Moving Forward In The Implementation Of The Non-Legally Binding Instrument On All Types Of Forests In Ghana

Toolkit For Tackling Corruption And Unacceptable Practices In The Forest Sector Of Ghana

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APRIL, 2011

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Preface

Forest sector corruption and unacceptable practices are symptomatic of failure of forest governance with dire consequences for sustainable forest management, and socio-economic development and social stability. There have therefore been unprecedented efforts by governments and international agencies to raise awareness about the negative effects of these practices in the forest sector. Some strategies have been proposed to combat and possibly eradicate corruption and unacceptable practices from the forest sector. The FAO, World Bank and Transparency International have led most of such efforts.

This toolkit for combating corruption and unacceptable practices in the forest sector of Ghana has been designed drawing heavily on some of the earlier studies indicated above. Actual field data collection and key informant interviews were also carried out to validate and customise available information on the subject for Ghana.

This document has been produced to enhance the watch-dog role of forestry sector stakeholders as a means to strengthening law enforcement in the sector. It discusses the nature and elements of corruption and unacceptable practices, the causes and consequences before presenting the toolkit, which consists of several different tools. The document has proposed possible stakeholder groups that may be best placed to apply which tool from the toolkit.

The document identifies bad or inconsistent policies and laws as contributory factors for corruption and unacceptable practices. But since there are on-going efforts to review the forest policy and also reform the legislative framework, it is assumed that any such anomalies will be addressed. Such causes have therefore not been given much attention in the toolkit, except for a general statement

about the need to rationalise and or tighten policy and the legislative framework.

Any toolkit is as good as the extent to which it is applied; it would therefore be very helpful if stakeholder groups could, to the extent possible, incorporate some of the recommended tools in the normal work plans. In some cases however, extra resources may be required to implement the recommended tools.

Acknowledgements

Acronyms

AAC	-	Annual Allowable Cut
CEPS	-	Customs, Excise and Preventive Service
CITES	-	Convention on International Trade in Endangered Species
CREMA	-	Community Resources Management Area
CRMC	-	Community Resources Management Committee
CSO	-	Civil Society Organization
DA	-	District Assembly
DFID	-	Department for International Development of United Kingdom
EJA	-	Environmental Journalists Association
EPA	-	Environmental Protection Agency
FAO	-	Food and Agricultural Organization
FAWAG	-	Furniture and Woodworkers Association of Ghana
FC	-	Forestry Commission
FLEGT	-	Forest Law Enforcement, Governance and Trade
FORIG	-	Forest Research Institute of Ghana
FRNR	-	Faculty of Renewable Natural Resources
FSC	-	Forest Stewardship Council
FSD	-	Forest Services Division
Galamsey	-	Illegal small-scale mining
GDP	-	Gross Domestic Product
GNFS	-	Ghana National Fire Service
GIF	-	Ghana Institute of Foresters
GII	-	Ghana Integrity Initiative
GTA	-	Ghana Timber Association
GTMO	-	Ghana Timber Millers Association
GIZ	-	German Development Cooperation

LI	-	Legislative Instrument
LMCC	-	Log Measurement and Conveyance Certificate
MA	-	Municipal Assembly
MLNR	-	Ministry of Lands and Natural Resources
MOP	-	Manual of Procedure
MTS	-	Modified Taungya System
Nananom	-	Local title for chiefs or traditional rulers
NCWG	-	National Certification Working Group
NFP	-	National Forest Programme
NGO	-	Non-Governmental Organization
NLBI	-	Non-Legally Binding Instrument on all types of forests
NTFP	-	Non-Timber Forest Product
OFR	-	Off-Forest Reserve
RMSC	-	Resource Management Support Centre
SFM	-	Sustainable Forest Management
SP	-	Salvage Permit
TA	-	Traditional Authority
TBI	-	Tropenbos International
TI	-	Transparency International
TIDD	-	Timber Industry Development Division
TUC	-	Timber Utilization Contract
TUP	-	Timber Utilization Permit
UNDP	-	United Nation Development Programme
UNFF	-	United Nations Forum on Forests
USD	-	United States Dollar
WD	-	Wildlife Division
VPA	-	Voluntary Partnership Agreement

1.0 Introduction

1.1 Background

In May 2007, the United Nations Forum on Forests (UNFF) adopted a non-legally binding instrument on all types of forests (NLBI). This significant international consensus was reached to boost the implementation of Sustainable Forest Management (SFM), and thus maintain and enhance the economic, social and environmental values of all types of forest, for the benefit of present and future generations.

Ghana has committed itself to pilot the NLBI under the project GCP/INT/078/GER "Moving Forward in the Implementation of the Non-Legally Binding Instrument on All Types of Forest in Ghana: A Contribution to Reducing Deforestation and Forest Degradation." The project is being implemented by the Forestry Commission with technical assistance from the Food and Agriculture Organization of the UN and the German Development Cooperation (GIZ), with funding from the German Government. The experiences generated through this pilot project will be useful for the other countries that implement the NLBI.

Through a series of earlier regional and national stakeholders' consultation workshops, four (4) priority areas of national policies and measures of the Forest Instrument had been identified as those requiring the highest attention if Ghana is to move forward towards sustainable forest management. These were:

1. Promoting cross-sectoral coordination
2. Strengthening law enforcement
3. Development of effective financial strategies; and
4. Integrating forestry programmes into national development plans.

As part of the activities under the second priority area, it was further agreed that the watch-dog role of local communities and key stakeholders in the forestry sector should be enhanced. It was observed that this could be done by producing and disseminating appropriate information materials on illegal practices in the forestry sector and by sensitizing stakeholders on the effective use of such knowledge and information.

Tropenbos International Ghana was contracted by the project to implement this aspect of the project. The specific terms of reference of the assignment was to develop appropriate information and training materials and strengthen the capacity of relevant stakeholders to enhance their watch dog roles in combating and eradicating corruption and unacceptable practices in the forestry sector. This toolkit for tackling corruption and unacceptable practices in the forestry sector is one of the outputs of the project. The others include a brochure and a policy brief on the subject.

I.2 About the Toolkit

1.2.1 Purpose of the Toolkit

One of the main pillars for realizing sustainable forest management is the recognition and practice of collaborative forest management. This involves realizing and defining the different roles of all stakeholders in the forestry sector and equipping them adequately to effectively perform their roles. An effective way of equipping stakeholders is making available to them vital information especially concerning law enforcement and what the law and policies of the nation expect from them.

A critical aspect of law enforcement that requires the collective effort of all stakeholders is the identification and combating of corruption and unacceptable practices in the forestry sector. This

toolkit has been carefully designed to fulfil that purpose by laying down simple and pragmatic step-by-step approach to identifying and tackling corruption and unacceptable practices in the forestry sector. The idea behind this toolkit is to adequately equip its users with practical approaches of dealing effectively with corruption and unacceptable practices in the forestry sector.

1.2.2 Target groups

The toolkit has been drafted on the assumption that the primary users will be local communities and key stakeholders in the forestry sector. It is also envisaged that it will come in handy to public officials who are responsible for the development of national strategies in the forestry sector. The kit has been developed based on nationally and internationally recognized tools and hence will also be useful to donors and international organizations with interests in sustainable forest management in the country.

The toolkit identifies, and in some cases provides relevant guidelines based on case studies, and may be used by civil society to hold government and public officials accountable. They may also be used by academics or institutions concerned with the assessment of corruption and unacceptable practices in the forestry sector from social, legal, economic or other standpoints.

1.2.3 Elements of Anti-corruption Toolkit

The development and implementation of an effective anti-corruption strategy requires the integration and coordination of many disparate factors. Elements of a strategy must be internally integrated with one another to form a single, unified and coherent anti-corruption strategy. Strategies also require the support and concerted effort of individuals and organizations in the public sector, civil society and the general population.

Elements such as inclusiveness, transparency, flexibility, monitoring

and evaluation (assessment) play an integral part in the success of any anti-corruption toolkit. Including the broadest possible range of participants or stakeholders is important, both to ensure that all significant factors are considered and to create a sense of "ownership" and support for the strategy. Broad consultation and participation also addresses the concerns and raises the expectations of those involved. Bringing otherwise-marginalized groups into the strategy empowers them by providing them with a voice and reinforcing the value of their opinions. In areas where corruption is endemic, it is these individuals who are most often affected by corruption, and who are most likely to be in a position to take action against it, both in their everyday lives, and by supporting political movements against it.

