi-Ghana
2. Civic Response, 2017. District Assembly Use of Timber Royalties in Ghana, Accra-Ghana
3. Constitution of the republic of Ghana. 1992
4. FAO/ACP, 2012. Operational Guidelines: Civil Society Monitoring of the Voluntary Partnership Agreement in Ghana, Accra-Ghana
5. Ghana Forest and Wildlife Policy. 2012
6. Guidelines for Social Responsibility Agreement, Resource Management Support Centre Collaborative Resource Management Department August 2017
7. Logging Manual for Ghana. Guidance to companies operating timber utilization contracts in the high forests of Ghana 1998.
8. NepCon. 2017, Ghana Timber Document Guide Version 1.0.
9. Operational guidelines on Community Forest Committee 2000, ITTO/FSD Collaborative off-Reserve Forest Management Project, Forest Management Support Centre, Kumasi
10. Timber Resources Management and Legality Licensing Regulations, 2017- L.I. 2254.

ANNEX

Annex 1 Operational Guidelines: Civil Society Monitoring of Voluntary Partnership Agreement in Ghana

Independent Forest Monitoring Subject Area	Related VPA Legality Principle	What Criteria & Associated Output for LIM to verify	How & Which Auditee will LIM verify Output		
			WTS Portal & Docs. Review	Field Audit & Interview	Responsible FC Div./Unit/ Other
FOREST RESERVE GATE OPERATIONS	Identification of sources of timber in forest reserve (<i>Relates to Principle 1</i>)	i. For Timber Utilization Contracts (TUC) in on-reserves, forest management plan preparation covers strategic plan; ii. Delineation of TUCs; iii. Conduct of an inventory before harvesting (on-reserve, off-reserve and plantation); iv. Written consent of concerned individual, group or owners. Completed legality outputs confirming a valid management plan for the reserve	√	√	FSD, Landowner
	Timber rights allocation procedures (<i>Relates to Principle 2</i>)	i Natural Forest TUC and Plantation permit; Qualification of loggers for grant of TUC by TREC. ii. Salvage permit process/ Issued salvage permit iii. Other approved timber right from FC/MLNR Completed legality outputs confirming a valid TUC, Salvage or other valid timber right	√	√	FSD, TRAU, Timber right holder
	Timber harvest operations (<i>Relates to Principle 3</i>)	i. Stock surveys on reserve conducted in accordance with the logging manual. ii. Harvesting plan. iii. Logging was carried out in accordance with harvesting requirement in areas designated for timber production iv. Logs were accurately measured and recorded. v. Timber harvested corresponded to the species and volumes or numbers authorized in the TUC or Salvage permit. vi. Stumps and logs were marked and numbered in accordance with the logging manual. Completed legality outputs confirming harvesting operations such as TIF, LIF, marked/labeled stumps and logs, forest hygiene kept and minimal environmental damage	√	√	FSD, RMSC, Logger

	Timber transport and inspection (Relates to Principle 4)	i. Timber was transported with official documentation detailing its origin and corresponding with physical identification of the timber ii. Timber was transported within the times permitted by law (6 am- 6 pm). Completed legality outputs confirming completed and validLMCC/PLMCC	√	√	FSD, Logger/Driver of vehicle
OFF RESERVE LOGGING OPERATIONS IN AGRICULTURAL LANDSCAPES	Identification of sources of timber in forest reserve (Relates to Principle 1)	i. For controlled timber exploitation in off-reserves, logging plans are prepared over TUC/Permit areas; ii. Delineation of TUCs/permit areas; iii. Conduct of an enumeration in agricultural landscapes/fallow lands before harvesting in off-reserve areas iv. Written consent of concerned individual, group or owners or farmers Completed legality outputs confirming a valid logging plans	√	√	FSD, Landowner
	Timber rights allocation procedures (Relates to Principle 2)	i Natural Forest TUC mostly small scale and; Qualification of loggers for grant of TUC by TREC. ii. Salvage permit process/ Issued salvage permit iii. Other approved timber right from FC/MLNR Completed legality outputs confirming a valid TUC, Salvage or other valid timber right	√	√	FSD, TRAU, Timber right holder
	Timber harvest operations (Relates to Principle 3)	i. Pre-felling inspection conducted in accordance with the logging manual. ii. Annual logging plan. iii. Logging was carried out in accordance with harvesting requirement in areas designated for timber production iv. Logs were accurately measured and recorded. v. Timber harvested corresponded to the species and volumes or numbers authorized in the TUC or Salvage permit. vi. Stumps and logs were marked and numbered in accordance with the logging manual. vii. Compensation paid to affected farmers in respect of crop damage Completed legality outputs confirming harvesting operations such as TIF, LIF, marked/labeled stumps and logs, forest hygiene kept and minimal environmental damage; crop damage assessment evidence of compensation payment to farmers	√	√	FSD, RMSC, Logger, Affected farmers, Land Valuation Dept.
	Timber transport and inspection (Relates to Principle 4)	i. Timber was transported with official documentation detailing its origin and corresponding with physical identification of the timber ii. Timber was transported within the times permitted by law (6 am- 6 pm). Completed legality outputs confirming completed and validLMCC/PLMCC	√	√	FSD, Logger/Driver of vehicle

SOCIAL RESPONSIBILITY AGREEMENT NEGOTIATION AND IMPLEMENTATION.	Timber harvest operations (Relates to Principle 3)	i. The logger followed procedures for SRA negotiation and implemented Social Responsibility Agreement ii. Community observed code of conduct associated with SRA implementation iii. FSD mediated SRA negotiation Completed legality outputs confirming completed and signed SRA with evidence of implementation	√	√	FSD, Communities, Timber right holder
REVENUE COLLECTION, DISBURSEMENT TO BENEFICIARIES AND UTILIZATION OF TIMBER ROYALTIES	Collection of stumpage fees and shareable revenue (Relates to Principle 7)	i. Logger was not in default of stumpage fees or any other sharable fees payable by loggers ii. Beneficiaries receive royalties timely iii. Evidence of utilization of royalties for the benefit of communities Completed legality output confirming effective collection of stumpage fees and evidence of timely receipt of royalties	√	√	FSD, Finance Unit at FC-HQ, MDAs, Traditional Authorities

