

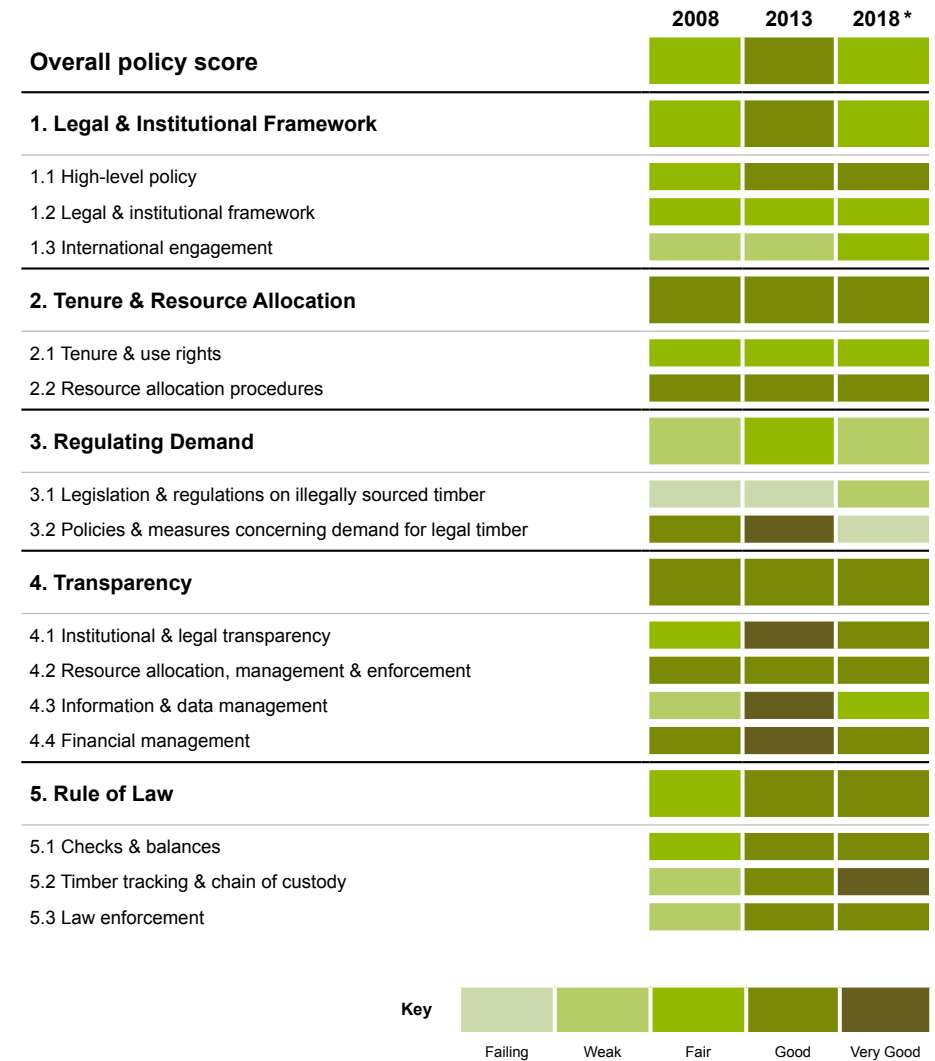
Summary

Further progress has been made in tackling illegal logging since 2013 both under the Ghana – EU Voluntary Partnership Agreement (VPA) as well as through REDD+ initiatives. The wood tracking system has been rolled out countrywide and Ghana’s timber legality assurance system (GhLAS), developed under the VPA, is being finalized to enable issuance of FLEGT licenses.

The adoption in November 2017 of the Timber Resource Management and Legality Licensing Regulations, 2017 (L.I. 2254) has brought more clarity to the award and use of timber rights. The government has been examining a draft policy meant to exclude illegal timber products from public procurement but this has not yet been passed.

On the other hand, limited progress has been made regarding land tenure and land resource rights. There have been slight improvements in the functioning of the Lands Commission which has better enabled communities to negotiate Social Responsibility Agreements with logging rights holders. The availability of timber resources has remained a challenge, as has chainsaw milling, which remains largely unregulated.

Figure 1: Summary of Ghana’s forest policy assessment



Key Forest Policies and Resources

Timber Resource Management Act, 1997, Act 547, see: <http://faolex.fao.org/docs/pdf/gha16665.pdf>

Lands Commission Bill; The Lands Commission Act, 2008 (Act 767), see: <http://extwprlegs1.fao.org/docs/pdf/gha165346.pdf>

Land Use and Spatial Planning Act (LUSPA), 2016 (Act 925), see: <http://www.luspa.gov.gh/files/ACT925.pdf>

Timber Resource Management and Legality Licensing Regulations, 2017 (L.I. 2254), see: <https://www.documents.clientearth.org/wp-content/uploads/library/2017-11-03-timber-resource-management-and-legality-licensing-regulations-2017-l.i-ext-en.pdf>

Voluntary Partnership Agreement between the European Union and Ghana on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT), see: [https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1504615396990&uri=CELEX:22010A0319\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1504615396990&uri=CELEX:22010A0319(01))

* A number of questions were added to the assessment in 2018 (noted in the list of questions below). Consequently, the overall scores for 2018 are not directly comparable with those of the previous assessments.

About

Chatham House is monitoring forest governance and legality to assess the effectiveness of government and private sector efforts to tackle illegal logging and trade. An assessment was undertaken of Ghana's forest policy framework to evaluate the government's response to illegal logging and the related trade. A standard list of questions was used in the policy assessment and answers were scored against 3 criteria: if the policy exists (0-2), how well designed it is (0-5) and how well implemented it is (0-5). (See tables below).

Timeframe for the research

This assessment is based on the situation at the end of 2018 and the scores refer to this date. However, where there have been significant developments in 2019, these have been noted in the text. The research was undertaken in 2018-19 and finalized in June 2019.

Acknowledgements

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Acronyms and Abbreviations

CSO	Civil Society Organization	NGO	Non-governmental organization
EITI	Extractive Industries Transparency Initiative	PPP	Public Procurement Policy
EOCO	Economic and Organized Crime Office	RCC	Regional Coordinating Councils
FAO	Food and Agriculture Organization	REDD+	Reducing Emissions from Deforestation and Degradation
FC	Forestry Commission	RMSC	Resource Management Support Centre, Forestry Commission
FLEGT	Forest Law Enforcement, Governance and Trade	RRU	Rapid Response Unit
FSD	Forest Services Division, Forestry Commission	SRA	Social Responsibility Agreements
GhLAS	Ghana Legality Assurance System	TIDD	Timber Industry Development Division, Forestry Commission
GSWG	Gender Sub-Working Group	TUC	Timber Utilization Contract
LUSPA	Land Use and Spatial Planning Authority	TVD	Timber Validation Department, Forestry Commission
LWG	Legal Working Group	VPA	Voluntary Partnership Agreement
MLNR	Ministry of Lands and Natural Resources	WTS	Wood Tracking System
MoGCSP	Ministry of Gender, Children and Social Protection		

Table 1: Ghana's Forest Policy Assessment

Legal and Institutional Framework

High-level policy	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
1. Does the country have high-level political and governmental mechanisms in place to tackle illegal logging?				
<i>a. Has a review of the causes and severity of illegal logging been conducted by the government?</i>	2009: 1 2013: 1 2018: 1	2009: 4 2013: 4 2018: 4	2009: 3 2013: 4 2018: 4	<p>There has been no review conducted by the government on this matter but the following study was endorsed by the government:</p> <ul style="list-style-type: none"> Assessment of Potential Impacts in Ghana of a Voluntary Partnership Agreement with the EC on Forest Governance.¹ This provided a baseline and considered different policy scenarios and their impacts on the sector including harvest volumes and species and socio-economic and environmental impacts. <p>In addition, the results of a study conducted under the EU chainsaw project were endorsed by the government and published in 2014:</p> <ul style="list-style-type: none"> Scenario and cost-benefit analysis of proposed policy options for the supply of legal timber to the domestic market.² The study included a review of the state of the forest sector, policy options to address timber supply for the domestic market and socio-economic cost-benefit analysis of different policy options. <p>Implementation: These studies have informed the implementation of the Ghana-EU VPA (see further below) as well as development of the Timber Resource Management and Legality Licensing Regulations, 2017 (L.I. 2254).</p>
<i>b. Is there a national action plan in place for tackling illegal logging?</i>	2009: 0 2013: 2 2018: 2	2009: n/a 2013: 4 2018: 4	2009: n/a 2013: 3 2018: 4	<p>FLEGT VPA. The EU-Ghana FLEGT VPA, which aims to tackle illegal logging, entered into force in December 2009 and continues to be implemented.</p> <p>The Wood Tracking System (WTS), which was completed in 2016, has now been rolled out across the country. The WTS will form the basis of the Ghana Legality Assurance System (GhLAS), which will allow for the issuing of FLEGT licenses, required for both for exports to the EU and on the domestic market.</p> <p>The passing in November 2017 of Timber Resource Management and Legality Licensing Regulations, 2017 (L.I. 2254) has brought more clarity to a number of areas including regulating the conversion of extant leases to Timber Utilisation Contracts (TUC), setting out transparent processes for the award of all timber rights and establishing access to timber resources for small-scale operators.</p> <p>Ghana's Shared Growth and Development Agenda II (2014-17). Agricultural modernization and sustainable natural resource management is one of the seven themes around which this Agenda is based. Strategies identified to promote sustainable natural resource management include enforcing forest laws such as the ban on chainsaw milling, implementing the legality assurance scheme and reviewing the legislation to promote reforestation.³</p>