It is important that the fight against corruption is not seen as a partisan political issue, otherwise, this can impede both anti-corruption strategies and more general efforts to establish good governance, the rule of law and regular, stable political structures.

2.0 The nature of corruption and unacceptable forest practices

2.1 Definitions and Categorization of Corruption in the Forest Sector

Conceptually, corruption is a form of behaviour, which departs from ethics, morality, tradition, law and civic virtue. Corruption has been defined in many ways; however, the definition that has been adopted by the World Bank is the abuse of public office for private gain. Corrupt actions are intentional, involve an improper or non-compliant action and are aimed at deriving a benefit for oneself or others close to them. Several categorizations exist for corruption, some widely used ones include:

2.1.1 Grand vs. Petty Corruption

Grand corruption is characterized by the payment of large bribes to top government officials or politicians, whiles petty corruption involves small bribes given to junior public officials. Petty corruption involves the bureaucracy.

2.1.2 Non-collusive vs. Collusive Corruption

Non-collusive corruption refers to a situation where an official demands a bribe for offering a legitimate service which should have been granted anyway. No illegal act is caused; but it imposes extra costs on business. Collusive corruption on the other hand, refers to a situation where an official permits an illegal action without reporting it. In return the officer either gets bribed or receives a share of the proceeds obtained. Illegal logging often is an example of collusive corruption. It is much harder to detect and to root out and by the same token much more harmful to the state and to good governance of natural resources since in that case corrupt government officials and bribers team up in order to collusively rob the state.

2.1.3 Administrative vs. Political Corruption

When corruption takes place at the administrative level it is called administrative corruption. On the other hand, political corruption usually happens one step before the operative level. Here decision-making is distorted by corruption usually in the form that firms buy off the state by bribing politicians for certain decisions in their favour (also called state capture). This form of corruption harms the administration of natural resources by legalising illegitimate actions, like giving timber concessions to companies that do not qualify.

Corruption may also be categorised as institutionalized or non-institutionalized. Institutionalized corruption is an inherent problem which is hard to detect and to root out. Like most clandestine activities, institutionalized corruption within the forestry sector is often refuted, disregarded and mostly left unaddressed when raised. Although there is no clear and empirical evidence to show that institutionalized corruption exists within the forestry sector of the country, people who have worked with and within the sector attest to its existence and mostly bemoan the hypocrisy on the part of forestry authorities for refusing to root them out.

Figure 1: Diagrammatic categorization of Forest corruption
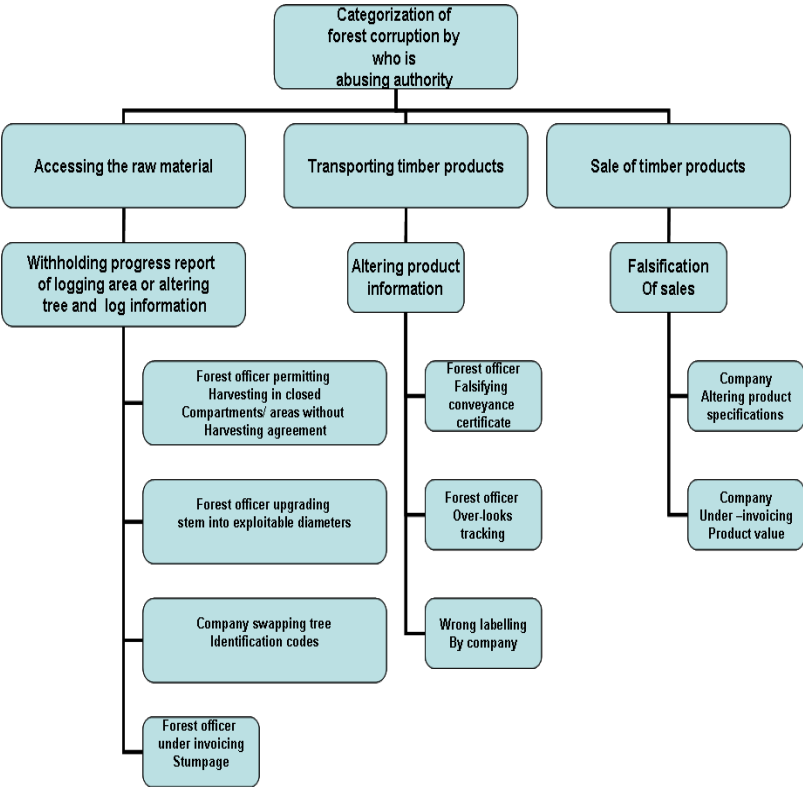
(Source: Adam, A.K. *et al* (2007): *Corruption in the chainsaw milling and lumber trade in Ghana*. Project report prepared for DFID).

Non-institutionalized corruption relates to acts and/or omissions which are perpetrated in the forestry sector which otherwise goes contrary to the working principles and laws of the sector. A typical distinctive characteristic of non-institutionalized corruption is that it takes place within the glare view of stakeholders who either refuse to see them or do not have the administrative and political will to deal effectively with them. Non-institutionalized corruption may be collusive or non-collusive. In the former case, companies approach public officials to offer bribes for favourable treatment or to allow an illegal practice (referred to as supply-side corruption). While in the non-collusive situation, corrupt officials will demand favours from companies (demand-side corruption); i.e., officials extort money before they will perform a routine task such as issuing documents required for legal operations. Forestry corruption, therefore, can be 'the price of entry' for otherwise perfectly legal operations, as well as inducements to allow illicit activities.

2.2 Definition and Categorization of Unacceptable Practices in the Forest Sector

The Cambridge University Press (1995) defines unacceptable as something too bad to be accepted, approved of or allowed to continue. In the forestry sector, there is no single concise definition for unacceptable practices, but they generally include corruption and all illegal forest activities. An unacceptable practice compromises the integrity of public officials to perform their legitimate responsibilities. It goes beyond what is legal or illegal to embrace virtues such as: professionalism, morality and ethical behaviours in the conduct of forestry business. It also encompasses decorum, rule of law and respect for fundamental human rights. The table below gives a broad list of unacceptable forestry practices identified in Ghana during the study. The list is however, not exhaustive.

Table 1: Unacceptable Forestry Practices identified in Ghana

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
Illegal occupation of forestlands	• Illegal farming and extension of admitted farms	• Migrant farmers • Fringe communities • Land owners • FSD field staff • Admitted farm owners	• Admitted farm owners extending their farms due to blocked internal admitted farm boundaries • Migrant farmers encroaching forest reserves for food crop farms • External boundaries of forest reserves not well defined from adjourning farms resulting in encroachment
	• Illegal small-scale mining in forest reserves	• Fringe communities • Land owners • FSD field staff • *Galamsey** operators • District Assemblies • Minerals commission	• *Galamsey** operators conniving with stool land owners to illegally mine in forest reserves • Forest guards and Range supervisors taking monies from *Galamsey** operators to turn a blind eye to their operations
	• Poaching in forest reserves	• Hunters • Local chiefs • Fringe Communities	• Hunters undertake hunting activities throughout the year in protected areas even during closed seasons

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
Illegal occupation of forestlands	• Cattle grazing in forest reserves	• Fulani Herdsmen • Land owners • Local chiefs • District Assemblies • Fringe Communities	• Fulani herdsmen settling and grazing their cattle in forest reserves • Local cattle owners grazing their cattle in forest reserves
	• Illegal Commercial NTFP exploitation in forest reserves	• NTFP gatherers • FSD field staff • Local chiefs • District Assemblies	• NTFP collectors enter the forest reserve without the necessary permits to exploit NTFP's.

