

GHANA LAND USE DIALOGUE  
*Wassa Amenfi Landscape*

## Background Paper

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## 1. Introduction

The Wassa Amenfi Landscape is a 360,000-ha area in the Western Region of Ghana. Located within Ghana's High Forest Zone, the high rainfall and fertile ochrosol soils provide optimum conditions for many agricultural activities<sup>1</sup>. Production of cocoa is the most significant. In 1990, 68% of land cover in the Western Region was characterized as forest. By 2010, forest cover had been reduced to 26% of the total land cover, primarily due to the expansion of cocoa production—a trend that has continued in the last decade<sup>2</sup>. Set in the interior of the region is the Wassa Amenfi Landscape. This landscape is comprised of two districts, Wassa Amenfi West and Central, which make up 15% of the Western Region's land area. In 2010, the census estimated the total population of the two districts at 161,166. 70% of the population lives in rural settings<sup>3</sup>. Agriculture is the primary land use on the landscape, with 55% of total land area in crop cultivation. Other land uses include harvesting timber, gathering of non-timber forest products (NTFPs), small-scale mining, animal husbandry, and fish farming. Commercial crops grown in the district are cocoa, coffee, palm oil, kola and rubber along with many other major food crops<sup>4</sup>.

Since 2006, the International Union for the Conservation of Nature (IUCN) has worked with partners to improve resource use while securing livelihoods for rural communities in Wassa Amenfi<sup>5</sup>. A recent and on-going initiative by IUCN is the Stabilizing Land Use Project (PLUS) which seeks to improve landscape governance, build trust around contentious issues, use collaboration as the driver for long-term progress, and develop a comprehensive Landscape Management Strategy. The PLUS project is promoting a landscape approach in Wassa Amenfi, a structure initiated by the establishment of a Governance Working Group (GWG). This group represents a diversity of stakeholders with competing interests in the landscape and attempts to identify their priorities and their common interests, and develop strategies for sustainable management of the landscape.

The Land Use Dialogue is taking place within a *landscape approach* to sustainable management. By transcending conventional management boundaries, this framework integrates landscape ecology with the social, political, and economic drivers that affect sustainable use of lands. This adaptive management approach acknowledges and incorporates different scales (national, district, and local) and sectors—which reflect the multi-uses and values associated with the landscape. The Land Use Dialogue (LUD) supports a landscape vision aligned with the GWG priorities. This vision will form the foundation of the Landscape Management Strategy. The LUD will take place in December 2018 and will be supported by IUCN, The Forests Dialogue and Codesult Network—the local implementing partner of IUCN at the Wassa Amenfi Landscape. The LUD will include the GWG, traditional authorities, CREMA members, national-level government representatives, civil society, private sector and international actors. The following paper uses research gathered from May to July 2018 to explain the challenges, priorities, and visions from the perspective of various stakeholder groups. The objective is to provide a collective understanding of the key issues for local, national, and international partners.

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<sup>1</sup> GSS, 2014

<sup>2</sup> Koranteng and Zawila-Niedzwiecki, 2017

<sup>3</sup> GSS, 2014

<sup>4</sup> MLGRD, 2006

<sup>5</sup> Nyame et al., 2012

Ghana is a country of fertile land and natural wealth. In Wassa Amenfi, the improvement of environmental quality is necessary for the sustenance of the agricultural production and dependent livelihoods. This research found a broad consensus among stakeholders that healthy forests lead to productive cropland and viable livelihoods. Increasing yields of crops, while reducing deforestation and limiting degradation, is a realistic goal with ecological and social benefits. However, there are substantial challenges—a growing population, undocumented fragmented land ownership, pressure from poor socioeconomic conditions, and a lack of institutional collaboration. All pose significant barriers to attaining the common interest. Stakeholders within the landscape acknowledge that ecosystem management in the Wassa Amenfi context will require making decisions that acknowledge people's dependence to forests and promote actions that increase forest health and support human wellbeing, but there remains a question of how this can be done.

## 2. Key Stakeholders

The Wassa Amenfi landscape contains a diverse set of stakeholders, each with varying degrees of interest and influence on land use decision making. We group stakeholders into five broad groups: farmers, traditional authorities, government, private sector, and NGOs.