¹ Mayers, J., Birikorang, G., Danso, E. Y., Nketiah, K. S. and Richards, M (2008), Assessment of Potential Impacts in Ghana of a Voluntary Partnership Agreement with the EC on Forest Governance, International Institute for Environment and Development (IIED), London, pubs.iied.org/pdfs/G02594.pdf

² Birikorang, G., Marfo, E., Boateng, K. and Obiri-Darko, B. (2014), Scenario and Cost Benefit Analysis of Proposed Policy Options for the Supply of Legal Timber to the Domestic Market, Tropenbos International, Wageningen, the Netherlands, <http://www.tropenbos.org/file.php/1683/5-cost-benefit-analysis.pdf>

³ Government of Ghana (2014), Ghana Shared Growth and Development Agenda (GSGDA) II, 2014-2017 - Vol I: Policy Framework, <http://www.greengrowthknowledge.org/national-documents/ghana-shared-growth-and-development-agenda-gsgda-ii-2014-2017-vol-i-policy>

High-level policy	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>c. Does a formal process exist for high-level coordination of action on illegal logging across departments and sectors e.g. a parliamentary committee or inter-ministerial task force</i>	2009: 2 2013: 2 2018: 2	2009: 3 2013: 3 2018: 3	2009: 1 2013: 3 2018: 3	<p>The Regional Coordinating Councils (RCCs), which were first established in 1992, are responsible for high-level coordination of action on illegal logging. The RCCs are chaired by the regional minister and are made up of representatives from a number of agencies from different sectors. The Ministry of Local Government and Rural Development is the central government body that coordinates the RCCs.</p> <p>In 2012, the Forestry Commission (FC) established a Rapid Response Unit (RRU). With assistance from the RCCs, the RRU has been successful in carrying out a number of operations to combat illegal activities in the forest and wildlife sector. In 2017, the activities of the RRU in combating illegal logging were stepped up.</p>
<i>d. Are there formal consultation processes in place for multi-stakeholder involvement in developing policy and legislation to tackle illegal logging? These processes should ensure that viewpoints of stakeholders affected by legislation are taken into consideration. (Such processes should take place at central and regional levels of policy development and implementation.)</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 4 2018: 4	2009: 4 2013: 4 2018: 4	<p>FLEGT VPA: The main multi-stakeholder body formally established under the VPA is the Multi-Stakeholder Implementation Committee. This includes representatives of government, traditional authorities, non-governmental organizations (NGOs) and the private sector and is tasked with overseeing VPA implementation and communicating with all stakeholders.</p> <p>The Timber Validation Committee, also established under the VPA, oversees the work of the Timber Validation Department, this being responsible for implementation of the GhLAS. With the passing of L.I. 2254 in November 2017, the representation of civil society on the Timber Validation Committee has been made explicit.</p> <p>The Legal Working Group (LWG) supported by the international NGO Client Earth has become an effective platform for stakeholders to deliberate on areas of concern and to propose solutions – although it should be noted that this mechanism has not been formalized. Civil society's contribution through the LWG has been crucial in identifying gaps and inconsistencies in the legal framework and in developing L.I. 2254.</p> <p>Private sector representation has remained a challenge as operators still struggle to speak with one voice.</p>
<i>e. Are there formal processes or policies in place aimed at ensuring a balanced participation of men and women in the development and implementation of forest policies? (Question added in 2018)</i>	2009: - 2013: - 2018: 2	2009: - 2013: - 2018: 3	2009: - 2013: - 2018: 2	<p>The Ghana Shared Growth and Development Agenda II 2014-17 proposes, among others, a strategy of equal participation of women and men at all levels of civil society, economy, peacebuilding and governance (Section 8.4.7).⁴</p> <p>The National Gender Policy (2015) constitutes the overarching policy for mainstreaming gender, women's empowerment and protection into national development processes. Its spirit derives from the acknowledgement by the government that equal participation in the development and implementation of policies has been a challenge.⁵</p> <p>However, there is little detail in these policies as to how balanced participation and gender equity is to be achieved.</p> <p>The policy framework of the Ministry of Lands and Natural Resources' Revised Forest and Wildlife Policy (2012) seeks to develop the capacity of women to facilitate their participation in forest resource management although it is silent on the balanced participation of men and women (4.1.1 (d) and 5.2.1).</p> <p>The Forestry Commission adopted a gender policy in 2004 but its effectiveness in transforming practices in the sector has been found to be limited.⁶</p>

⁴ Government of Ghana, (2014), Ghana Shared Growth and Development Agenda (GSGDA) II, 2014-2017 - Vol I: Policy Framework, <http://www.greengrowthknowledge.org/national-documents/ghana-shared-growth-and-development-agenda-gsgda-ii-2014-2017-vol-i-policy>

⁵ Ministry of Gender, Children and Social Protection (2015), National Gender Policy. Theme: Mainstreaming Gender Equality and Women's Empowerment into Ghana's Development Efforts, <http://extwprlegs1.fao.org/docs/pdf/gha160227.pdf>

⁶ Fern & Civic Response (2017), Analysis of gender impacts of the Ghana Voluntary Partnership Agreement with European Union, https://fern.org/sites/default/files/news-pdf/briefing%20gender%20ghana%20final_0.pdf

High-level policy	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<p><i>f. Is illegal logging considered in the country's climate change strategy e.g. INDC, REDD strategy or other climate change national policy? (Question added in 2018)</i></p>	<p>2009: - 2013: - 2018: 2</p>	<p>2009: - 2013: - 2018: 3</p>	<p>2009: - 2013: - 2018: 3</p>	<p>NDC: Sustainable forest management is one of seven priority sectors identified in Ghana's NDC (2015). It seeks to achieve this through reforestation and afforestation and 'enforcement of timber felling standards' and reducing deforestation. No explicit mention is made of illegal logging.⁷</p> <p>REDD+ strategy: Illegal logging is mentioned as a direct driver of deforestation and forest degradation in the country's Reducing Emissions from Deforestation and Degradation (REDD+) strategy.⁸ The strategy also refers to enforcing timber legality compliance as a strategic option for addressing these drivers.</p> <p>As part of the REDD+ strategy, preparation for the Emissions Reduction Programme for the Cocoa Forest Mosaic was completed in 2015. The ERP 'seeks to significantly reduce emissions driven by cocoa farming and other agricultural drivers as well as illegal logging and illegal mining'. Technical approval by the World Bank of the Reference Level was obtained in 2017 and the next step is in progress with the Forest Commission developing a Carbon Purchase Agreement. A project proposal, developed with the support of UNDP, for the Shea Landscape ERP has been submitted to the World Bank.</p> <p>National Climate Change Policy Action Programme for Implementation: 2015-20: Programme 4.2 on 'Securing the Integrity of Forest and other Natural Ecosystems' emphasizes the role of the government in monitoring and managing 'issues on illegal logging and the challenges of the acquisition of permits by small-scale timber firms. This will ensure the control of illegal logging and chainsaw lumbering operations within Timber Utilization Contract (TUC) areas. In addition, it notes that there is 'a need to establish functional links upstream and downstream for the efficient tracking of fiscal revenues'.</p>

⁷ Republic of Ghana (2015), Ghana's intended nationally determined contribution (INDC) and accompanying explanatory note, <https://www4.unfccc.int/sites/NDCStaging/pages/Party.aspx?party=GHA>

⁸ Forestry Commission Ghana (2015), National REDD+ strategy, <https://www.forestcarbonpartnership.org/sites/fcp/files/2015/April/Ghana%20National%20REDD%2B%20Strategy%20Final.pdf>

Legal and Institutional Framework	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<p>2. Is forest legislation and regulation coherent and unambiguous? <i>(Question added in 2018)</i></p>		<p>2009: 3 2013: 3 2018: 3</p>		<p>Forestry is governed by a wide range of legislation and there remain inconsistencies and gaps.</p> <p>The review process undertaken as part of the implementation of the VPA has improved clarity and addressed some gaps however. Thus, this process led to the passing in November 2017 of the Timber Resource Management and Legality Licensing Regulations, 2017 (L.I. 2254) which has clarified resource allocations for both small and large-scale operators. However, a key issue remains the conflict between statutory legislation and customary law with respect to ownership and management rights over forest resources.</p>
<p>3. Is the legislation and regulation for artisanal and micro-scale enterprises coherent and unambiguous, or example, considering all relevant areas of law such as fiscal, rights of association, SMEs, forestry etc. <i>(Question added in 2018)</i></p> <p><i>(Artisanal and micro-scale enterprises are defined respectively as those with 1-3 and 4-10 employees.)</i></p>		<p>2009: - 2013: - 2018: 2</p>		<p>The legislation is coherent in the sense that artisanal and micro-scale enterprises are subject to the same set of regulations that govern the larger, well-established economic operators.</p> <p>L.I. 2254, passed in November 2017, stipulates that any enterprise that applies for the allocation of timber rights (be these small-scale or large-scale) must be in a position to provide, on request, evidence of elements such as 'ownership or membership of a registered company or partnership relevant to forestry with a commercial business certificate attached', and of full compliance with fiscal requirements (14(1) & 19 (1; 2)).</p> <p>Furthermore, all chainsaws must be registered, but no chainsaw, registered or not, is to be used 'to convert timber into lumber or other forest products for sale, exchange or any other commercial purpose' (70(1)). This provision, in line with that of the Timber Resources Management Regulations (1998), makes it challenging for informal, small-scale enterprises to operate legally as do the requirements for registration. The latter also presents a huge task – for example the Wood Association of Ghana comprises some 40,000 micro/household enterprises who are not yet formally registered.</p> <p>Previous experiences of enforcement of strict formal regulations (such as those on competitive bidding for plantation resources in 2006) have proved to be counterproductive, in that larger, more established companies tended to finance the bidding documentation of the artisanal enterprises and to retain the economic rent while the latter remained largely dependent on illegally-sourced logs.</p>
<p>4. Is there legislative and/or institutional coherence across sectors?</p>				
<p><i>a. Are formalized forest laws and regulations consistent and harmonized with other laws and regulations affecting forests e.g. for land-use planning, agriculture, mining etc.</i> <i>(Question added in 2018)</i></p> <p><i>(Formalized here is used to distinguish between laws designed and enacted by national government and customary practices/norms of indigenous peoples and local communities).</i></p>		<p>2009: 3 2013: 3 2018: 3</p>		<p>Formalized forest laws and regulations are not always consistent and harmonized with other laws and regulations affecting forests.</p> <p>The minerals law is harmonized with forest laws in that, under the former, all mining activities in forests are to be carried out under the supervision of the Forestry Commission.</p> <p>However, forest laws are in a number of cases in conflict with customary land rights. For instance, with respect to benefit sharing arrangements for landowners and the rights of tenant farmers over the trees that they tend on their farms.</p>