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
Illegal logging	• Abuses in conventional logging operations	• Timber Companies • TIDD officials • FSD officials • Law enforcement agents • Land owners • Local chiefs	• Timber companies deliberately felling outside approved yield • FSD officials colluding with timber contractors to exploit unapproved concessions
	• Way-side contractors illegally harvest timber	• FSD field staff • Law enforcement agents • Local chiefs • Timber Companies • TIDD officials • Fringe Communities	• Quack timber merchants colluding with local chiefs and farmers to exploit OFR trees • Quack timber merchants colluding with FSD staff to steal timber from forest reserves
	• Chainsaw milling	• FSD officials • Law enforcement agents • Local chiefs • Fringe Communities • Farmers • Lumber brokers • Chainsaw operators	• Chainsaw operators conniving with farmers and local chiefs to lumber trees in off-reserve areas • FSD officials colluding with chainsaw operators to lumber in forest reserves • Law enforcement agents taking monies from chainsaw operators and allowing the menace to thrive

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
	• Burning forest reserve towards MTS allocation	• Local chiefs • Fringe Communities • Farmer	• Community members in the quest to acquire land for MTS deliberately set fire to forest reserves • Farmers intentionally burn plantation areas in the forest reserve to force the FSD to allow continuous farming of the area
Woodland arson	• Burning for expansion of admitted farms	• Admitted farm owners • Local chiefs • Fringe Communities	• Admitted farm owners deliberately burn the forest in order to expand their farms. • Farmers also burn and uproot internal boundary pillars (teak trees) and expand their farms
	• Burning for fresh grass towards cattle grazing	• Local chiefs • Fulani Herdsmen • Livestock farmers	• Fulani herdsmen usually set fire to forest reserves especially in the Savannah zone to induce fresh grasses for their herds • Livestock farmers also deliberately burn forest reserves to enhance growth of fresh grasses for their livestock
	• Bush burning for hunting and honey	• Group Hunters • Fringe Communities	• Group hunters deliberately burn forest to search for game. • Community members set fire to the forest in order to harvest wild honey

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
Illegal timber transport, trade and timber smuggling	• Illegal transportation of timber	• Timber Companies • TIDD officials • FSD officials • Law enforcement agents	• Timber companies conniving with certain stakeholders to illegally transport timber
	• Timber smuggling and illegal trade	• Timber Companies • TIDD officials • FSD officials • Law enforcement agents • Port officials	• Timber exporting companies conniving with appropriate stakeholder to smuggle and trade in timber without paying the appropriate taxes. • Timber exporting companies also under declare the specifications and volume of exports thereby denying the state foreign exchange

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Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
illegal accounting practices	• Under declaration of volumes	• Timber Companies • FSD field staff • TIDD officials • Law enforcement agents	• Range supervisors conniving with contractors to under declare tree volumes • TIDD officials at checkpoints turning blind eyes to discrepancies in volumes of logs on the trucks and its LMCC
	Under invoicing of timber companies	• Timber Companies • FSD officials • FSD Account officers	• FSD account officers and Range supervisors connive with timber companies to under invoice them. • FSD account officers also delay generating invoices for timber companies to lower their bills within a given time

Category Of Unacceptable Practices	Specific Examples	Stakeholders Involved	Where and how they Occur
	Honouring a contract without official TIDD approval	• Timber exporting companies • TIDD officials • CEPs officials	• Timber exporting companies commence processing for foreign clients without official vetted approval from TIDD
Illegal Forest Processing	Safety of workers overlooked	• Timber exporting companies • Workers Unions	• Failing to provide basic protective gears for workers, both at the mills and on the field
	Ignoring environmental protocols	• Timber exporting companies • EPA • District/Municipal Assemblies	• Processing companies grossly pollute the environment with their debris and sawdust which overlooked by the EPA and DAs/MAs

* *Galamsey* refers to the practice of illegal small-scale mining

2.3 Causes of Corruption and Unacceptable Forest Practices

There are several and varied reasons for the prevalence of corruption and other unacceptable practices in the forestry sector. The generally accepted ones include:

- Inconsistent policy and legal framework
- Weak implementation/enforcement capacity
- Lack of information about the forest resource
- Lack of transparency
- High demand for timber
- Weak institutional structures including lack of progression in staff hierarchy, low staff remuneration
- Ambiguity in existing policies and laws
- Absence of integrity in the forestry sector
- Lack of deterrent punishment for culprits
- Inadequate human resources
- Lack of resources for field enforcement personnel
- Greed
- Unclear land/tree tenure systems
- Weak judicial support to field staff
- Failure to vest enforcement powers in the appropriate agencies

Beside the above causes, the economic condition and political atmosphere of the country also contribute to the levels of corruption and unacceptable practices in the sector.

2.4 Consequences of Corruption and Unacceptable Forest Practices

Corruption and unacceptable practices in the forestry sector have huge catastrophic consequences. They can largely be put into environmental, economic and social consequences.

Economic consequences
- Forest corruption distorts market prices of forest products.
- Reduced contribution to GDP.
- Revenue lost to the state, District Assemblies (DAs) and Traditional authorities (TAs) in the Forest sector

Social consequences
- Deterioration of respect for the law.
- Society becomes corroded by distrust in the state and its representatives (police, judges, officials, politicians).
- It puts at risk poor and forest-dependent populations, which rely on timber and non-timber forest products;
- undermines responsible forest enterprises by distorting timber markets and reducing profitability and employment

Environmental consequences
Forestry Corruption leads to uncontrolled illegal forestry activities such as illegal logging, forest encroachments and related forest degradation such as:
- Reduction in biodiversity.
- depletion of forest ecosystems
- Illegal logging affects not only the area logged; a much larger area around the logging area itself is also affected.
- Forests thus affected can no longer entirely fulfil their environmental functions.
- This affects the people who directly depend on them for their survival.

Table 2: Assessment of the impact of corruption on major elements of good governance

	Community	SFM	Enforcement	Economics	Political Power
Transparency	Changes made to legislation restrict freedom of Information undermines understanding and oversight	Restricts information for adaptive management	Decreases information for court cases	Illegal logging out competes legal operators	Elites consolidate power
Integrity/ Accountability	Changes made to legalisation removes incentives for good behaviour.	Removes incentives for good behaviour	Decreases successful prosecution	Loss of revenue	Elites consolidate power
Rule of law	Remove incentives for good behaviour	Removes incentives for good behaviour	Removes incentives for good behaviour	Removes incentives for good behaviour	Enforcement capacity is weakened

	Community	SFM	Enforcement	Economics	Political Power
Participation	Restricts Free, Prior, Informed Consent	Restricts Free, Prior, Informed Consent	Reduces information	Loss of revenue	Compromised
Equity	Reduces funds for development	Ignores land tenure. Increased exploitation of forests	No incentives for good behaviour. Increased forest exploitation	Legal operators are driven out. Increased forest exploitation	Elites consolidate power

Source: UNDP (1997), Governance for Sustainable Human Development

2.5 Existing Policies, Legislations, State Institutions and Management Chains

2.5.1 Existing Policies and Legislations

Corruption and unacceptable forest sector practices thrive in an atmosphere where there are no precise policy directions and implementable laws. Effective rule of law is a good basis for fighting corruption in the forest sector. The forestry sector of the country can boast of some of the well structured and documented policies and legal frameworks. Some of these policy and legal frameworks include:

Forest and Wildlife Policy
The Forest and Wildlife Policy provides the basis for protecting the forest both from ourselves and from external factors. It is also the first point of contact with respect to forest resources sustainability.

Laws and Legislative Instruments
Although there is no consolidated forestry law, the forest has several ACTS, Legislative Instruments and Decrees that govern the sector. These laws are to assist in ensuring that there is serenity in the sector, and provide backstopping for the Forest and Wildlife Policy.

Manual of Procedures (MOPs)
The MOP's are structured to provide strategic directions and guidance in forest management. They entail processes and standards that need to be met in all forest related operations, detailing specifications as well as dos and don'ts. The MOPs are handbooks that are legally binding to all forest operators.

Forestry Commission's Service Charter
The services charter serves as an agreement between FC and the public which outline the vision of the Commission. The Charter

describes the service experience that a customer can expect from the Commission. Its purpose is essentially to allow for open and transparent approach and context to service delivery. It sets out how the FC intends to work towards providing a high quality service to their customers. The Charter also gives vital information about the service delivery approach and the relationship the customer will benefit from.

Code of Ethics for Ghana Institute of Foresters
The GIF code of ethics are a set of principles that enjoins all members to act and perform their duties in accordance with professional standards bearing in mind their various responsibilities as professional foresters. The GIF codes of ethics provide for each member a set of duties that is expected from him/her as a professional forester.

From both a conceptual, as well as a monitoring/prevention perspective, it is vital to identify the actors and institutions involved in the different activities in the sector, their areas of authority, where overlaps and conflicts lie, where power is concentrated, and so on. Understanding who is involved helps to determine what to monitor, but it also helps understand in whose interest it is that corruption occurs (or, conversely, is prevented).