- **Farmers:** includes both indigene and settler farmers, as well as farmers who directly own land, and ones that are tenants. They are a highly diverse group with varying social and economic status, but all generate livelihood from agriculture. Farmers are significantly impacted by land use decisions.
  - Achichire/Sureso/Pebaseman Community Resource Management Area (CREMA): Made up of farmers, the CREMA is a governance structure based on traditional and local value systems. It's embedded in the local democratic process with a constitution and bye-laws in the District Assembly's legal structure. The CREMA aims to manage natural resources and improve the livelihoods of the local people.
- **Traditional authorities:** include sub-divisional chiefs, divisional chiefs, paramount chiefs, and the Omanhene, head of the Traditional Council, located at Wassa Akropong. The Wassa Amenfi traditional area includes both Wassa Amenfi West and Central. Within this region, there are divisional areas (i.e. Asankrangwa Divisional Area), in which most land matters are managed by the divisional chief. Customary rights of the stool land remain with the traditional authorities.
  - The Customary Land Secretariat (CLS): formed by the Land Administration Program (LAP) to undertake the role of land documentation.
- **Government:** includes a diverse set of national and district agencies:
  - Ministry of Land and Natural Resources (MLNR): creates national policies on the management of natural resources.
  - Forestry Commission (FC): regulates forest law, wildlife, and timber contracts.
  - Ministry of Food and Agriculture (MOFA): promotes agriculture with support services and technical research and training.
  - Ghana's Cocoa Board (COCOBOD): determines prices of cocoa, coffee, and shea, as well as overall development of the industry.
  - National Development Planning Commission (NDPC): functions to improve the social and economic conditions of the country, including infrastructure development.
  - The District Assembly (DA): serves as the dominant civic and administrative body. The District Chief Executive (DCE) and the District Coordinating Director (DCD) are the political and administrative heads of the district. The

General Assembly is made up of elected representatives from communities in the district, as well politically appointed representatives.

- Office of the Administration of Stool Lands (OASL): collects tenant fees and revenue from stool lands and disperses to the traditional authorities and the District Assembly.
- Forest Services Division (FSD): manages forest reserves and off-reserve trees as the district division of the Forestry Commission.
- The Town and Country Planning Department: housed within the District Assembly, it focuses on spatial planning and managing the development of cities, towns, and villages.
- **Private sector:** includes both timber-producing and cocoa buying companies. Samartex is a major timber company based in Samreboi, Wassa Amenfi West. Samartex harvests timber in forest reserves, owns plantations off-reserves, and provides community training for alternative livelihood and agroforestry techniques. Licensed Buying Companies (LBCs) of cocoa in the area include Touton, Produce Buying Company (PBC), Olam, and Ecom. Legal artisanal mining of gold is also present on the landscape and employs many people.
  - Galamsey: illegal small-scale mining that involves basic extractive methods and dangerous working conditions. Land is often procured for farming purposes and then converted into mining activities. It's important to note not all artisanal mining is illegal, only what is referred to as galamsey.
- **Non-governmental organizations (NGOs):** promote collaborative governance, land use decision making, and livelihood strategies. Codesult Network and IUCN have both worked together on land use projects in the Wassa Amenfi landscape, including REDD+. Agro Eco, a Dutch Environmental NGO with the headquarters in Kumasi, has worked on improving cocoa farmer certification programs and timber tree registration in Wassa Amenfi.

### 3. Tenure Policy

Natural resources in Ghana, including the land itself, is collectively owned and managed by the state, traditional authorities and individual proprietors, each with different rights to the resources. The 1992 Constitution decoupled land and natural resources, creating a structure in which land is owned by the traditional authorities, while the government holds the management rights to the timber, mineral, and water resources<sup>6</sup>. The two most influential legislative frameworks on the management of resources are land tenure and tree tenure.

Under the Constitution of 1992, customary land known as “stool” land, is vested in traditional authorities for the benefit and trust of the communities. The majority of land in Ghana (80%) is stool land and governed by customary law<sup>7</sup>. The legislation attempts to codify the statutory connection between customary authorities and the central government. The land that is used for agriculture adheres to this customary land tenure system—a system shaped by a history of colonial rule, social and political organization, introduction of tree crop agriculture, and the commodification of timber and mineral resources. This has large implications for the conservation of forests and the productivity of agriculture, including (a) who is allowed to use the land, (b) what they can do on that land, (c) who receives benefits of the resources, and (d) how to protect remaining forests.

<sup>6</sup> Akapme, 2016

<sup>7</sup> Hughes, Knox, and Jones-Casey, 2011

The Concessions Act of 1962 placed ownership of all timber resources and naturally occurring trees in the President of Ghana. The current legal structure places trees into different categories which determine who is able to receive the benefits of that resource. Each classification grants rights to certain parties.

- **Naturally occurring trees located on-reserves** are vested in the state and are managed by the Forestry Commission (FC). The FC grants Timber Utilization Contracts (TUCs) to timber companies, which are allowed to harvest trees on that parcel of land for forty years.
- **Naturally occurring trees located off-reserves**, often on farms or in secondary growth forests, are also owned by the state and can be contracted to private companies or logged directly by the FC. These trees are often the most contested. Numerous issues include illegal felling, destruction of crop trees during the harvest, and frustration amongst the farmers who nurture the tree but aren't able to receive any benefits.
- **Planted trees** are treated as fundamentally different because they are not a naturally occurring resource. Instead, they are treated similar to other crops. The ownership of the planted trees rests with the person who planted the tree. Under the 2002 Timber Resource Management Act, a farmer receives the rights to financially benefit from trees that they plant as long as they register the trees with the FSD office and receive a permit<sup>8</sup>.