Legal and Institutional Framework	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<p><i>b. Is there a legal framework for selling or licensing of any timber resulting from forest clearance driven by activities in other sectors? (Question added in 2018)</i></p>	<p>2009: - 2013: - 2018: 2</p>	<p>2009: - 2013: - 2018: 3</p>	<p>2009: - 2013: - 2018: 2</p>	<p>The FLEGT licensing system, established under the VPA, will cover timber originating from 'salvage permits' which, according to the Timber Resources Management Regulations (1998), allow economic operators to derive revenue from the trees felled as part of development projects such as road construction, agriculture, etc.⁹</p> <p>However, there have been numerous cases reported of salvage permits being used to cover-up the wrongful clearance of forest areas rich in valuable tree species, including strictly protected species such as rosewood, which has highlighted the need to address this issue prior to issuing FLEGT licenses.</p> <p>L.I. 2254 has institutionalized mandatory (i) field inspections to be conducted by the Forestry Commission prior to a salvage permit being granted (ii) negotiation of an agreement between the permit holder and neighbouring communities and (iii) publicizing of all salvage permits. It should be noted that a list of such permits is now available on the Timber Transparency Portal.</p>
<p><i>c. Is there a legal framework for selling or licensing of timber produced by informal enterprises? (Question added in 2018)</i></p> <p><i>(Informal enterprises are defined as those that are owned and controlled by member(s) of a household(s), are unincorporated, are unregistered, their size falls below a certain threshold, do not have a complete set of accounts, produce goods that are meant for sale or barter etc.)</i></p>	<p>2009: - 2013: - 2018: 0</p>	<p>2009: - 2013: - 2018: n/a</p>	<p>2009: - 2013: - 2018: n/a</p>	<p>Chainsaw milling was banned in 1998 and the informal sector – at least in its commercial form – has since then become almost synonymous with illegal timber. To a large extent, the ban has had an adverse impact, by putting a large number of actors on the wrong side of the law while doing little to legalize the domestic market. Two analyses of the sector both noted that transforming chainsaw milling into artisanal logging was an option worth exploring^{10 11}</p> <p>Under the VPA, efforts have been made to help artisanal loggers and millers comply with all regulations relevant to formally registered businesses. However, the timber produced by informal enterprises has remained illegal by default and there is no specific framework for selling or licensing such products.</p>
<p><i>d. Are there systems in place for cross-sectoral coordination between ministries and agencies responsible for planning and land-use allocation? (Question added in 2018)</i></p>	<p>2009: - 2013: - 2018: 2</p>	<p>2009: - 2013: - 2018: 4</p>	<p>2009: - 2013: - 2018: 3</p>	<p>There have been efforts to ensure greater coordination around land planning. As noted in 11(b) below, the separate institutions for Land Registration, Survey & Mapping and Land Valuation were brought within one organization therefore becoming Divisions within the Lands Commission – Vide Lands Commission Act, 2008 (Act 767). Furthermore, a Land Use and Spatial Planning Authority was established in 2016 pursuant to the Land Use and Spatial Planning Act (LUSPA), 2016 (Act 925). Among other functions, the Authority ensures 'the establishment of an inter-sectoral approach to decision making in spatial planning in accordance with the development objective of government to attain a coordinated approach to development'.</p> <p>The LUSPA consolidates laws on land-use and spatial planning and mandates the Land Use and Spatial Planning Authority as the overarching body responsible for regulating national, regional, district and local spatial planning. The Planning Authority provides direction to all other government departments and agencies (including the Commissions for Natural Resources and the Environmental Protection Agency) to ensure compliance with and enforcement of relevant regulations.</p>

⁹ See: <https://www.ghanatimbertransparency.info/#!/permits/4>

¹⁰ Marfo, E. (2010). Chainsaw Milling in Ghana: Context, drivers and impacts. Tropenbos International, <https://www.tropenbos.org/resources/publications/chainsaw+milling+in+ghana:+context,+drivers+and+impacts>

¹¹ Birikorang, G., Marfo, E., Boateng, K. and Obiri-Darko, B. (2014), Scenario and Cost Benefit Analysis of Proposed Policy Options for the Supply of Legal Timber to the Domestic Market, <http://www.tropenbos.org/file.php/1683/5-cost-benefit-analysis.pdf>

Legal and Institutional Framework	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
5. Is gender considered within policy-making and implementation?				
<i>a. Is there a designated agency/ focal point with the mandate to ensure gender perspectives are mainstreamed in forest policies? (Question added in 2018)</i>	2009: - 2013: - 2018: 2	2009: - 2013: - 2018: 1	2009: - 2013: - 2018: 1	<p>A Ministry of Gender, Children and Social Protection (MoGCSP) was established in 2012 with a mandate to ensure gender equality and equity in national development and to coordinate gender mainstreaming in national policy implementation.</p> <p>In 2015, a national, multi-stakeholder REDD+ Gender Sub-Working Group (GSWG) was established under the supervision of the government. A gender desk officer has reportedly been designated at the Forestry Commission and one of their roles is to coordinate the work of the GSWG. However, it is unclear whether this position is being filled on a continuous basis.¹²</p> <p>By virtue of its mandate, MoGCSP should be working with the Ministry of Lands and Natural Resources (MLNR) and FC to mainstream gender equality and equity in the development and implementation of forest policies. However, MoGCSP does not have the capacity to fulfil this role and all three agencies lack the political will to act on the policy intention. This is in spite of similar documentary pronouncements in the forestry sector: while FC's REDD+ Implementation manual emphasizes gender equality, MLNR policy statements are rather vague.¹³</p>
<i>b. Are there processes or policies in place to assess gender impacts in the development and implementation of forest policies? (Question added in 2018)</i>	2009: - 2013: - 2018: 0	2009: - 2013: - 2018: n/a	2009: - 2013: - 2018: n/a	<p>A report was produced in 2016 for the Ministry of Lands and Natural Resources and the Forestry Commission to scope and prepare for the development of a web-based monitoring and evaluation system. Women are not listed in the stakeholder classification of the said system –although local communities and inhabitants are – and it is unclear whether any gender-related indicators are to be defined.¹⁴</p> <p>Overall, Fern & Civic Response (2017) noted that efforts must still be made to collect and process disaggregated data on gender in the forest sector.¹⁵</p>

¹² Ghana Forestry Commission (2017) Ghana Cocoa Forest REDD+ Programme: Programme Implementation Manual (First Draft), October 2017 (Section 6: Safeguards).

¹³ MLNR (2012) Revised Forest and Wildlife Policy, 2012 Policy Strategies: Section 4.1.1 (d), p. 23. <https://www.documents.clientearth.org/wp-content/uploads/library/2012-01-01-ghana-forest-and-wildlife-policy-2012-ext-en.pdf>

¹⁴ MLNR & Forestry Commission (2016), Monitoring And Evaluation System For The Forestry Sector Under The Natural Resources And Environmental Governance Program (NREG), <https://fcghana.org/userfiles/files/NREG/FINAL%20REPORT-%20M%26E%20SYSTEMS%20FOR%20FORESTRY%20SECTOR.pdf>

¹⁵ Fern & Civic Response (2017), Analysis of gender impacts of the Ghana Voluntary Partnership Agreement with European Union, https://fern.org/sites/default/files/news-pdf/briefing%20gender%20ghana%20final_0.pdf

International engagement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
6. What level of international cooperation has been shown by the country?				
<i>a. Does the country have formalized trade or customs arrangements with major trading partners e.g. FLEGT VPAs or free trade agreements which include specific provisions on illegal logging?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: n/a 2013: 1 2018: 3	<p>The Ghana-EU FLEGT VPA, which entered into force in 2009, continues to be implemented. Progress made so far includes: broadened multi-stakeholder engagement through the VPA's various deliberative platforms and committees, enhanced capacity of the government to monitor legality in the sector, strengthened oversight of forest activities by civil society and ongoing policy and legal reform.</p> <p>The passing in November 2017 of L.I. 2254 cleared the way for making a number of amendments to the VPA annexes, and to begin the joint assessment of the GhLAS, this being one of the final steps towards issuing FLEGT licenses.</p>
<i>b. Does the country have a system in place for sending and receiving enforcement alerts regarding illegal shipments in transit to destination countries?</i>	2009: 0 2013: 0 2018: 0	2009: n/a 2013: n/a 2018: n/a	2009: n/a 2013: n/a 2018: n/a	No specific system for enforcement alert exists as of 2018.

