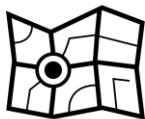




Version 2.0 | 29 March 2022

Ghana Risk Mitigation Guide

Timber



LIFE - Support EUTR II - LIFE18 GIE/DK/000763

This tool has been developed by Preferred by Nature with support from the LIFE programme of the European Union.



COUNTRY SPECIFIC
TOOLS



Preferred by Nature has adopted an “open source” policy to share what we develop to advance sustainability. This work is published under the Creative Commons Attribution Share-Alike 3.0 license. Permission is hereby granted, free of charge, to any person obtaining a copy of this document, to deal in the document without restriction, including without limitation the rights to use, copy, modify, merge, publish, and/or distribute copies of the document, subject to the following conditions: The above copyright notice and this permission notice shall be included in all copies or substantial portions of the document. We would appreciate receiving a copy of any modified version.

The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views inly of the authors, and the Commission cannot be held responsible for any use which may be made of the

GHANA Forestry Risk Mitigation Guide

This guide provides an overview of the risks that timber was harvested, transported or traded illegally in Ghana and the actions that can be taken to mitigate those risks. The guide can be used by any company wishing to reduce the risk of illegal timber buying. The guide relates only to timber harvested in Ghana) – not to material imported into Ghana.

To use this document, you should:

- Look up the legality risks for the timber source types in Ghana using the left-hand column of the table below. The risks are listed by type of law category (first column) and the timber source type (second column).
- Determine whether or not there is a chance that this risk applies to your supply chain. Use the second column in the table below to help you determine whether this risk is applicable and the third column in the table below to show you the goal you are aiming for. If there is a risk in your supply chain, you have to carry out risk mitigation activities to the point where you can demonstrate that the risk of illegality is negligible.
- Look up the potential actions that you could take to address each of the specified risks using the two right-hand columns of the table below. This list provides suggested actions that you could take. Note that it is possible that there are other actions – not listed below – that you could take to assure yourself that your timber has negligible risk of illegality.

Navigate this document through Timber Source Types

To use this risk mitigation guide, you will first need to determine the origin of your timber. You have to identify not only the country, but also the type of forest the timber comes from in terms of ownership, management, classification and permits – this is called the Timber Source Type. This information is important to find out which risks are related to your specific supply chain and your timber products, and how you can mitigate these risks.

Here is a description of the different kinds of Timber Source Types, you will find in Ghana:

Natural forest

In forest reserve: Natural Forest within Ghana's forest reserves (permanent forest estates).

These forests are on stool/skin lands¹ and owned by stools and skins of which chiefs are the custodians but vested in Ghana's president and managed by the Forestry Commission. Small-Scale Timber Utilisation Contracts (Small-Scale TUC), Large-scale Timber Utilisation Contracts (Large-scale TUC), and Salvage permits are the applicable permits to this source of timber.

Off forest reserve: Natural Forest outside of Ghana's forest reserves, on land owned by stools and skins, families, individuals, and public institutions. The FC shall assess if the land qualifies as a small or large scale TUC based on area and timber stock in cases where a landowner want to allocate a TUC to a company.

Small-Scale Timber Utilisation Contracts (Small-Scale TUC), Large-scale Timber Utilisation Contracts (Large-scale TUC), and Salvage permits are the applicable permits to this source of timber.

¹ In Ghana, about 80% of the land is owned by traditional leaders/rulers. Stools and skins refer to traditional leaders in Ghana (north and south). Traditional leaders or chiefs in the northern half of Ghana sit on the skin of animals. The northern part of Ghana is mainly savanna vegetation and has lots of wildlife and parks so by tradition the people use skin of animals. Traditional leaders in the southern half of Ghana which is the high forest zone sit on stools carved from the trees in the forest.

'Stool land' is used for both north and south land in Ghanaian laws. "Stool land" includes land controlled by a person for the benefit of the subjects or members of a stool, clan, company or community, and the land in the Upper and Northern Regions other than land vested in the President and accordingly "stool" means the person exercising that control or the authority or position of the traditional leader.

Plantation

In forest reserves: Plantation within Ghana's forest reserves (permanent forest estates).