This help to target activities more effectively and it reveals where political blockages are likely to occur and where windows of opportunity might lie for engaging constituents who have an interest in preventing corruption and unacceptable practices.

2.5.2 Existing Institutions

The Ministry
The Ministry has the direct legal authority over the sector including the design and implementation of regulations. They are mandated

by law to have oversight responsibilities to ensure that government policies and direction is adhered to by all players in the sector. It also rest on them to ensure that the laws governing the sector are enforced.

Forestry Commission
The FC is charged with the responsibility of the day to day development and management of the forest and wildlife resources of the country. They therefore occupy a very strategic position in ensuring that the forestry sector fulfils its purpose of meeting the livelihood needs of the mostly forest-dependent fringe communities. This responsibility also means that they have a responsibility to regulate and ensure that there is tranquillity in the sector.

Parliament
Parliament play a role in the development of legislation as they pass laws, including laws related to forestry, zoning, taxation, land ownership, labour, anti-corruption, banking and anti-money laundering, freedom of information, police, judiciary, and election reform; all of which influence the forestry sector. In many cases, legislative committees also provide oversight over the Executive and hence ensure that the will of the people are being done.

Judiciary
Although not involved in the immediate regulation of the sector, the judiciary ultimately interprets the laws and regulations that govern the sector, from adjudication of land-claims, to deciding on the guilt of operators accused of illegal logging and other forestry and financial crimes. To this end they have a gigantic role to play in ensuring rule of law in the sector.

Civil society
Civil society remains one of the key stakeholders in the forest sector

due to their largely independent status, they play an important role in forest management as independent arbitrators therefore they require the implementation of legislative remedies, such as Freedom of Information Acts and whistleblower protection, to obtain the data necessary for analysis. A lack of information handicaps their ability to act as monitors, as it also handicaps civil society actors in advocacy roles such as representatives of indigenous peoples' rights or conservation.

Private sector
Mostly touted as the engine of growth, the private sector has the enviable characteristics of propelling and actually dominating the forest sector. This unique position makes them a very powerful asset in the forestry sector and also makes them vulnerable to corruption and unacceptable practices.

2.5.3 Management Chains
Studies have shown that corruption and unacceptable practices transcend institutions into the working protocols and actual management routines. In this toolkit we try to map out the generic issues involved in forestry corruption. For the sake of ease, we divide the forestry sector into its major constituent chains.

1. Licensing/Regulatory Chain:
The process through which rules (laws and regulations) are made that govern the timber supply—i.e., policy formulation.

2. Resource (Timber) Supply Chain:
The process through which the above policies and rules are actually implemented, i.e., how forests are managed, and timber harvested, transported, processed, and sold (and if applicable, exported).

3. Revenue Chain:
The process through which taxes and fees are paid and government

revenues allocated. In corrupt systems, it includes transactions of the proceeds of crime, such as illegal logging. Likewise, the chain includes the financing of forestry operations.

4. Reporting Chain:

The process through which operators and regulators must document forestry-related operations/information, in some cases to the public.

5. Enforcement Chain:

Includes both criminal and administrative sanctions, on a path from policing, conviction, through punishment (fines and/or incarceration).

3.0 Tools And Strategies For Combating Corruption And Unacceptable Practices

The forestry sector is one of the most politically controlled sectors in the country; hence strategies for fighting corruption and unacceptable practices must first address the question of whether there is a reasonable probability that reforms and strategies will in fact be implemented in the sector. This is because in some situations the government may be unwilling to undertake reforms to deal with the problem of corruption and unacceptable practices. Political commitment to reform is essential and government must have "ownership" of any reform process.

Corruption and unacceptable practices have developed such deep roots in the forest sector that tackling individual cases will be a fight in futility. Strategies or actions must first address the factors facilitating corruption and unacceptable practices. The functions of preventing, improving detection and instituting measures to deter corruption and unacceptable practices have mutual dependencies and reinforce each other. For example, knowledge of the existence of an efficient system to suppress forest crime is in itself a powerful deterrent. The same is true if potential illegal actors know that the country has an effective structure to monitor what is happening in forest areas. Likewise, a good detection mechanism would facilitate proper enforcement of the law by providing early knowledge of the crimes being committed as well as solid evidence that would facilitate arrest and prosecution.

3.1 Prevention As A Tool For Tackling Corruption And Unacceptable Practices In The Forest Sector

Preventive activities are geared towards reducing the opportunities of committing corrupt and unacceptable acts. They can be applied by actors of civil society, the public and private sectors. Ideally, illegal acts would be combated primarily by preventing their occurrence. Perfect knowledge about the need to impose society's values over private gain and the consequences of not doing so, as well as setting up proper incentives for aligning private action with the public good would significantly reduce the propensity for illegal acts. But reducing these propensities to commit forest crime is not enough. Measures must be accompanied by the prospect of punishment when the law is broken. For laws enforcement to be effective there is the need to monitor what is happening in the sector. The ability to separate actions that are legal from those that are not, as well as on effective means to impose regulations by inflicting adequate punishment on those that do not comply with the rules will be very essential.

Prevention requires the use of several well crafted and coherent tools and strategies to achieve the needed aim. Since prevention is the bedrock for combating corruption and other unacceptable practices in the forest sector, measures for achieving prevention should be workable and realistic. Some of the tools that are universally accepted and geared towards preventing corruption and other forest practices include the following:

3.1.1 Awareness Raising Tool

These are a set of ideas and measures aimed at informing stakeholders to be wary of the threats and possible negative consequences of corruption. The import of awareness raising as a preventive tool is to conscientize the public as well as government on the adverse effects of corruption and the need to be proactive and responsive to reforms

and punitive approaches in dealing with culprits. Awareness raising tools bring the issue of corruption to the public's attention. They remind the public that corruption is a problem and inform the public about actions that individuals can take to fight corruption. Awareness raising is effectively carried out through: publications (brochures, reports, newsletters, briefs, magazines, journals, notices, info-sheets etc.), meetings/conferences/workshops, radio and television programmes and the internet.

Public education and awareness about the value of forests, the manner in which they are utilized and about the incidence of illegal acts can generate enough political pressure to prevent forest crimes. Moreover, corruption and unacceptable forest practices sometimes occur simply because of the ignorance of the provisions of the law and the rationale behind them. Better knowledge thus contributes to prevention of illegal acts.

Below are examples of awareness creation strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Draw attention to lost forest revenue:
Estimate and publicize lost revenues by commissioning a study to estimate the amount of public money lost due to forest corruption and unacceptable practices, and the rate at which the losses occur. This may include loss of stumpage fees or royalties and tax revenues, and also loss of future income due to lack of good forest management.

Sensitize target stakeholders about the need to be vigilant and alert to corruption:
Organize series of workshops and durbars to alert stakeholders to the reality of corruption and the need to be concerned and proactive. It

could also be used to make them aware of avenues to channel their grievances.

Create anti-forest corruption advertisement:
Use a variety of means to advertise the damaging effects of corruption. The means could include roadside signs, bumper stickers, posters, radio spots, or even television.

Create a forest corruption risk map:
This involves the process of identifying, measuring, and grading the risks of corruption in the forest sector in particular parts of the country. Preliminary analysis and review of it should be carried out in workshops with government, business and civil society participants. A final report with maps or tables showing, for example, the level of pressure for corrupt activities, the local resistance or openness to corruption, and the potential for ecological damage from corrupt activities.

Educate journalists:
Hold educate-the-press sessions. Invite journalists to briefings on forest corruption. The briefings could be done at workshops, or in a series of breakfast or lunch meetings over several weeks or months. The speakers should include activists, experts, and reform-minded officials. The briefings could be done "off-the-record" with the journalists promising not to cover the briefing as a news event or to quote the speaker to encourage more candid discussion.

Who should be responsible for these strategies?
The onus to raise awareness falls on several institutions and stakeholders both private and governmental. In Ghana, local NGOs and civil society organizations have over the years performed these responsibilities, but the government and the Forestry Commission could also be proactive on such issues.

3.1.2 Access-to-Information Tool

Access-to-information tools basically involve making information available to stakeholders and the general public. Adequate information availability ensures a well informed populace and reduces the propensity of corruption and unacceptable practices in the forest sector.