Tenure and Resource Allocation

Tenure and use rights	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
7. Are property, use rights and tenure arrangements clearly defined, documented and secure including those of indigenous and local communities?				
<i>a. Does the law require that property, use rights and tenure arrangements are set out on publicly accessible maps and/or Geographical Information Systems (GIS) and demarcated at ground-level?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 5 2018: 5	2009: 3 2013: 2 2018: 3	Under Act 547 and L.I. 1649 it is required that use rights and tenure be defined and documented. The Lands Commission is mandated to give support to implementation of these aspects of forest legislation through providing maps, cadastral records and land title documentation. The Lands Commission's Record Office is the agency that keeps record of this data including publicly accessible maps of property, use rights and tenure arrangements. Implementation: Internal changes at the Lands Commission have resulted in access becoming easier and the FC's work on boundaries demarcation has also improved in recent years.
<i>b. Are there formalized mechanisms in place for resolving conflicting or overlapping property rights?</i>	2009: 2 2013: 2 2018: 2	2009: 2 2013: 2 2018: 3	2009: 2 2013: 2 2018: 2	There have been improvements in the management of tenure and use rights following the 2008 legislation on land sector reforms (Lands Commission Act, 2008 (Act 767) and the 2016 Land Use and Spatial Planning Act (Act 925). (See also Q 4d). In addition, the government has been implementing the Land Administration Project (LAP) – the first phase of which ran from 2003-11 and the second phase from 2011-18 – with World Bank support. Activities under LAP 2 have included support for the Lands Commission in particular to reduce the time for land title registration, training of the judiciary to support alternative dispute resolution, to reduce the number of cases ending up in court, the establishment of specialized land courts and the establishment of Customary Land Secretariats to register land rights and resolve disputes. ¹⁶
<i>c. Are there formalized mechanisms in place for accommodating customary rights in law and regulations?</i>	2009: 1 2013: 1 2018: 1	2009: 2 2013: 2 2018: 3	2009: 2 2013: 2 2018: 3	Tree and tenure rights are only implicitly recognized under the forestry legislation, from L.I. 1649 through 1721 to L.I. 2254, as well as under the Timber Resource Management Act 617 (Amendment) Act, 2002. The Land Use and Spatial Planning Act (Act 925) was enacted in August 2016 to revise and consolidate the laws on land use and spatial planning and to support implementation of the Land Sector Policy, 1999. In addition, the system to register customary land rights has been supported under LAP (see Q.7b) Implementation: Recent developments in the forest sector have enhanced the capacity of stakeholders to negotiate and implement Social Responsibility Agreements (SRAs) with timber companies. Registration of customary land rights has increased through the Customary Land Secretariats.
<i>d. Does the legal and policy framework provide for gender-equal use rights and tenure?</i> (Question added in 2018)	2009: - 2013: - 2018: 0	2009: - 2013: - 2018: n/a	2009: - 2013: - 2018: n/a	The Constitutional Law (1992) bans gender-based discrimination (17.1) and provides that 'every person has the right to own property either alone or in association with others' (18.1). It further specifies that 'the State shall afford equality of economic opportunity to all citizens and, in particular, the state shall take all necessary steps so as to ensure the full integration of women into the mainstream of the economic development of Ghana.' Inheritance rights, which are governed by a number of texts including the Matrimonial Causes Act, 1971 and the Intestate Succession Law, 1985, do not in principle lend themselves to any kind of gender-based discrimination. ¹⁷ This notwithstanding, the Ghana Shared Growth and Development Agenda II 2014-17 cites a lack of national commitment to eliminate gender-based inequalities. While it proposes a strategy of equal participation of women and men at all levels of governance (see Q.1e above), no specific mention of women's equal access to land is made. The National Gender Policy (2015) further acknowledges that women's access to land and to agricultural inputs is poor in a land tenure system which remains predominantly governed by customary law, for example, 80 per cent of land is held by Traditional Authorities. However, legal pluralism has resulted in a wide array of attitudes and practices towards women's rights over land. ¹⁸ For example, the office of the chief is recognized under statutory law and their rights to revenues are defined. However, the chiefs are not answerable to the law in the application of customary laws which may discriminate against women.

¹⁶ World Bank (2018), Implementation Completion and Results Report for the Land Administration Project, <http://documents.worldbank.org/curated/en/688191541086721133/Ghana-Second-Land-Administration-Project>

¹⁷ Ministry of Gender, Children and Social Protection (2015), National Gender Policy. Theme: Mainstreaming Gender Equality and Women's Empowerment into Ghana's Development Efforts, <http://extwprlegs1.fao.org/docs/pdf/gha160227.pdf>

¹⁸ Spichiger, R. and Stacey, P. (2014), Ghana's Land Reform and Gender Equality, Danish Institute for International Studies Working Paper 2014:01, https://static-curis.ku.dk/portal/files/128060032/diiswp2014_01_ghana_land_gender_rachel_spichiger_web_2.pdf

Resource allocation procedures	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
8. Do resource allocation regulations and procedures include measures consistent with good forest governance?				
<i>a. Is there a prequalification process which is designed to exclude inappropriate bidders from resource allocation awards?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 4 2018: 4	2009: 3 2013: 3 2018: 3	<p>Under L.I. 2254, 2017, the allocation of all timber rights is subject to a competitive process but prequalification only applies to large-scale permits (Section 12) whereas applications for small-scale permits go through a single selection process (Section 21).</p> <p>Design: Specific criteria are listed in L.I. 2254. The Qualification Requirements (included in the application forms for large-scale and small-scale timber rights annexed to L.I. 2254) include a number of elements meant to ascertain the identity of the true bidder.</p> <p>Implementation: The level of implementation under L.I. 2254 remains to be seen.</p>
<i>b. Is there a competitive award process which is designed to be open to all eligible bidders?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 4 2018: 4	2009: 2 2013: 3 2018: 3	<p>L.I. 2254, 2017, provides for competitive bidding processes for the award of both large-scale and small-scale timber rights. (See also 15 (a).)</p> <p>Design: The Qualification Requirements are clearly set out in L.I. 2254.</p> <p>Implementation: The level of implementation under L.I. 2254 remains to be seen.</p>
<i>c. Does the law require prior informed consent procedures or stakeholder consultations for local communities with respect to logging interests and rights to be carried out?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 4 2013: 4 2018: 4	<p>Procedures implemented under L.I. 1721 (now repealed) specifically required that stool land owners be officially invited to attend competitive bidding and be supplied with bidding documents including prospectuses on lots. They were also to be informed of full procedures leading to the granting of timber rights by the minister to a prospective TUC holder who was identified at the end of the bidding process and in the presence of the relevant stool land owner.</p> <p>L.I. 2254 (2017) mentions a broad invitation to the public. Sections 4-6 do provide for prior informed consent procedures in the case of areas that are not public land or forest reserve. The written consent and agreement of owners of such areas, when identified and proposed for the grant of timber rights, will be sought and notices are to be posted to this end. The law also provides for mechanisms and procedures for managing objections and conflicting interests. Furthermore, Section 11(12) states that in the case of a field inspection to be carried out at the request of the Commission to determine the need to grant small-scale timber rights and the suitability of the land considered, 'the Commission shall inform members of the public of the planned field inspection ten days before the inspection to allow members of the public to participate as observers'.</p> <p>Implementation: The level of implementation under L.I. 2254 remains to be seen.</p>

Resource allocation procedures	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>d. Are measures to protect and develop forest-based livelihood opportunities for local communities within concession areas built into concession contracts?</i>	2009: 2 2013: 2 2018: 2	2009: 3 2013: 4 2018: 4	2009: 3 2013: 3 2018: 3	<p>Under L.I. 1721 (now repealed), TUCs were for the exercise of timber rights and related obligations only. The contractor indemnified the state (including forest communities) against any damage including environmental losses. Approved harvesting plans, annual logging plans, a Manual of Procedures and periodic audit all served to protect the long-term livelihoods of forest communities. The procedures and responsibilities of TUC holders were communicated to forest communities at the district level. Enforcement took place through the Resource Management Support Centre's (RMSC) post logging inspection. Where there was damage, the TUC Agreement was resorted to and the contractor made to indemnify the state for losses.</p> <p>L.I. 2254, 2017 (Section 26) reinforces the mandatory negotiation of a social responsibility agreement (SRA) between the timber rights holder and 'communities in and around the contract area at the value of five per cent of the stumpage fee'. For large-scale timber rights, the SRA shall be negotiated by the winner before the right is granted (Section 17(11-b)), while the award of small-scale timber rights is subject to a proposal for a SRA (Section 20(1-b)).</p> <p>In addition, as per sections 16(12) (large-scale) & 20(2) (small-scale), the winner of the timber right 'shall give an undertaking to assist communities and inhabitants of the communities whose land area encompasses the forest from which the timber is to be harvested – with amenities, services or benefits, and the cost of the agreed amenities, services or benefits, to be five per cent of the value of stumpage fee from the timber that is harvested.'</p> <p>Design: Failure to comply with the requirements set out in L.I. 2254 within the set time frame will result in the grant being nullified by the minister. However, L.I. 2254 may result in a reduction in the extent to which communities can exert their rights as disputes are now more likely to be resolved through administrative settlement rather than in court.</p> <p>Implementation: In the past, issues emerged with powerful chiefs capturing the benefits from the SRAs on the grounds of being the land owners. The level of implementation under L.I. 2254 remains to be seen.</p>