Plantations established by the Forestry Commission are managed by the Forestry Commission, whereas private plantations are under special benefit sharing arrangements with investors. The entry and salvage permits are applicable permits to plantations established and managed by the Forestry Commission or by private investors. The Forestry Commission monitors plantations and issues the Plantation Production Certificate for plantations which replaces the requirements for tree information form (TIF) and the log information form (LIF)..

Off forest reserves: Plantations outside forest reserves, on lands which may be owned by stool (community), family, individuals or public institutions. The plantations are privately managed. The Forestry Commission monitors plantations and issues the Plantation Production Certificate for plantations which replaces the requirements for tree information form (TIF) and the log information form (LIF).

This type of plantation does not need any permit to operate or harvest, but a Log Measurement and Conveyance Certificate to convey harvested products is required.

Submerged forest

Permits issued only in special cases. Underwater forests, off reserve, on stool and family lands. Timber harvesting rights are granted by the Forestry Commission through salvage permits for Volta Lake in Ghana.

There are no management requirements related to harvesting of wood from submerged forest. However, there are requirements for harvesting, health and safety of the workers, legal employment, environmental requirements, and trade and transport of the timber.



Legal Rights to Harvest

6-9



Third Parties' Rights



Taxes and Fees



Trade and Transport

12-13



Timber Harvesting Activities

9-12



Processing

13-14



Legal Rights to Harvest

Risk	Applicable to	Indicator of legal compliance	Potential mitigation options
Risk that concession leases are not converted to Timber Utilisation Contract (TUCs) (1.2).	Natural forest, In forest reserve and off forest reserve	The forest management entity shall hold a Timber Utilisation Contract (TUC).	<p>Review and verify documents:</p> <ul style="list-style-type: none"> Collect a Timber Utilisation Contract (TUC) (if available), or: Evidence of application for transferring of lease from the Forest Entity <p>Webpage/Database verification:</p> <ul style="list-style-type: none"> Check the Forestry Commission's website for list of TUC Holders in Ghana to verify if the FME has a valid TUC : https://docs.google.com/spreadsheets/d/1Isn8DsUclq8F5xyVlqA-8tBfvkPxluSnCeyWwor0I_E/edit?pref=2&pli=1#gid=0 <p>Consult:</p> <ul style="list-style-type: none"> Consult with Timber Validation Division of the Forestry Commission on the status of TUC application
Plantation and reforestation plans are lacking (1.3)	Commercial plantation forest in forest reserve	Planation and reforestation plan shall be in place.	<p>Review and verify documents:</p> <ul style="list-style-type: none"> Plantation or reforestation plan approved by the Forestry Commission shall be available.

<p>Risk that area plans, and operational plans are lacking or not meeting legal requirements (1.3)</p>	<p>TUCs in natural forest reserve and off forest reserve</p>	<p>Area and Operational plans shall be in place and meet legal requirements</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • TUC holder must have TUC area plan covering the whole TUC area in forest reserves and off forest reserves that has been approved by the Forestry Commission. • TUC holder must have harvesting plan or 5 year TUC operational plan covering one coupe or group of compartments to be logged over five year period. • The TUC holder must have a map delimiting the defined forest area and the sub-divisions or order in which the area is to be harvested (e.g. harvesting schedule or felling coupes) prepared and approved by the Forestry Commission. • The TUC holder is required to have a signed social responsibility agreement (SRA) with local land-owning communities fringing the defined forest area. • The TUC holder must have the list of trees approved for harvesting by the Forestry Commission (approved yield for TUC and plantation or Yield marking for salvage permit). • TUC holder must have a compartment logging plan for forest reserves and annual logging plan for off forest reserve areas approved by the Forestry Commission as part of the yield approval process.
<p>Illegal issuing of special permits (1.4)</p>	<p>Special permits (illegal)</p>	<p>Harvesting shall not take place under Special permits</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Collect harvesting permit for all timber sources. If timber originates from special permits, avoid purchasing.
<p>Logging takes place without a permit (1.4)</p>	<p>Natural forest, In forest reserve and off forest reserve</p>	<p>Contact or TUC holder shall hold a valid timber harvesting permit (in the form of TUCs, and/or salvage permits)</p>	<p>Review and verify documents:</p> <ul style="list-style-type: none"> • TUCs shall be available and contain the required documentation/information. <ul style="list-style-type: none"> ○ Concession map, ○ Valid property mark, ○ Approved harvesting schedule/blocking or coupes delineation,