Below are examples of access-to-information tools and strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Create Information Desk:
Adequate flow of information will require the establishment of well resourced information desk to respond to people's questions and concerns. The information desk could be decentralised to the district level to ensure that concerns of fringe communities are addressed promptly and appropriately.

Encourage forest whistleblowers:
Whistleblowers will facilitate ongoing discussion among practitioners on forest corruption issues. The implementation of the whistleblower protection law could be monitored, and the government encouraged to honour it. In cases where the government offers no protection to whistleblowers, it may be appropriate to take anonymous complaints and have a mechanism for objective and discreet screening of these complaints to identify serious concerns. The simple knowledge of the existence of these mechanisms may contribute to preventing illegal activities.

Who should be responsible for these strategies?
Access to information remains the sole responsibility of the government and its institutions such as the Forestry Commission and the Ministry of Lands and Natural Resources to ensure that the

populace are well informed about the happenings in the sector. Civil society also has a responsibility to inform their constituents about recent developments in the sector. Governments and international assistance institutions such as the World Bank could provide facilities for "whistleblowers" to report fraudulent activities. Governments may also consider protection of staff against reprisals for denouncing forest crime.

3.1.3 Procurement tools

Procurement tools address commercial transactions between the government and the private sector. Through training and dissemination of information, local stakeholders and civil society organizations can make forest sector procurements more open and honest. Procurement in the forest sector encompasses award of contracts and granting of timber harvesting rights (TUC's, TUP and SP's) including the competitive bidding process. Forest procurements also involve invoicing and disposal of confiscated logs and lumber.

Below are examples of procurement strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Put together concession (TUC) manual:
Concession (TUC) bidder's manual could be produced to guide prospective contractors seeking to compete for concessions. The materials would describe the laws that apply to the process, the agencies that implement the laws, the fees involved, and the deadlines or typical time necessary for the agency to process requests.

Create concession database:
Create a database of information on advertised and active forest concessions. Such a database should include information useful to potential bidders and information that will allow the public to judge whether particular concessions have been awarded fairly and whether the terms of the concession are being followed.

Ensure strict adherence to procurement laws:
All purchases and award of contracts should conform to the procurement laws of the state by going through the tender board with the necessary publicity.

Empower District Assemblies to Audit forest contracts and accounts at District level:
The District Assembly (DA) as a non-partisan representation of duly elected assembly persons from all the communities in the district could be empowered to ensure that due process is followed at the district level during the award of contracts and timber permits. As it stands now, the DA has no jurisdiction over the District forest operations and therefore can only look on as unacceptable practices are perpetrated by forestry officials and timber contractors.

Establish and make available well accepted procedures for granting permits:
In the absence of a consolidated forestry law, and with several ACTS and LI's concerning forest management in the system it becomes difficult for contractors and civil society organizations to adequately follow the provisions for granting timber permits. An all inclusive procedure publication which takes into consideration concerns from all stakeholders will be useful in promoting transparency in the forest sector.

Who should be responsible for these strategies?
Since procurement issues are strictly the responsibility of forestry professionals, the government as the ultimate power should, through the necessary institutions and agencies be responsible for implementing these strategies. However, forest-based NGO's and civil society could also ensure through advocacy that these things are done.

3.1.4 Other preventive tools in combating corruption and unacceptable forest practices

The above preventive tools can ensure and also be reinforced by the following:

- *Reduced discretionary power*

Reducing the discretionary power of the public forest officer can prevent corruption and unacceptable forest practices. This can be done in several ways such as, simplification and dissemination of operational norms thus reducing the possibility for arbitrary interpretation.

- *Increased transparency and accountability in decisions*

Greater transparency of decisions by the Public officer can be achieved through several means, for example, by requiring the administration to hold public hearings on its operations, where interested parties can freely demand information. Independent audits can also force the application of transparent budgetary and expenditure processes.

- *Increased administrative checks and balances*

In some cases, it may be advisable to purposely generate overlaps between agencies thus reducing the discretionary power on one single agency. For example, TIDD may control the transport of forest products, but this could also be done by the regular police force. Collusion in these circumstances is less likely (although, unfortunately, not impossible: operators may have to pay bribes twice). Also, the probability of corruption and unacceptable forest practices going undetected diminishes. This may act as a deterrent for public officers who may be inclined to engage in corrupt acts.

- *Increased salaries of the forestry staff*

There is a generalized belief that public servant who commits illegal acts is pushed by meager salaries. But there is little evidence that

this is the case. It is probably true that poor salaries make the cost of losing a job rather low and in such circumstances the propensity to accept bribes increases. Thus, while in some cases higher salaries may be a necessary condition to reduce corruption and unacceptable forest practices by public officials, it is not a sufficient one. The best-paid officials are sometimes the most corrupt; an official with a good salary may demand higher bribes to offset the risk of losing the job, if caught. However, improvement in remuneration and improved working conditions can go a long way in enhancing efficiency.

- *Demand for forest management plans for all operations involving forest interventions*

This is a major instrument for preventing corruption and unacceptable forest practices as it gives room for wide range of consultation and local community's participation. Forest management plans require inventories of forest resources, clear property boundaries and a schedule of interventions that can be controlled by using well established indicators of progress towards economic, equity and sustainability objectives. Thus, the presence of forest management plans serving as objective frames of reference to control compliance provides incentives to keep away corruption and unacceptable forest practices.

3.2 Detection As A Tool For Tackling Corruption And Unacceptable Practices In The Forest Sector

Successful detection of corruption and unacceptable forest practices depends very much on the availability of proper data that will give a clear idea of the state of forests and of how they change overtime. Disseminated knowledge about forests and clear understanding of the forces that are introducing change as well as associated consequences on the environment, economy and equity, are key

elements in implementing effective detection schemes. Intelligence organizations are crucial and critical.

3.2.1 Diagnostic tools

Diagnostics is the first act of detecting corruption and unacceptable forest practices, since it implies gathering data and applying analytical thinking to deduce and extrapolate information. Diagnostic depends hugely on availability of data; hence most of the strategies used in diagnostics are targeted at acquiring information.

Below are examples of diagnostic strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Create an outlet for citizen complaint:
Provide a safe channel for taking and compiling complaints from citizens about forest sector corruption. Assist citizens in pursuing their complaints using existing governmental channels. Besides helping with specific complaints, give out general information on how to discourage corrupt activities. Produce a periodic public report on the complaints received, analyzing their nature and frequency. Compare the rate of complaint in various parts of the forest sector.

Document government performance on forest related tasks:
Gather, analyze, and publish data on government approval of routine forest-related activities. The activities would include land-related approvals, such as permission to harvest and transport logs, and trade-related approvals, such as permission to export or import forest products. Use public/business surveys to detect and publicize the presence of corruption in the forest sector. The survey could compare perceived corruption levels in different regions or subdivisions of the country. Ideally, the data would allow comparison of similar processes in different offices and jurisdictions, or for similar kinds of approvals outside the forest sector.

Collect statistics on forest law enforcement:
Create a scorecard for forest law enforcement, compiling information on the numbers of arrests, prosecutions, convictions, and sentencing. Compare jurisdictions or point out patterns of failure to prosecute cases fully. Citizens must be asked about the honesty, efficiency and quality of government forest management services.

Who should be responsible for these strategies?
Diagnostic strategies are mostly the responsibility of research institutions and forest-based NGOs. Civil society generally, can help in diagnosing corruption and unacceptable forest practices. Local communities and traditional authorities can also assist by volunteering information.

3.2.2 Professional Ethics Tools
These tools are meant to ensure that foresters and non-foresters working within the forest sector abide by a set of professional standards that will ensure increased accountability and transparency. These professional ethics tools will also reduce the high costs of corruption to both governments and bidders, and counter distortion of the concession and timber market. They are also aimed at facilitating and enhancing sustainable timber harvest and sustainable forest management by strengthening environmentally responsible companies.

Below are examples of professional ethics strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Conference on professional responsibility:
It entails an agreement between a government agency or department and all the private sector bidders for one or several public contracts. All parties agree that bidders will not offer bribes and that public officials will not demand bribes. It then becomes the responsibility of

the civil society organization and other nationally based NGOs to play a key role in monitoring and overseeing such a pact. The principles could be publicised and businesses assisted to adopt them. National or regional conferences or workshops on professional responsibility and ethics could be organized for foresters.

Professional code of ethics for foresters:
The GIF already has a code of ethics for professional foresters; this could be adopted by the Forestry Commission and made binding on all forestry professionals in the execution of their work. The purpose of this tool is to discourage corruption in public sector contracting.