Regulating Demand

Legislation & regulations on illegally sourced timber	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
9. Does the country have adequate legislation and regulations in place to prevent illegally sourced timber from being imported or sold?				
<i>a. Has the country analysed its existing legislation and regulations on preventing imports and sales of illegally sourced timber? (Question added in 2018)</i>	2009: - 2013: - 2018: 2	2009: - 2013: - 2018: 4		Extensive analysis of the country's existing legislation and procedures has been undertaken, prompted by the negotiation and implementation of the VPA. Art 8(1) of the VPA stipulates that the legality verification system must 'include procedures to ensure that timber of illegal or unknown origin does not enter the supply chain'. Preparations to enable the enforcement of provisions to prevent the import of illegal timber commenced in the period 2015/16. Most recently, the Annexes of the VPA have been analysed and a revision was proposed in 2018 so as to minimize the risk of illegally-harvested timber being imported into Ghana (see also Q.9b).
<i>b. Has additional legislation been enacted and regulations put in place to prevent illegally sourced timber from being imported or sold?</i>	2009: 0 2013: 0 2018: 1	2009: n/a 2013: n/a 2018: 4	2009: n/a 2013: n/a 2018: n/a	In late 2017, Ghana submitted to the EU a proposed revision to the VPA Annexes to strengthen provisions for minimizing the risk of illegally harvested timber being imported into Ghana. After a few additional amendments were made, a written submission was made at the Joint Monitoring and Review Mechanism in July 2018. ¹⁹ In April 2018, a joint Ghana-EU working group was established to finalize draft protocols for dealing with imported timber into Ghana. It is intended that the protocols will be finalized prior to the next Joint Monitoring and Review Mechanism meeting (scheduled for the end of August 2018).
<i>c. If there is legislation in place to prevent the import of illegal timber, how broad is the product scope of this legislation? (Question added in 2018)</i>		2009: - 2013: - 2018: 3		The product scope of the legislation regarding the prohibition of imports of illegal timber is aligned with Annex I of the VPA which lists the products that are covered by the Agreement. The list consists of timber, lumber, a number of processed products (e.g. veneer sheets, plywood, joinery, etc.) and wood in the rough. Paper products, charcoal and furniture (save for a given type of chair) are not covered.
<i>d. If there is legislation in place to prevent the import of illegal timber, does it apply only to importers & those that are first place on the market or to all those along the supply chain? (Question added in 2018)</i>		2009: - 2013: - 2018: 5		All actors along the supply chain – from importers through to retailers – are subject to the VPA requirements applicable to the domestic market. Annex V of the VPA set out that 'In the case of products derived from wood harvested from a foreign country, the system will be able to maintain traceability from the point of entry to processing after which it will follow the same protocols as wood harvested in Ghana.'
<i>e. If there is legislation in place to prevent the import of illegal timber, does it include a requirement on businesses to implement due diligence? (Question added in 2018)</i>		2009: - 2013: - 2018: 3		Imported timber products fall within the scope of the legality licenses detailed in L.I. 2254. In particular, section 40(1-b) sets out that a license will only be granted 'if the timber product destined for export from the country does not include a timber product imported into the country from a third country (i) in a form in which the laws of that third country prohibit for export or (ii) which is produced in contravention of the laws of the country where the trees were harvested. According to L.I. 2254 75(3-a), 'a person shall not be convicted of an offence [...] if it is proved that due diligence was exercised to prevent the commission of the offence'. Thus, there is no requirement to carry out due diligence, but it is encouraged.
<i>f. Is implementation of the policy systematically monitored and assessed? (Question added in 2018)</i>		2009: - 2013: - 2018: 5		Implementation of the provisions on imports will be monitored as part of the GhLAS. As noted in 12b(i), this includes independent monitoring of the system's implementation.

¹⁹ Joint Monitoring and Review Mechanism of the Ghana-EU FLEGT Voluntary Partnership Agreement (2018), Ninth Session of the Joint Monitoring and Review Mechanism, <http://www.euflegt.afi.int/documents/10180/438736/Ghana+WTS+Functional+Specification+-+AMGG.pdf/15a67871-75b4-5125-1667-f208c98da252>

Policies & measures to promote demand for legal timber	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
10. Is there a public procurement policy in place excluding illegal and/or unsustainable timber products from government purchasing? (Question added in 2018)	2009: - 2013: - 2018: 1		2009: - 2013: - 2018: n/a	The process of drafting a Public Procurement Policy (PPP) for verified legal timber started in 2012. A first draft and associated guidelines was submitted to Cabinet for approval in early 2016. A change of government and a stronger focus being given to the Wildlife Bill and Timber Resource Management and Legality Licensing Regulations, 2017, resulted in delays. It was announced in early 2018 that the Cabinet had reviewed the proposed PPP. Additional details were requested to better assess 'the cost implications for central and local government procurement', and clarify the adequacy of 'supply from verified legal sources to meet the domestic demand'. ²⁰ The latest information available indicates that the PPP proposal is receiving further consideration by the current cabinet.
<i>a. What level of adherence does the policy require?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		The policy is still to be approved by the Cabinet and its terms have not been made available.
<i>b. Does the policy cover all timber products including paper?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		Same as above.
<i>c. Does the policy rest on independent certification or verification schemes or equivalent for identifying legal products?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		Same as above.
<i>d. Is assistance offered to government purchasers e.g. advice, guidance, training etc?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		Same as above.
<i>e. Is implementation of the policy systematically monitored and assessed?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		Same as above.
<i>f. Does the procurement policy apply to sub-national (provincial, regional, local) government?</i> (Question added in 2018)		2009: - 2013: - 2018: n/a		Same as above.
11. Do forest-related policies encourage legal timber production and discourage illegal timber production by ensuring that the level of demand does not exceed legal supply?				
<i>a. Does the permitting system for primary wood processing facilities require evidence of sufficient legal sources of raw material?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 1 2013: 3 2018: 3	There is no such requirement in legislation, but the Timber Industry Development Division (TIDD) of the FC has procedures for registering primary processors which do require evidence of legal sources of raw material. This policy has been in force since 2003 when the FC commenced implementation of prequalification procedures for competitive bidding, these including submission of evidence of value-added processing (Regulation 14 (1) (d) of L.I. 2254). Implementation: Closure of sawmills for lack of timber resources has been providing the right signal rather than enforcement of this policy.

²⁰ Joint Monitoring and Review Mechanism of the Ghana-EU FLEGT Voluntary Partnership Agreement (2018), Aide memoire: Ninth Session of the Joint Monitoring and Review Mechanism, <http://www.euflegt.efi.int/documents/10180/438736/Ghana+WTS+Functional+Specification+-+AMGG.pdf/15a67871-75b4-5125-1667-f208c98da252>

Transparency

Institutional & legal transparency	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
12. Is there a unified document which describes the roles, responsibilities and controls for all agencies involved in regulating forest utilization and trade from harvest rights allocation to point of sale or export and is it accessible to the public?	2009: 2 2013: 2 2018: 2	2009: 3 2013: 4 2018: 4	2009: 2 2013: 4 2018: 4	<p>Art 76 of L.I. 2254 (2017) establishes a list of information to be made available on the Forestry Commission's website and on request and states that the 'Commission shall make any other additional information on the management of forest resources available on request. On a separate note, civil society organizations' (CSOs) demand to participate in monitoring has helped to improve procedures for management of information and sharing this with stakeholders.</p> <p>Design: The description of roles and responsibilities is not listed in Art 76 of L.I. 2254 among the information that is to be made automatically available but it is understood that at least it has to be communicated on request.</p> <p>Implementation: In practice, the Service Charter is available with roles and responsibilities and is widely publicized. Beyond that, additional documentation exists for separate FC Divisions. The specific roles of institutions under the GhLAS are also documented.</p>
13. Is there a legal requirement to make forest legislation and regulations readily accessible to the public? <i>(Question added in 2018)</i>	2009: - 2013: - 2018: 2	2009: - 2013: - 2018: 4	2009: - 2013: - 2018: 3	<p>It is understood that forest legislation and regulations, being essentially information on forest management, are covered by Art 76 of L.I. 2254 and, as such, are to be made available to the general public on the Forestry Commission's website and on request (including from the regional FC offices).²¹</p> <p>In practice, laws and regulations are automatically gazetted and those applicable to the forest sector can be accessed on the Commission's website. From a CSO perspective, accessing the relevant texts is not seen as a challenge, all the more so given the recent, positive developments in the relationship between CSOs and the administration (see Q.21f).</p>

²¹ See: The Forestry Commission of Ghana website, <http://www.fcghana.org/library.php?id=15>