			<ul style="list-style-type: none"> ○ Pre-harvest compartment inspections, ○ Approved yield/yield marking, ○ Logging plan ● Salvage permit
	Plantation forest in forest reserve managed by the Forest Commission	Entry permit shall be in place	<p>Review and verify documents: Receive copy of and verify that relevant entry permit is in place</p> <ul style="list-style-type: none"> ● Entry permits are obtained through application to the Chief Executive of the Forestry Commission. <u>Verify</u> that harvesting requirements are set out in the permit conditions.
Award of salvage permits for banned species in violation with salvage permit conditions (1.4)	Natural forest and plantations in forest reserves managed by the Forestry Commission	Salvage permit shall be issued only when justified and shall follow the legal requirements	<p>Review and verify documents: Receive copy of and verify that salvage permits are not issued for banned species or misused to harvest banned species;</p> <ul style="list-style-type: none"> ● Salvage permits shall be issued through application to the Chief Executive of the Forestry Commission. ● Verify that species specified in the terms of permits are not misrepresented or changed, and that these species are not on the list of banned/restricted species. ● <u>Verify</u> that harvesting requirements are set out in the permit conditions, including volumes to be salvaged, duration and location of the salvage. The location and duration of salvaging shall be verified with supply chain documentation.



Timber Harvesting Activities

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
------	---------------	-------------------------------	------------------------------

Protected species are illegally harvested (1.9).	Natural forest in on and off forest reserve	Protected/restricted/banned species are harvested only under a valid permit	<p>Review documents and verify:</p> <ul style="list-style-type: none"> For restricted timber species, loggers must hold a valid permit for restricted species issued by the FC for the defined harvesting unit.
Protected areas are illegally harvested (1.9)	Natural forest in on and off forest reserve	Harvesting shall not take place in protected areas.	<p>Review documents and verify:</p> <ul style="list-style-type: none"> Approved harvesting schedule/blocking excluding large, protected areas (referred to as "coarse grain" protection (e.g. provenance areas, globally significant biodiversity areas, etc.) forest progress maps TUC area map showing locations of large, protected areas within a forest management unit or defined forest area. Yield maps indicating locations of fine grain protection areas (all trees in fine-grained areas are required to be exempted) must be available to logger onsite. <p>Onsite verification: It shall be verified that the above listed documents are available to the logger onsite.</p>
Personal safety and protective equipment are not provided to or used by workers (1.11, 1.25).	All source types	Personal safety and protective equipment shall be used by workers	<p>Review documents and verify (during onsite audit):</p> <ul style="list-style-type: none"> Employers are required to ensure that all their employees are registered on the National Health Insurance Scheme (NHIA). Registration can be verified through; <ul style="list-style-type: none"> Records from the timber operator to demonstrate that all employees are registered under the NHIS, or; Identity cards for registered persons under the NHIS shall be in place for all staff (issued by NHIA). Records on compensations should be available to demonstrate that the worker compensation law is consistently implemented in

			<p>events of accident, death or injury of an employee arising from work.</p> <ul style="list-style-type: none"> • Training records must be available and demonstrate that adequate health and safety training, consistent with the risk associated with their responsibilities, have has been given to employees and contractors consistent with the risk associated with their responsibilities. <p>Onsite verification:</p> <ul style="list-style-type: none"> • Verify the following in the field: <ul style="list-style-type: none"> ○ employees are provided a safe working environment and personal protective equipment (PPE). ○ PPEs are not paid by workers ○ PPEs are being used in the filed ○ appropriate health facilities are available to employees and contractors.
<p>When a union is in place there is a risk that collective bargaining agreements are not in place, or that the terms of the collective bargaining agreements are not</p>	<p>All source types</p>	<p>When a union is in place, a binding Collective Bargaining Agreement (CBA) signed between the employer and the local workers' union must be available.</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Verify that the <u>Collective Bargaining Agreement</u> (CBA) is signed between the employer and the local workers' union). The CBA specifies the condition of employment (including employer and employee responsibilities, wages, and leave) and serves as the basis of employer-employee relations. Employees' contract and condition of service should be consistent with the regulations of the CBA.