Professional standards in the workings of timber companies:
Several of the world's leading forest corporations have voluntarily taken actions to define and adopt minimum acceptable standards of sustainable forest management and codes of conduct that include provisions for strictly following the laws of the country. To encourage those corporations that are voluntarily moving towards codes of conduct, it is important that certain benefits are made available to them so as to motivate and encourage others to also adopt the standards.

The FC in collaboration with other stakeholders such as the GTA and GTMO could also institute professional standards to ensure that all timber companies abide by them. It can be enforced by ensuring maximum transparency at every stage of the timber process, a careful monitoring of the process by independent observers such as local NGOs, and the application of severe sanctions when violations occur.

Who should be responsible for these strategies?
The Ghana Institute of Foresters (GIF) as a professional association for all foresters has the mandate to ensure that their members execute

their duties in a professional manner. The government, FC and Trade Associations have the responsibility to ensure that timber companies operate in accordance with laid down operational guidelines and ethics.

3.2.3 Public Institution Tools

Public institution tools focus on various structures and arms of government with the responsibility of ensuring good forest governance and anti-corruption practices in the forest sector. The public institution tools are aimed at empowering the institutions and making them responsive to current challenges in the forest sector especially with respect to corruption and unacceptable forest practices.

Below are examples of public institution strategies that could be applied in the forest sector to prevent or detect corruption and unacceptable practices.

Document forest agency staffing and structure:
Create and publish a complete organogram or roster of forest agency personnel, with contact information for senior officials. The organogram would illustrate the structure of the organization, explaining the roles of the various branches. It would also reveal exactly how many people worked in each branch, and at what rank. Revise the roster regularly to keep it accurate.

Offer training for officials on technical issues related to forest corruption:
For example, customs agents could be trained in recognizing species of wood to help detect mislabelled shipments. Finding a pattern of such shipments could suggest illegality and perhaps corruption in the harvest of the wood. Police could be trained in investigating accounts to detect signs of fraud or abuse of power. Prosecutors could be trained in gathering and presenting evidence of corruption. Judges

could be trained to understand the scientific issues that may arise in these cases (for example, the importance of protection of natural areas) to help them both decide the case and arrive at appropriate punishments for the guilty.

Maintain and publish career biographies of past and present senior forest officials:
This strategy is meant to make corruption and unacceptable forest practices unattractive to officials. Information about training, past positions and family members who have connections to government or the forest sector could be produced which will make nepotism and cronyism less attractive.

Agency-citizen workshops on corruption:
Such workshops would discuss the extent of corruption in the forest sector and explore ways to combat it. People would meet with the understanding that the workshops would be forward-looking, not finger-pointing.

Due process and compliance campaign:
This involves setting up a take-the-pledge campaign, where senior forest-sector civil servants and ministers should be asked to sign a pledge that (1) they are acting in compliance with all civil service laws and regulations and (2) that they will follow a voluntary honour or ethics code. Design the campaign with the help of a few high-ranking, reform-minded officials, who will be happy to sign, and then use peer pressure to spread participation. To ensure maximum transparency at every stage of the process, a careful monitoring by independent observers such as local NGOs, and the application of severe sanctions when violations occur would be necessary.

District Forestry Forums:
Under the National Forestry Programme (NFP), District Forestry

Forums have been constituted in many districts with memberships from different stakeholder groups, including representatives of landowners, small businesses, larger enterprises, NGOs, farmers, National Fire Service and local government structures (District Assemblies). These Forums should be strengthened to meet more regularly to discuss forest concerns, demand accountability and report to the public on the functioning of the forestry sector.

Who should be responsible for these strategies?

The government and its institutions such as the FC and the sector Ministry would be responsible for implementing most of the public institution tools. NGOs could help strengthen the Forest Forums; Labour organizations and other civil society groups also have roles to play to ensure that the correct reforms and programmes are in place.

3.2.4 Monitoring tools

Monitoring tools involve putting adequate structures in place to ensure that the officers tasked with the responsibility of performing a particular activity actually do the activity. Monitoring also plays a key role in detecting forest crimes and generates data for diagnostic analysis.

Below are examples of monitoring strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Effective patrolling of external and internal forest reserve boundaries

One major activity of Forest Guards is to patrol forest reserves, but in recent times due to a drastic reduction in staff numbers and general lack of logistics, forest patrolling is no more effective. In an effort to combat corruption and unacceptable forest practices regular and effective forest reserve patrolling should be encouraged. The necessary capacity would therefore have to be built.

Log and timber tracking

Data on the species, volume and sources of logs and timber is important in planning and diagnostics. It is envisaged that with institution of the wood tracking system under the VPA implementation, such data would be generated to support effective monitoring.

Domestic market monitoring

The domestic market has always been perceived as the hub of illegal lumber and other wood products. Acquiring data on the domestic market through proper monitoring will increase knowledge on how to deal with the corruption and unacceptable forest practices that goes on in the domestic market.

Who should be responsible for these strategies?

Implementing monitoring strategies involves all the stakeholders in the forest sector. Specific monitoring activities will however require in-depth knowledge of the system and how it operates. Such monitoring duties therefore rest on specialised institutions of state such as TIDD, FORIG and other research bodies.

3.2.5 Implications of prevention in combating corruption and unacceptable forest practices

- *Generate Baseline Information:*

Detection includes actions to determine whether corruption and unacceptable forest practices occur. It involves the comparison of events that are prescribed by law with their actual occurrence. Thus, baseline data are needed for a detection system to operate effectively and to provide the foundations for eventual prosecution.

- *Engage non-governmental organisations and environmental groups concerned with law enforcement:*

Many Non-Governmental Organisations and environmental groups

provide useful monitoring services that contribute to detection of corruption and unacceptable forest practices. Government's monitoring systems in place will hardly be adequate, hence the need to draw on the support of such other bodies.

- *Making use of surprise controls, certification and various methods of verifying consistency of information:*

The newly established Timber Validification Unit and the RMSC both of the Forestry Commission could make unannounced inspections to ascertain compliance of various actors to laid down rules and regulations.

- *Facilitate independent reporting:*

The inclusion of an independent monitor to oversee the implementation of the Voluntary Partnership Agreement (VPA) under the Forest Law Enforcement, Governance and Trade (FLEGT) initiative would also help ensure compliance. Producing evidence of corruption and unacceptable forest practices can be rewarded with a proportion of the fines collected by government but equally, these schemes must provide for the necessary sanctions for those who may abuse the system.

3.3   Deterrence As A Tool For Combating Corruption And Unacceptable Practices In The Forest Sector

Deterring corruption and unacceptable forest practices may involve the use of force (arrest and imprisonment) and administering the requisite sanctions. The sanctions must themselves also be deterrent enough. Thus, in the forestry sector the main deterrence tools are law enforcement, and application of sanctions that are deterrent.

3.3.1 Law enforcement tool

Law enforcement tools involve all activities and strategies geared towards minimizing or suppressing the likelihood of corruption and unacceptable forest practices occurring.

Below are examples of law enforcement strategies that could be applied in the forest sector to combat corruption and unacceptable practices.

Establish realistic (punitive) penalties:
Ideally, penalties should be commensurate with the offence committed. In addition, fines can be imposed as well. The Government also has the option of blacklisting companies that engage in corruption and unacceptable practices thus barring them from further government contracts. The nature of the crime and the penalties imposed can be widely publicized with the twin purpose of damaging the image of the perpetrator and informing honest operators of the dangers of doing business with the offending company. However, excessively harsh penalties may not work. Judges may be reluctant to impose penalties that they may perceive as disproportionate to the gravity of the offence. Two major challenges hampering the effective use of these tools are 1) the effectiveness of the judicial system, especially the prosecution, and 2) the ridiculously low sanctions provided for by law for many forest offences. In addition to attempts to get the sanctions revised, the FC is also taking steps to for its own staff (the lawyers) to lead prosecution of forest offences. These moves, together with attempts to help the judiciary appreciate the seriousness of some forest offences can go a long way in combating corruption and unacceptable forest practices.