Transparency in resource allocation, management & enforcement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
14. Do policies, laws or regulations contain provisions designed to ensure that resource allocation and management is carried out transparently?				
<i>a. Do policies, laws or regulations stipulate that rules for resource allocation processes e.g. concession allocation and competitions are made publicly available?</i>	2009: 2 2013: 2 2018: 2		2009: 4 2013: 4 2018: 4	<p>Until late 2017, procedures were derived from Timber Resource Management (Amendment) Regulations L.I. 1721, 2003, Sections 10-14. Procedures now derive from Timber Resource Management and Legality Licensing Regulations L.I. 2254, 2017, sections 12-17 for large-scale timber rights and sections 18-21 for small-scale timber rights.</p> <p>Bidding processes are advertised and bidding is conducted as a public event. This practice is now specified under L.I. 2254, section 16(1) for large-scale timber rights, and section 21(1) for small-scale timber rights. An advertisement is to be published:</p> <ul style="list-style-type: none"> Inviting pre-qualified applicants to bid for large-scale timber rights: (a) in the Lands Concession Bulletin (b) on the Forestry Commission website and (c) in at least two daily newspapers with national circulation. Inviting applicants to apply for the grant of small-scale timber rights: (a) on the Forestry Commission website and (b) in at least two daily newspapers with national circulation. <p>Implementation: Implementation of L.I. 2254 remains to be seen.</p>
<i>b. Do policies, laws or regulations stipulate that dates for when resource allocation processes are to be held are made publicly available?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 5 2013: 5 2018: 5	<p>Specific requirements do exist:</p> <ul style="list-style-type: none"> Large-scale timber rights: L.I. 2254 Section 16 (2) states that procedures including dates and places of bidding are to be advertised in accordance with L.I. 1721 Section 16(1) (see 12 (a) above). Small-scale timber rights: L.I. 2254 Section 21 (2) states that procedures including dates and places of bidding are to be advertised in accordance with L.I. 1721 Section 21(1) (see 12 (a) above). <p>Design: The dates, being included in the invitations for tenders, are to be made publicly available automatically.</p>
<i>c. Do policies, laws or regulations stipulate that the results of resource allocation processes are made publicly available e.g. bids and awards for concession allocation and competitions?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 3 2013: 4 2018: 4	<p>According to the interpretation of Act 547, Section (9), the minister is bound by the 1992 Constitution to report to parliament with all details of the award of timber rights. His report is published in the Parliamentary Hansard, which is available to the public.</p> <p>The Notice of Grant, which under L.I. 2254 (2017) is to be issued by the minister on the basis of the recommendation of the Evaluation Committee, is an internal procedure that sets out the steps for the prospective bid winner to comply with all other provisions in the regulations relevant for holding a TUC. The minister only reports to parliament for TUC agreements of prospective applicants who have complied with the relevant regulations.</p> <p>Design: Reporting to parliament and publication in the Parliamentary Hansard is to be done automatically.</p> <p>Implementation: In addition to publication in the Hansard, as bidding is a public event, the Forestry Commission is also required as a matter of procedure to publish the results in newspapers.</p>

Transparency in resource allocation, management & enforcement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>d. Do policies, laws or regulations stipulate that up to date summary data is published on harvesting, processing and international trade?</i>	2009: 1 2013: 1 2018: 2	2009: 3 2013: 3 2018: 3	2009: 1 2013: 3 2018: 4	<p>Interpretation of L.I. 2254 with respect to the provision of information is in line with this requirement.</p> <p>Design: Such data are not listed in Art 76 of L.I. 2254 among the information to be made automatically available both on the website and on request but it is understood that they have to, at least, be communicated on request.</p> <p>Implementation: As of now, summary data are included in Annual Divisional and FC Reports as part of the annual reporting to the minister (Vide: Act 571, Section 28). Some information on processing and exports is beginning to be made available on the Timber Transparency Portal jointly developed by the Forest Commission and the CSO Civic Response and it is expected that reports will also be published on the Portal. However, some difficulties accessing finer level and analytical data were encountered when carrying out this research.²²</p>
15. Do policies, laws or regulations contain provisions designed to ensure transparency in concession use?				
<i>a. Do policies, laws or regulations stipulate that information on location of concessions, ownership and contact details is publicly available?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 3 2013: 3 2018: 3	<p>Information on the location of concessions, ownership and contact details is required to be made publicly available through publication in the Ghana Gazette. Publication in the Gazette derives legal backing from The Concessions Ordinance of 1900.</p> <p>L.I. 2254, 2017, Section 76(2) stipulates that information on the location of concessions, ownership, size and duration of the contract, among other elements such as the required payments under Social Responsibility Agreements, must also be made available on the Forestry Commission's website. No mention is made of the holder's contact details.</p> <p>Design: L.I. 2254 lists location and ownership as being information that must be made publicly available automatically.</p> <p>Implementation: The information is available on request usually from reference to the Gazette in which the information was initially published.</p>
<i>b. Do policies, laws or regulations stipulate that information on concession contracts, inventories and plans are publicly available i.e. long term and annual forest management and harvest plans?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 2 2013: 3 2018: 3	<p>Ministerial responsibility for informing parliament serves to notify the public of this information (see 15 (c) above).</p> <p>In addition, under L.I. 1721 and accompanying procedures, all TUC areas are required to make information on inventories and plans publicly available. Beyond the information covered by Section 76(2) of L.I. 2254, 2017 (see 16(a) above), Section 76(3) states that 'the Commission shall make any other additional information on the management of forest resources available on request'. Section 76(4): 'The additional information referred to in sub-regulation (3) shall include:</p> <p>(a) forest reserve management plans, strategic plans, operational plans, timber operational specifications, harvesting schedules and District Forestry development plans (b) national forest maps delineating the timber utilization contract areas and (c) any other relevant forest management information.</p> <p>Implementation: The level of implementation under L.I. 2254 remains to be seen.</p>
<i>c. Do policies, laws or regulations stipulate that results of environmental and social impact assessments and mitigation measures are publicly available?</i>	2009: 2 2013: 2 2018: 2	2009: 3 2013: 3 2018: 3	2009: 3 2013: 3 2018: 3	<p>The Environmental Protection Agency Act, and its accompanying regulations (L.I. 1652), include Social and Environmental Impact Assessment procedures for applicants – the results of which are subject to a public hearing.</p> <p>Design: Such results are not listed in Art 76 of L.I. 2254 among the information to be made automatically available but it is understood that they do at least have to be communicated on request.</p> <p>Implementation: Implementation has been an issue. The National Biodiversity Strategy and Action Plan²³ acknowledged that 'EPA involvement in approving EIAs in the forestry sector has been non-existent.'</p>

²² Forestry Commission, Timber Legality Transparency Portal, <https://www.ghanatimbertransparency.info/#/home>

²³ Ministry of Environment, Science, Technology, and Innovation (2016), National Biodiversity Strategy and Action Plan, <https://www.cbd.int/doc/world/gh/gh-nbsap-v2-en.pdf>

Transparency in resource allocation, management & enforcement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
16. Do policies, laws or regulations contain provisions designed to ensure that information on enforcement activities is publicly available?				
<i>a. Do policies, laws or regulations stipulate that data is published on forest crimes including success rates on detection, interdiction, prosecution and conviction including fines levied and fines paid and volumes seized?</i>	2009: 0 2013: 0 2018: 0	2009: n/a 2013: n/a 2018: n/a	2009: 3 2013: 3 2018: 3	There is no such legal requirement – this information is not expected to fall under interpretation of L.I. 2254. However, national-level data on enforcement are normally provided in the Forestry Commission's annual reports which are accurate but do not provide detail. The scope of FC reporting has expanded in the last five years with the inclusion of cases of illegal chainsaw lumbering. However, it remains difficult to obtain district level data even for the FC. One particular challenge for FC headquarters relates to monitoring the progress of prosecutions for offences referred to the police by the FC district offices.
<i>b. Do policies, laws and regulations stipulate that information on disposals of confiscated wood or results of public auctions of confiscated wood or other kinds of public bidding are publicly available?</i>	2009: 0 2013: 0 2018: 0	2009: n/a 2013: n/a 2018: n/a	2009: 3 2013: 3 2018: 3	This information is not expected to fall under interpretation of L.I. 2254.

Information & data management	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<p>17. Is there an up-to-date, accurate information management system in place through which relevant government agencies can access data related to forest enforcement and management?</p> <p><i>This information management system could include elements such as forest inventories, remote sensing imagery and harvest permits and licenses, forest management plans, centralized repository of maps, transportation documents and processing licenses and records.</i></p>	<p>2009: 2 2013: 2 2018: 2</p>	<p>2009: 1 2013: 4 2018: 4</p>	<p>2009: 1 2013: 4 2018: 4</p>	<p>Systems include:</p> <ul style="list-style-type: none"> • RMSC: Inventory data from satellite imagery, production data, post-harvest monitoring reports. • Forest Services Division (FSD): Forest management plans, approved stock survey and harvest yield data, list of current licensed timber harvesters (Property Mark Holders). • TIDD: Mill input-output data, export permit reports with data on volume and species, register of licensed manufacturers and exporters. <p>These features are now embodied in the GhLAS.</p>
<p>18. Is there an up-to-date, accurate information system in place to gather data on employment in the forest sector? (Question added in 2018)</p>	<p>2009: - 2013: - 2018: 0</p>	<p>2009: - 2013: - 2018: n/a</p>	<p>2009: - 2013: - 2018: n/a</p>	<p>There is no such system in place.</p> <p>The Ghana Wood Industry and Log Export Ban Study (Birikorang, 2001) was the first comprehensive survey of the sector. It integrated forest industry modelling to generate estimates of employment – estimated at 100,000 in 1999. This has since served as a reference in official documentation on the forest sector.²⁴</p> <p>A review of various ministries' and agencies' websites conducted for this assessment did not find more recent official figures. Other sources do provide estimates, for example, according to the UN Food and Agriculture Organization (FAO) (cited by the FLEGT Independent Market Monitoring), the formal timber sector employed 37,000 persons in 2011 and was responsible for providing livelihoods to 100,000 persons. CSIR – the Forestry Research Institute of Ghana quoted figures from the Ghana Statistical Service from 2014 which estimated that the sector provided direct employment to 100,000 persons and indirect employment to 2.5 million persons.²⁵</p>

²⁴ Birikorang, G. et al. (2001), Ghana Wood Industry and Log Export Ban Study. DFID/Forestry Commission.