#### 4. Challenges

- (1) **Deforestation:** Expansion of agricultural land, primarily cocoa, has historically been the main driver of deforestation in Ghana. Reserves hold the majority of remaining primary forest in the landscape. Most stakeholders agreed that illegal harvesting is still occurring, but it's not a significant driver of on-reserve deforestation. Most deforestation occurs off-reserve. The best opportunity for protection of remaining trees and afforestation efforts is on farmland through shade-trees on cocoa farms.
- (2) **Galamsey:** Illegal small-scale mining remains a persistent threat to environmental health in Wassa Amenfi. Many interview participants identified it as a main challenge to the overall health of the landscape. Galamsey has a large impact on the landscape and contributes to substantial degradation of the land, including deforestation of trees in mining areas, degradation of the soil, and pollution of the river bodies. If the industry is regulated at the national level, galamsey will be dismantled and small-scale mining will have the potential to contribute to poverty reduction. Until labor conditions, environmental restoration efforts, and rudimentary technology are improved through national regulation, galamsey will continue to damage the ecosystem.
- (3) **Livelihoods:** The main source of livelihood in Wassa Amenfi is cocoa, though alternative strategies exist including: fish farming, livestock, rubber, oil palm, beekeeping, food crops, and others. The pressure on the remaining forests in Wassa Amenfi is highly connected to the people's basic reliance on natural resources for their livelihoods. Residents experience economic difficulty during cocoa's off-season. Alternative livelihood strategies as well as tree certification programs, collaboration with the private sector, synergies with Ghana Cocoa Forest REDD+ Program (GCFRP), among other strategies should continue to be explored to improve livelihoods.
- (4) **Tree tenure policy:** the separation of ownership between trees and land will continue to hinder the incentive to retain trees on cropland. In recent years, a permit was designed for farmers to fell planted trees, but many find the permitting process too cumbersome and financially burdensome. Additionally, many of the settler farmers who have migrated from elsewhere would like to transport trees or timber products to their home area, but the

<sup>8</sup> O'Sullivan et al., 2018

process for a transportation permit is even more difficult. FSD should initiate discussions with community leaders to develop a policy that would incentivize sustaining forest cover at the district-level.

- (5) **Collaboration:** There is limited communication and institutional collaboration between key stakeholders, including the traditional authorities, District Assembly, FSD, CREMA, and private sector companies. There is a need to increase trust and transparency between many of the stakeholders. All stakeholders should seek to foster community participation, reduce deforestation and forest degradation, and promote sustainable management efforts in support of REDD+ goals.
- (6) **National policy:** The need for national policy is very pertinent to the issues of land documentation and tree registration, as well as regulation of galamsey. Until these legislation frameworks are enacted at the national level, the policy, financial, and legal capacity at the district level to manage natural resources will be limited. National policy reform will have implications for the degree of success for the Landscape Management Strategy.

## 5. Vision and Recommendations

For the purposes of this paper, the interviewed stakeholders were asked to summarize the goal for the landscape in 20 years. The following three categories summarize the desired outcome or ultimate condition that a stakeholder group wants to achieve:

- Improvement of environmental quality through the reduction of:
  - On-reserve degradation and deforestation: illegal logging, bushfires, and harvesting of wildlife resources
  - Off-reserve deforestation: elimination of secondary growth forests due to expansion of cocoa farms
  - Off-reserve degradation: galamsey and polluted water bodies
- Ensure land availability for future generations through improved land documentation and benefit sharing schemes between landowners and tenants.
- Cocoa production remains a viable source of livelihood through technological improvements and support from the government and private companies, with limited expansion into previously forested areas.

Recommendations for the Land Use Dialogue:

- (1) The LUD should seek to prioritize the main drivers of deforestation and distinguish the issues of land degradation. Important issues to address are improved tree tenure, incentives for shade trees and regulation of galamsey.
- (2) Effective governance will require building trust between different sectors and identifying unconventional partnerships. It may be strategic to investigate the feasibility of a multi-sectoral committee or council that only focuses on natural resources and environmental protection in the landscape. This includes exploring the role of the private sector.
- (3) The LUD should produce realistic and actionable outcomes decided upon by the stakeholders. Research, negotiation, and intervention without tangible results can be debilitating towards long term success.
- (4) The current legislation proposal for tree tenure doesn't ensure reduced deforestation or provide an improved benefit scheme for local communities. The proposed tree registration permits will be hampered by infeasibility for both the local people who plant the trees and the government agencies attempting to register the trees.

- (5) Management can be improved at the district level through a greater understanding of the underlying causes of the challenges and improved collaboration across sectors. However, any significant reform requires national legislation. The LUD should focus on identifying the specific land and tree tenure issues that could be resolved with legislation and then make recommendations to national government partners.
- (6) Use the Ghana Cocoa Forest REDD+ Program as a guideline for the Landscape Management Strategy. The goal of the Landscape Management Strategy is to promote the importance of natural resources and offer direction on how management could occur on the landscape. The GCFRP recommends the following principles as essential to benefit-sharing projects in a climate smart cocoa landscape:
- Voluntary participation
  - Inclusive and equal access
  - Transparency
  - Gender equity and fairness
  - Returns for efforts

The GCFP provides a framework, including financial plans, monitoring frameworks, legislative reform, and strategies for institutional coordination—all of which should be included in the Wassa Amenfi Landscape Management Strategy.

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