Engagement of other law enforcement agencies:
Enforcement of the forest law requires deployment of force over vast geographical areas. The Police, CEPS and Military are being used in

taskforces in the particular case of curbing illegal chainsaw milling. Some of these operations take place in remote areas, and human rights may be abused, there must be adequate regulations in place to ensure accountability and use of force that is commensurate with the gravity of the situation. Deterrence by these forces may need to be independently verified in a transparent manner and in any case, it is generally advisable to separate institutions in charge of law enforcement activities from those having the responsibility for detection.

Provide technical and logistical support for law enforcement agencies:
In most instances law enforcement becomes ineffective due to small technicalities and logistics which are not always available for law enforcers to use. Support on how to preserve and identify forest related evidences will be essential for police and forest managers to aid in effective law enforcement. Provision of logistics such as cars, motor cycles and arms will also be necessary in assisting law enforcement agencies in their duties.

Who should be responsible for these strategies?
Law enforcement is the sole responsibility of government and law enforcement agencies. NGOs and CSOs can also support in logistics and technical support.

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APPENDICES

Appendix 1: Summary of Anti-Corruption tools for combating forest sector corruption

(Adapted from Transparency International Tool Kit and cited by Adam *et al*, 2007)

Toolkit	Description	Institutions Proposed For Action
Awareness Creation tool	This is to offer the general public specific information to raise awareness about corrupt practices in the forestry and timber trade in Ghana.	Forestry Commission (FC); Ghana Institute of Foresters (GIF); NGOs
• Create anti-corruption comic Book	Awareness about corruption in forestry and problems associated such would be created through a series of short plays or skits based on Ghanaian culture; anti-corruption exhibitions mounted at local trade and industrial fairs; information booth for landowners on both good forestry and their legal rights mounted at the offices of the regional house of chiefs cultural centres; and at the next international trade fair more booths mounted to promote business principles, integrity pacts, and other anti-corruption tools for the timber firms.	GIF, Environmental journalist Association (EJA), Integrity Initiative Ghana (IIG)
• Create anti-forest corruption advertisement	Anti-corruption forest comic booklets will be produced. The books will carry the messages "Don't pay bribes to police or foresters" and "Don't let people steal our trees!" Variety of means (including roadside signs, bumper stickers, posters, radio spots, and even television) to be applied in advertising to a broader audience the damaging effect of corruption	GIF; District Assembly (DAs), Forest Watch Ghana
• Draw attention to lost forest revenue	Estimate and publicize the amount of public money lost due to illegal logging and related corruption, and the rate at which losses occur. This will include loss of stumpage fees, tax revenues, and also loss of future income due to lack of forest management. Dramatize money fly away.	Forestry Research Institute of Ghana (FORIG), Forest Watch
• Educate journalists		

Activity	Description	Responsible
• Create a forest corruption risk map	"Educate-the-press sessions" will be held. Journalists will be invited to briefings on forest corruption. The briefings will be made at workshop organised at regional level in 5 forest administrative regions. The speakers will include activists, experts, and reform-minded officials. The briefings would be done "off-the-record" — with the journalists promising not to cover the briefing as a news event or to quote the speaker — to encourage more candid discussion. Creation of a risk map will involve the process of identifying, measuring, and grading the risks of corruption in the forest sector in particular parts of the country. Preliminary analysis and review will be carried out in workshops with government, business, and civil society participants. A final report with maps or tables showing the extent and identity and grades of corruption will be included, for example, the level of pressure for corrupt activities, the local resistance or openness to corruption, and the potential for ecological damage from corrupt activities.	Ghana FORIG/GIF/FC/FRNR, Forest Watch Ghana FORIG
Procurement tools • Put together concession manual • Create concession website	A Timber Utilization Contract (TUC) bidder's manual will be produced alongside the organisation of TUC workshops. These would guide enterprises large and small seeking to compete for TUC and would clarify the private parties' rights. The materials would describe the laws that apply to the process, the agencies that implement the laws, the fees involved, and the deadlines or typical time necessary for the agency to process requests. Creation of a website with information on advertised and active forest concessions. The website will include information useful to potential bidders, (promoting greater participation), and information that will allow the public to judge whether particular concessions have been awarded fairly and whether the terms of the concession are being adhered to.	FC, TROPENBOS International Ghana FC/GTMO , Validation of Legal Timber Project
Access to information tool	A multi-national anti-corruption- practices-in-the-forest-sector conference to be held. Transparency International national chapters, public officials, business leaders, and others will be assembled to discuss best practices.	GIF/Forest Stewardship Council (FSC)/ GII FC/FORIG/ National

• Encourage forest certification
• Programme to encourage forest whistleblowers
	Hold workshops to discuss constraints to the implementation of Forest certification Programmes.
	
	1) Document and track efforts at combating forest corruption. Where possible information will be provided on each effort's success and potential for dissemination;
	
	2) Establish a library of links to documents, articles, news reports, and other publications relevant to forest corruption.
	
	3) The Forestry Commission will be encouraged to create an Internet-based analytical clearinghouse for identifying best practices in the fight against forest corruption and illegal logging. This should include an informed outline of activities to:
	
	    - encourage forest certification
	    - encourage forest whistleblowers
	
	Whistleblowers will facilitate ongoing discussion among practitioners on forest corruption issues. A program to support whistleblowers and other agencies that regulate forest commerce in the forestry sector. The implementation of the whistleblower protection law could be monitored, and the government, encouraged to honour it. The program could offer confidential counselling to potential or actual whistleblowers. In cases where the government offers no protection to whistleblowers, it may be appropriate to offer to take anonymous complaints and have a mechanism for objective and discreet screening of these complaints to identify serious concerns.
		Certification Working Group (NCWG), FSC
		
		Forestry Commission
		
		Forestry Commission

Business ethic tool	Forestry Commission to be encouraged to sign a MOU with the timber industry that TUC bidders will not offer bribes and that public officials will not demand bribes. TI National Chapters and other nationally based NGOs may play a key role in monitoring and overseeing such a pact. Publicize the principles and assist businesses that wish to adopt them.	FC/ GTMO/GTA

• Conference on professional responsibility	The Ghana Institute of Foresters (GIF) will be encouraged to hold a national or regional conference or workshop on professional responsibility and ethics for foresters.	GIF
• Create model professional ethic codes for foresters	FC to encourage the development of an Integrity Pact (IP). This is a tool to discourage corruption in public contracting. The IP is enforced by ensuring maximum transparency at every stage of the process, a careful monitoring of the process by independent observers such as local NGOs, and the application of severe sanctions when violations occur. Civil society organizations TI National Chapters and other nationally based NGOs play a key role in monitoring and overseeing such a pact.	FC/GIF
	A forest sector IP could: a) increase accountability and transparency by enhancing publicity and access to information on logging concession awarding processes; b) create equity and efficiency in such processes; c) reduce the high costs of corruption to both governments and bidders, and counter distortion of the concession and timber market; d) provide a basis for further monitoring whether a company abides to rules and terms of the concession granted; e) facilitate and enhance sustainable timber harvest and sustainable forest management by strengthening environmentally responsible companies; and f) help the government to curb the evasion of concession and royalty payments that can be used for forest conservation, improving the quality of forest resources and development projects.	GIF/FC
	GIF to convene a committee of stakeholders to draft a set of model anti-corruption principles for businesses in the forest sector. Working with an organization such as the International Society of Tropical Foresters, GIF will draft a model code of professional behaviour for foresters in Ghana. The model code could either focus on corruption or it could be broader, dealing with other areas of social responsibility, such as environmental stewardship.	
Public institution tool	The FC should institute A "Medal of Merit" award with annual private awards to public employees, government offices, or citizens who helped reduce corruption or eliminate waste, fraud, or abuse of authority in the forest	FC

sector. A public nominating process with the creation of a panel of prominent citizens to judge the nominees and select the winners could raise the profile of the project and also give weight to the effort.	
• Document forest agency staffing and structure — Create and publish a complete organogram or roster of forest agency personnel, with contact information for senior officials. The organogram would illustrate the organization of the agency, explaining the roles of the various branches. It would also reveal exactly how many people worked in each branch, and at what rank. Revise the roster regularly to keep it accurate.	FC
Offer training for law enforcement officials on technical issues related to forest corruption. For example, customs agents could be trained in recognizing species of wood to help detect mislabelled shipments. Finding a pattern of such shipments could suggest illegality and perhaps corruption in the harvest of the wood. Police could be trained in investigating accounts to detect signs of fraud or abuse of power. Prosecutors could be trained in gathering and presenting evidence of corruption. Judges could be trained to understand the scientific issues that may arise in these cases (for example, the importance of protection of natural areas) to help them both decide the case and arrive at appropriate punishments for the guilty.	FC/NGOs
• Agency citizen workshops on corruption — Maintain and publish career biographies of past and present senior forest officials. Include information about training, past positions and family members who have connections to government or the forest sector. Organise workshops to discuss the extent of corruption in the forest sector and explore ways to combat it. People would meet with the understanding that the workshops would be forward-looking, not finger-pointing.	
• Create public stakeholder panel — Establish local stakeholder committees. The committee should comprise representatives of landowners, residents, small businesses, larger enterprises, NGOs, etc. to meet once a month, take citizen input on forest concerns, and report to the public on the functioning of the forestry agency.	Forestry Commission