²⁵ CSIR-Forestry Research Institute of Ghana (2017), Addressing the Menace of Illegal Mining - Contribution of CSIR-FORIG, https://www.csir-forig.org.gh/files/CSIR-FORIG_Addressing_Galamsey.pdf

Financial management	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
19. Is there an effective financial management system in place for the forest sector?				
<i>a. Does the forest administration have a system for monitoring revenue collected from utilization of forest resources against revenue owed as well as a procedure for investigating discrepancies?</i>	2009: 2 2013: 2 2018: 2	2009: 3 2013: 4 2018: 4	2009: 3 2013: 4 2018: 4	<p>The financial management system includes a programme to identify discrepancies.</p> <p>According to the FSD, and RMSC, there is 95 per cent accuracy of revenue data and analysis emanating from the districts. TIDD's revenue accounting is linked to bank transfers to TIDD's accounts which are reconciled against export permit records.</p> <p>The financial system captures all harvest data and automatically generates stumpage fees due. The system is also used to generate invoices and status of payments by property mark holders.</p>
<i>b. Is there an audit of the forest administration whose findings are publicly available?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 4 2018: 4	2009: 2 2013: 4 2018: 4	<p>Audit and reporting procedures have remained unchanged since 2013.</p> <p>The minister reports annually to parliament on the FC and the Auditor-General's Annual Audit report on public boards and corporations covers the FC. The FC appears annually before the Parliamentary Public Accounts Committee.</p>
20. Does the country report on its forest sector to the EITI? <i>(Question added in 2018)</i>	2009: - 2013: - 2018: 0		2009: - 2013: - 2018: n/a	<p>Ghana joined the Extractive Industries Transparency Initiative (EITI) in 2007 but the scope of its EITI reporting does not include the forest sector.</p>

Rule of Law

Checks and balances	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
21. Are mechanisms (checks and balances) in place to ensure government fully applies forest law and regulations?				
<i>a. Does the law make provisions for protecting the rights of the public to mount legal challenges against forest management decisions/practices and failure by the government to apply forest law?</i>	2009: 2 2013: 2 2018: 2		2009: 3 2013: 4 2018: 4	<p>The protection of the rights of individuals to mount legal challenges against forest management decisions or the failure by government to apply forest law are enshrined in the 1992 Constitution of the Republic of Ghana 1992; Chapter 5, Heading: 'Fundamental Human Right and Freedoms'.</p> <p>Implementation: Protection of these rights continues to be fairly well implemented; the Forestry Commission faced 18 legal suits in court in 2014 and 13 in 2015.</p>
<i>b. Does the law stipulate penalties for staff for corruption?</i>	2009: 2 2013: 2 2018: 2	2009: 5 2013: 5 2018: 5	2009: 2 2013: 3 2018: 3	<p>The conduct of public service staff is circumscribed under their general conditions of service. Ghana's Criminal Code prescribes penalties of imprisonment for 'abuse of office for private benefit.' Also, Forest Protection Act, 1974 (NRCD 243), Section 4: Duties of Forest Officers; Subsection (2) provides for dismissal of forestry staff for such offences.</p> <p>Timber Resource Management Act, 1997 – Act 547 : Section 17: Offences</p> <p>(1) Any person charged with the management or protection of a resource by virtue of his employment in any institution of government who:</p> <p>(a) By any act or omission in the performance of his duties facilitates the breach of any provision of this act or</p> <p>(b) Condone or connives with any other person in breach of a provision of this act, commits an offence and is liable on summary conviction to a term of imprisonment of not less than six months and not exceeding two years without the option of a fine.</p> <p>Recent developments: L.I. 2254, 2017, specifies the penalties applicable to two types of offence by forest officers:</p> <ul style="list-style-type: none"> Section 60 on stumpage fee: 'An officer who (a) falsely calculates stumpage fees or (b) assists a contractor to under-declare tree volumes used in the calculation of stumpage fees commits an offence and is liable on summary conviction to (c) a fine of not less 250 penalty units and not more than 1000 penalty units or to a term of imprisonment of not more than two years or to both and (d) a fine of not less than 1000 penalty units for a second or continued offence under these regulations and is liable to be dismissed from the public service.' Section 61 on measurement of timber: '(1) A district forest officer shall, within 48 hours of the felling of a tree, take a measurement of the volume of the timber. (4) A district forest officer who declares a false measurement of timber in contravention of sub-regulation (1) commits an offence and is liable on summary conviction to (a) a fine of not less than 250 penalty units and not more than 1000 penalty units or to a term of imprisonment of not more than two years or to both and (b) a fine of not less than 1000 penalty units for a second or continued offence under these regulations.' <p>Design: Penalties for forest offences have been increased under L.I. 2254.</p> <p>Implementation: These provisions have been fairly well implemented with some recent prosecutions.</p>

Checks and balances	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>c. Does the law include clear limits to the power of forest ministers or equivalent or other senior government officials to override forest-related laws, regulations and procedures e.g. concession allocation procedures? Does the law limit discretionary powers?</i>	2009: 2 2013: 2 2018: 2		2009: 4 2013: 4 2018: 4	<p>The law is designed to ensure that any act of the minister relating to laws, regulations and procedures are predicated upon the recommendation of the FC. For example, according to Forestry Commission Act, 1999 Act 571 Section 30, 'The minister may on the recommendations of the Commission make regulation by legislative instrument to give effect to the provisions of this Act.'</p> <p>There is no reported case of the minister openly exercising discretionary powers. However, there is the possibility for the minister to exert undue influence on the Commission, for example, to obtain the necessary written recommendation from the chief executive.</p> <p>There also continue to be some limited areas where ministerial discretion is allowed under Timber Resource Management and Legality Licensing Regulations, 2017, L.I. 2254 (2017). Examples include:</p> <ul style="list-style-type: none"> A provision in Timber Resource Management (Amendment) Regulations, 2003, L.I. 1721, has been maintained in L.I. 2254, Sections 17(14) and 21(19), specifying that where the grant of timber rights is nullified for failure of the winner/successful applicant to comply with the requirements, 'the area may at the discretion of the minister be re-advertised or withdrawn from offer'. According to L.I. 2254, Section 22(2): 'A large or small scale timber utilization contract shall provide for the terms and conditions including (g) an undertaking by the minister to maintain intact the boundaries of the contract area', however, according to Section 22(3), 'the minister may in the national interest reduce the size of the area and the reduction shall be accompanied with a corresponding reduction in the timber right fee and the Performance Bond.' <p>Implementation: Under L.I. 2254 the use of certain discretionary powers is maintained, but the extent to which they are employed remains to be seen.</p>
<i>d. Does a parliamentary committee, or equivalent, have formal oversight over the national government forest service and associated agencies?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 4 2018: 4	2009: 5 2013: 5 2018: 5	<p>The Parliamentary Select Committee on Lands and Forestry, established in 1992, oversees the government forest service. It vets ministerial memoranda (Bills) introducing legislation, undertakes a prior review of treaties and agreements for parliamentary ratification (e.g. the VPA), makes recommendations to parliament and undertakes a final review of the forest sector budget. Almost invariably, parliament accepts the recommendations of the select committee. It also has the power to call the minister to report to parliament.</p>

Checks and balances	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>e. Is there a system in place through which relevant government departments and agencies carry out self-monitoring of their performance and internal corruption investigation. (This could be carried out by an internal or external inspectorate which includes making the findings public.)</i>	2009: 1 2013: 2 2018: 2	2009: 2 2013: 5 2018: 5	2009: 2 2013: 4 2018: 4	<p>The Executive Management Team, comprising executive directors and managers of the three FC Divisions, is responsible for monitoring the performance and conduct of divisional staff as well as of corporate financial management.</p> <p>The FC has no internal system for investigating corruption. However, there are provisions in the legislation to ensure investigation of corruption and its prosecution, vide Financial Administration Act, 2003, Act 654:</p> <ul style="list-style-type: none"> Section 55-Annual Report: (1) The board of directors of a corporation shall, as soon as possible after the expiry of each financial year but within six months after the end of the financial year, submit an annual report to the sector minister dealing generally with the activities and operations of the corporation within that year. (2) The annual report shall include (a) a copy of the audited accounts of the corporation together with the auditor-general's report on them; (3) A copy of the annual report of the Board of Directors of a corporation shall also be sent by the board to (a) the minister for finance; (b) the head of the Ghana Statistical Service; (c) the governor of the Bank of Ghana and (d) any other person that the minister for finance may authorize. (4) The sector minister shall, as soon as practicable and in any event within two months after receiving the annual report of the board, cause the report to be laid before parliament. Section 56 The Board of Directors to Ensure Preparation of Accounts: The Board of Directors of a corporation shall ensure that proper accounts are prepared and submitted to the board not later than three months after the end of the financial year of the corporation in accordance with the Audit Service Act, 2000 (Act 584). Section 60-Responsibility of Accounting Officers: The responsibility of the auditor-general to examine and certify public accounts or to audit other government accounts, does not relieve an officer responsible for keeping or rendering accounts, from the duty to comply with and to ensure the compliance of subordinate staff with the provisions of this or any other enactment or with any regulations or directions issued. Section 66 - Establishment of Tribunal: (1) There is established by this Act a Financial Administration Tribunal referred to in this Act as the 'Tribunal'. Section 68 - Enforcement of the Orders of the Tribunal: The Orders of the Tribunal shall be enforced in the same manner as an order of the High Court. Section 71 - Right of the Attorney-General to Order Prosecution: Nothing in this part shall preclude the attorney-general from instituting criminal prosecution even where monies lost to the state have been recovered. <p>NB: The Public Accounts Committee of parliament holds its annual sessions on corporate financial management of boards and corporations as public events. Consideration of the auditor-general's report is a key item on its agenda. These provisions apply to the FC as it is established as Body Corporate. Furthermore, the Companies Code, Act 179 is adapted in the FC Act, Act 571 and so it is governed by the requirements stated here.</p> <p>The Economic and Organized Crime Office (EOCO) was set up by Act 804 of 2010 in line with Article 190 1(d) of the 1992 constitution as one of the Public Services of Ghana to supplement and augment the government's efforts to address corruption. EOCO was established as a specialized agency of government to monitor, investigate and on the authority of the attorney-general, prosecute any offence involving serious financial and economic loss to the state. EOCO reports are directly submitted to government but the media always secure copies which are widely circulated on the internet.</p>