<p>met by companies (1.12).</p>			
<p>Workers do not have contracts and obligatory insurance (1.12 and 1.26).</p>	<p>All source types The risk relates to forest level and processing entities.</p>	<p>All forest workers shall have an employment contract and social security insurance. Permanent employees are required to be registered with SSNIT and given social security numbers</p>	<p>Review documents and verify:</p> <ul style="list-style-type: none"> • Verify that timber operators have formal employment contracts for their employees and/or contractors. • Verify that timber operators maintain records which demonstrate that casual workers, who have worked for more than 6 months continuously, are made permanent staff and provided with a formal contract. • Verify that permanent employees are registered with the Social Security and National Insurance Trust (SSNIT) and given social security numbers. This can be done by checking; <ul style="list-style-type: none"> • records of payment of SSNIT contributions made by the employer, and; • receipts for such payments issued by SSNIT
<p>Risk that pensions contribution payment (tier 1 contributions and tier 2 deduction payments) are not paid by the employer (1.12)</p>	<p>All source types</p>	<p>Employers are to deduct and make pension contribution payment to the appropriate scheme organisations.</p>	<p>Review document and verify</p> <ul style="list-style-type: none"> • payment receipts which show that employers have made pension contribution payment to the appropriate scheme organisations.



Trade and Transport

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
<p>Transport of logs for the domestic market takes place without Log Measurements Conveyance Certificate (LMCCs) (1.17).</p>	<p>All source types</p>	<p>Log Measurements Conveyance Certificated (LMCCs) shall be in place</p>	<p>Review document and verify:</p> <ul style="list-style-type: none"> • Log Measurement Conveyance Certificates (LMCCs) • TIDD-approved input output statement to justify the volume being sold
<p>CITES species are illegally harvested and exported with a CITES permit fraudulently issued (1.20).</p>	<p>Natural forest</p>	<p>Species shall be correctly declared and a legally issued CITES import certificate shall be in place for CITES species</p>	<p>Review documents and verify To export CITES species the following documents shall be in place:</p> <ul style="list-style-type: none"> • A TIDD approved contract covering products produced from all species (including CITES species) to be shipped is required. • TIDD Export permit • CITES export permit approved by the Wildlife Department of the FC. <p>Consult Consult the Wildlife Division of the Forest Commission to verify that the CITES permit has been legally issued.</p>



Processing

Risk	Applicable to	Indicator of legal compliance	Potential mitigation actions
Processing entities do not have a valid operating environmental permit obtained from the EPA (1.23)	Timber processing entities	Wood processing industries are required an environmental permit from EPA	Review documents and verify <ul style="list-style-type: none"> Verify that an Environmental permit from EPA is in place.
Timber processing entities are not registered with the TIDD (1.24)	Small-scale processing entities who process timber for the domestic market	Companies wishing to set up timber processing operations are required to register with the TIDD through an application process	Review documents and verify: <ul style="list-style-type: none"> Verify that timber processing entity, especially small-scale, has a Valid TIDD Registration Certificate
Legal Employment and Health and Safety is similar to the findings identified for the forest level.			

About LIFE Legal Wood

[LIFE Legal Wood](#) is an initiative that aims at supporting timber-related companies in Europe with knowledge, tools and training in the requirements of the EU Timber Regulation. Knowing your timber's origin is not only good for the forests, but good for business. The initiative is funded by the LIFE Programme of the European Union.



LIFE - Support EUTR II - LIFE18 GIE/DK/000763



Preferred by Nature (formerly NEPCon) is an international non-profit organisation working to support better land management and business practices that benefit people, nature and the climate.

We do this through a unique combination of sustainability certification services, projects supporting awareness raising, and capacity building.