Diagnostic tool		
Diagnostic tool		
• Create an outlet for citizen complaint	The FC should use its customer service unit to provide a safe channel for taking and compiling complaints from citizens about forest sector corruption. It should assist citizens in pursuing their complaints using existing governmental channels. Besides helping with specific complaints, the unit should give out general information on how to discourage corrupt activity. It should produce a periodic public report on the complaints received, analyzing their nature and frequency. Compare the rate of complaint in various districts of the commission.	Forestry Commission
• Document government performance on forest related tasks	A local organisation (e.g., e Forestry Research Institute of Ghana (FORIG) should be encouraged or empowered to gather, analyze, and publish data on government approval of routine forest-related activities. The activities would include land-related approvals, such as permission to harvest and transport logs, and trade-related approvals, such as permission to export or import forest products.	FORIG/ Forest Watch Ghana
• Collect statistics on forest law enforcement	Researchers should use public/business surveys to detect and publicize the presence of corruption in the forest sector. The survey could compare perceived corruption levels in different regions or subdivisions of the country. The data would allow comparison of similar processes in different offices and jurisdictions, or for similar kinds of approvals outside the forest sector.	FORIG/FRNR/ GII
	The survey could compare perceived levels of corruption in different arms of the FC (for example, Timber Industry Development Division versus FSD-traditional production forestry) or at different levels of the agency (forest guards versus junior forest officers versus senior forest officers).	
	GIF or FORIG could create a scorecard for forest law enforcement, compiling information on the numbers of arrests, prosecutions, convictions, and sentencing.	FORIG/GIF
	Compare jurisdictions or point out patterns of failure to prosecute cases fully.	

In this connection citizens may be asked about the honesty, efficiency, and quality of government forest management services. The survey may also cover other government services to forested populations, such as health care or water supply, to allow comparison of the forest bureaucracy with sister agencies, and it may draw geographical distinctions to allow comparison of services among forest districts. The survey can also collect information on how citizens use government services, what services citizens value most, and what new services citizens want. The results must be published in a report card format.

Appendix 2: Strategies Recommended By Stakeholders For Specific Unacceptable Practices

CATEGORY OF UNACCEPTABLE PRACTICES	SPECIFIC EXAMPLES	STRATEGIES	DESCRIPTION	ACTORS
	Illegal farming and extension of admitted farms	Clear boundary demarcation	Forest reserve boundaries and admitted farms should be clearly distinguished from adjoining forest by clearly defined boundaries.	• FSD • Traditional Authorities • Fringe communities
		Boundary cleaning	Boundaries of admitted and adjoining farms should be constantly cleaned to clearly delineate it from the forest reserve.	• FSD • Fringe communities • CRMC
	Illegal small-scale mining in forest reserves	Erecting notices at vantage points to scare-off perpetrators	Anti-mining bill boards and other notices could be erected at vantage points in and around mining prone forest reserves to scare-off potential encroachers and perpetrators	• FSD • Traditional Authorities • Fringe communities
		Involving traditional authorities in identifying and arresting illegal miners	Most of these illegal miners (*galamsey*) usually reside in communities, the chiefs could assist in preventive campaigns by blowing whistle on these people or by refusing them shelter in their villages	• Traditional Authorities • Fringe communities
Illegal occupation of forestlands		Joint preventive campaigns with the Minerals Commission.	The FSD and the minerals commission can coordinate to flash out illegal small-scale miners by making available licensed small scale miners.	• FSD • Minerals Commission
	Poaching in forest reserves	Publicize closed seasons	Closed hunting seasons should be widely publicized through radio announcements and public notices in the dailies for all hunters to know and observe accordingly.	• WD
		Encourage formation of CREMA's	The formation of CREMA's should be encouraged among communities that fringe game reserves and national parks.	• WD • Fringe Communities • Local NGO's • District Assembly
		Register hunters	All hunters with hunting permits should be registered and closely monitored by the WD to ensure conformity to gaming laws	• WD • Traditional Authorities • District Assembly
	Cattle grazing in	Enact and Enforce bye-	District Assemblies should be encouraged	• FSD/WD

			to enact the necessary bye-laws to check grazing in forest reserves	• District Assembly
forest reserves	laws	Erecting notices at vantage points to scare-off perpetrators	Bill boards and other notices could be erected at vantage points in and around forest reserves to scare-off potential encroachers and perpetrators	• FSD • Traditional Authorities • Fringe communities • District Assembly
	Illegal Commercial NTFP exploitation in forest reserves	Enact and Enforce bye-laws	District Assemblies and *Nananom* should be encouraged to enact the necessary bye-laws to check NTFP collection in forest reserves	• FSD • District Assembly • Traditional Authorities
	Burning forest reserve towards MTS allocation	Ensure equitable allocation of MTS plots to all communities	The FSD should ensure that all communities are allocated MTS plots to prevent them from intentionally setting fire to forest reserves to create degraded portions for MTS allocation	• FSD • Plantation supervisors
		Educate communities on the dangers of their actions	Extensive community by community education on the dangers of setting the forest reserve on fire should be done.	• FSD • CSO • GNFS
	Burning for expansion of admitted farms	Clear boundary demarcation	Forest reserve boundaries and admitted farms should be clearly distinguished from adjoining forest by clearly defined boundaries.	• FSD • Traditional Authorities • Fringe communities
Woodland arson		Establish green fire belts	Green fire belts should be established as boundary between admitted farms and adjourning Forest Reserves.	• RMSC • FSD • Fringe Communities
		Intensive educational campaigns on fire	Embark on community based educational campaign to sensitize people on the effects of fire	• FSD • CSO • GNFS
	Burning for fresh grass towards cattle grazing	Enact and enforce fire bye-laws	District Assemblies should be encouraged to enact the necessary bye-laws to check burning in forest reserves	• GNFS • DA • TA
	Bush burning for hunting and honey	Form, equip and motivate fire volunteers	Establish fire volunteer squads in fire prone communities. Provide the squad with equipments and proper motivation	• GNFS • DA • TA • CSO

Appendix 3: Manifestation Of Corruption In The Forest Sector

Forest sector corruption manifests in several forms; the key ones are discussed below:

Nepotism:
A form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend. Example in Practice: Untrained family members hired as forestry officials.

Fraud:
The act of intentionally deceiving someone in order to gain an unfair or illegal advantage. Example in Practice: Documents submitted with false information including changed volumes, areas of origin, species of timber harvested.

Bribery:
The offering, giving, receiving, or soliciting of something of value for the purpose of influencing the action of an official in the discharge of public or legal duty. Example in Practice: Forestry operators pay community leaders to allow logging of community land against the wishes of the community, with little collective benefit.

Extortion:
The act of using, either directly or indirectly, one's access to a position of power or knowledge to demand unmerited compensation as a result of coercive threats. Example in Practice: Forestry officials demand payment in return for not investigating suspected illegal timber operations.

Collusion:
A secret agreement between parties, in the public and/or private

sector, to conspire to commit actions aimed to deceive or commit fraud with the objective of illicit financial gain. The parties involved often are referred to as 'cartels'. Example in practice: Forestry officials and timber contractor teaming up to harvest unapproved concessions.

Embezzlement:
When a person holding office in an institution, organisation or company dishonestly and illegally appropriates, uses or traffics the funds and goods they have been entrusted with for personal enrichment or other activities. Example in practice: Spending of confiscated lumber proceeds by Forestry officials

Facilitation Payments:
A small bribe also called a 'facilitating', 'speed' or 'grease' payment; made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement. Example in practice: Timber companies paying forestry officials to hasten property mark renewal.