Checks and balances	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>f. Is there an independent national forest monitoring system in place?</i>	2009: 1 2013: 1 2018: 1	2009: 3 2013: 3 2018: 3	2009: 1 2013: 3 2018: 3	<p>The Ghana VPA does not provide for any civil society-led independent monitoring system because 'NGOs did not argue for any formal role for civil society independent monitoring in the VPA fearing the loss of independence they believed could result'.²⁶</p> <p>Nonetheless, CSOs have played an important role in securing space for multi-stakeholder consultations within the VPA process. Since 2013, there has been a conversation among CSOs about whether there is the need for a more systematized role in the implementation phase of the VPA particularly for monitoring governance and compliance with community rights as well as reporting of breaches of law and law enforcement failures.</p> <p>Recent developments: A number of civil society representatives have been trained as auditors of the GhLAS to enable them to act as observers in the audits of the Timber Validation Department (TVD). Civil society have participated in TVD audits since 2017.</p> <p>The Timber Transparency Portal, which links to the Wood Tracking System, was launched online in March 2018 to make information on the timber sector available to the public. It was jointly developed by the CSO Civic Response and the Forestry Commission. Data will be made available on FLEGT licences, including licence number, contractor, buyer, type of product and volumes shipped.²⁷</p>
22. Is customs specifically mandated to check that timber consignments meet the country's forestry-specific legal export requirements?	2009: 0 2013: 0 2018: 0		2009: n/a 2013: n/a 2018: n/a	<p>There is no legal mandate for customs to specifically check that timber consignments meet the country's forestry-specific legal export requirements as defined under the VPA.</p> <p>Customs operate as an integral part of the Ghana Community Network System – a community of port service providers supported by an integrated electronic trade data management system approved by ISO. It is part of customs procedures to examine timber consignments against the necessary documentation before granting clearance for stevedoring. However, it is the Timber Validation Department, and not Customs, that controls standards and compliance along the entire chain of custody.</p> <p>Under a 2015/16 FAO Project, the TVD implemented training of customs on the VPA process.</p>

²⁶ Brack, D. & Léger, C. (2013), Exploring credibility gaps in Voluntary Partnership Agreements. A review of independent monitoring initiatives and lessons to learn, <https://www.fern.org/news-resources/exploring-credibility-gaps-in-voluntary-partnership-agreements-a-review-of-independent-monitoring-initiatives-and-lessons-to-learn-590>

²⁷ Forestry Commission, Timber Legality Transparency Portal: <https://www.ghanatimbertransparency.info/#!/home>

Timber tracking & chain of custody	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
23. Are there effective mechanisms in place to detect instances of illegal timber entering the supply chain?				
<i>a. Is there a system in place designed to verify the origin of timber i.e. forest management unit in transport, transfer and delivery?</i>	2009: 2 2013: 2 2018: 2	2009: 4 2013: 5 2018: 5	2009: 3 2013: 4 2018: 4	Art 8(1) of the VPA stipulates that the legality verification system must 'include procedures to ensure that timber of illegal or unknown origin does not enter the supply chain'. Both the domestic market and imported timber are covered by the verification system. As stated in Art 13 of the VPA, 'Ghana shall endeavour to verify the legality of timber sold on domestic markets and of imported timber, using, where possible, the systems developed for the implementation of this agreement.' Recent developments: The Wood Tracking System has now been rolled out countrywide and the GhLAS is in its final stages of implementation.
<i>b. Does the system design include the following components?</i>				
<i>i. Independent monitoring procedures by independent government body or third party?</i>	2009: 0 2013: 2 2018: 2	2009: n/a 2013: 5 2018: 5	2009: n/a 2013: 2 2018: 3	Independent monitoring is a component of the GhLAS. The work of the independent monitor includes assessment of: implementation of the GhLAS, adequacy of its data management systems, accuracy of published FLEGT related trade statistics and receipt and follow up of any complaints. Civil society were admitted as an observer of this process in 2017 and are also entitled to lodge complaints regarding the findings of the GhLAS audit. Recent developments: Six audits of the GhLAS have been conducted thus far.
<i>ii. Reconciliation systems</i>	2009: 2 2013: 2 2018: 2	2009: 3 2013: 5 2018: 5	2009: 2 2013: 2 2018: 3	Reconciliation systems are included in the GhLAS.
<i>iii. Tamper-resistant documentation procedures</i>	2009: 0 2013: 2 2018: 2	2009: n/a 2013: 5 2018: 5	2009: n/a 2013: 2 2018: 3	Tamper-resistant procedures are included in the GhLAS.
<i>iv. Computerized systems</i>	2009: 2 2013: 2 2018: 2	2009: 2 2013: 5 2018: 5	2009: 2 2013: 2 2018: 3	The Forestry Commission is upgrading its computer infrastructure, including internet connectivity and solar power supply, to ensure the effective implementation of the WTS and GhLAS throughout the country.
<i>c. Does the system also cover timber for the domestic market as compared to systems explicitly targeting exports? (Question added in 2018)</i>	2009: - 2013: - 2018: 2	2009: - 2013: - 2018: 5	2009: - 2013: - 2018: 3	The system does cover the domestic market. See Q.23(a) above.

Law enforcement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
24. Do policies, laws, regulations and procedures facilitate and promote effective law enforcement?				
<i>a. Are penalties and sanctions against illegal logging and forest-related crime proportionate and dissuasive?</i>				
<i>i. For legislation on domestic production and trade</i>		2009: 3 2013: 3 2018: 4	2009: 1 2013: 3 2018: 3	As noted in Q.21(b), penalties for forest offences have been increased under L.I. 2254.
<i>ii. For legislation to prevent the import of illegal timber if in place</i>		2009: - 2013: - 2018: 4	2009: - 2013: - 2018: n/a	The penalty regime applicable to this area is no different from the general regime for forest offences, the penalties for which have been increased under L.I. 2254.
<i>b. Are there systems in place to ensure coordination between relevant ministries and agencies on illegal logging cases?</i>	2009: 0 2013: 2 2018: 2	2009: n/a 2013: 4 2018: 4	2009: n/a 2013: 2 2018: 3	Cabinet has responsibility for coordination and oversight of the security agencies' efforts to combat illegal logging. The security agencies are the military under the Ministry of Defense and the police under the Ministry of Interior. The Ministry of Local Government and Rural Development interfaces between Cabinet and the RCCs in the deployment of national security agency field personnel. Recent developments: There have been some indications that coordination on enforcement between the attorney-general, the Rapid Response Unit and the police has improved in recent years.
25. Do government institutions and agencies have sufficient capacity and resources to monitor forest areas and detect and suppress forest crime?				
<i>a. Are forest officials/law enforcement staff sufficiently resourced for monitoring and enforcement? (Relevant resources include budgets, numbers of staff, communications, transport, equipment, salaries as well as training in understanding of regulatory framework and knowledge of techniques for monitoring and enforcement.)</i>		2009: 1 2013: 2 2018: 2	2009: 2 2013: 2 2018: 2	Resources for monitoring and enforcement remain insufficient. In particular, district level operations have had insufficient budgets for many years.

Law enforcement	Does policy exist? (0-2)	Quality of design (1-5)	Level of implementation (1-5)	Justification or additional qualitative explanation
<i>b. Are the following non-forest sector officials who are involved in forest enforcement, trained and kept up to date in relevant forest sector issues?</i>				
<i>i. Judges and prosecutors</i>	2009: 2 2013: 3 2018: 3			There is no regular training. In August 2013, public prosecutors and the staff of the attorney-general's office were trained in forestry and wildlife issues. The Forestry Commission is currently planning further training for public prosecutors.
<i>ii. Customs officials</i>	2009: 0 2013: 0 2018: 2			Training on the GhLAS has been provided to customs. The international NGO TRAFFIC has also provided some training. For example, in 2017 it supported a delegation of Ghanaian customs officers to take part in a workshop on combating illegal wildlife trade (Shanghai, June 2017), where they were introduced to the World Customs Organization training manual. The impact this opportunity has had in practice remains to be seen.
26. Do government agencies systematically use appropriate information gathering tools in order to identify illegal activities?				
<i>a. Are remote sensing systems used for this purpose such as satellite imagery and/or aerial surveillance?</i>			2009: 1 2013: 2 2018: 2	The Resource Management Support Centre uses satellite imagery for analysis of changes in forest cover although the technology is not used to detect illegal logging.
<i>b. Are in-the-field investigatory tools used for this purpose such as confidential diagnostic surveys, informants and NGOs?</i>			2009: 1 2013: 2 2018: 2	In-the-field investigatory tools are used to a limited extent by forestry personnel.
<i>c. Are material flow analyses used for this purpose such as wood input/output estimates and comparison of import/export data?</i>			2009: 2 2013: 5 2018: 5	The Resource Management Support Centre of the FC collects inventory and annual timber harvest information by species and volume. The Timber Industry Development Division of the FC compiles reports on mill input-output data and monthly & annual reports on export permits, with data on volume and species.
<i>d. Are log tracking and check point systems used for this purpose?</i>			2009: 2 2013: 5 2018: 5	These systems are part of the WTS.