

THE FLEGT Newsletter

Third Edition December 2015



©NDF Ambassador William Hanna shaking hands with Nii Osah Mills in the Asenanyo forest reserve

EU Delegation head on FLEGT processes in Ghana

The head of the European Union Delegation to Ghana, Ambassador William Hanna, has toured selected forest areas in the Ashanti region of Ghana to have first-hand information on the status of development of Ghana's Legality Assurance System (GhLAS).

Ambassador Hanna's tour was also to clarify what remains to be done to pave way for the issuance of the Forest Law Enforcement Governance and Trade (FLEGT) licenses in Ghana.

The Executive Director of the Forest

Services Division (FSD), Mr. Raphael Yeboah disclosed to the Ambassador that though FLEGT licenses are yet to be issued in Ghana, compliance with legality procedures in the forestry sector are being adhered to and this is having a positive impact on the VPA processes.

He explained that one key component to facilitate the issuance of the license is the Wood Tracking System (WTS) which, he promised, will soon be ready.

"The wood tracking system is now in place and

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CFCs share lessons on Forest Protection



©NDF CFC members from Mbenai community sharing experiences of their stewardship

Seventeen Community Forest Committees (CFCs) formed in various communities around the Asenanyo and Numia forest reserves, have met in Kumasi to share some lessons and experiences gathered during their six months of service as watchdogs over the reserves.

The CFCs recounted that before their formation, the sound of chainsaw in the forest was the order of the day and not the concern of anyone. They said currently, their knowledge about the importance of the forest especially to generations unborn is

enough incentive to prohibit the menace, hence a rigorous fight against illegal chainsaw operations.

They confessed that through CFC, they have realized that communities also have a stake in every timber sold and this has led to the successful signing of Social Responsibility Agreements (SRA) between timber contractors and communities. A recent one was signed with Dotom community, they

cited.

They thanked NDF and NFFG for the enlightenment given them through various training funded by the European Union (EU).

"If you allow chainsaw operators to destroy our forest, you should know that the SRA projects such as boreholes, roofing sheets, schools etc. that the community will benefit from have been taken away by an individual" District Forest Manager of

Nkawie, Nana Bosompim cautioned CFC members.

Nana Bosompim advised that forest offenses are not limited to illegal chainsaw operations, but illicit mining, farming and burning of charcoal in the forest, equally forms part of forest illegalities.

The Ashanti Regional Manager of the Forestry Commission (FC), Mr. Oduro Barnie, was appreciative of the enthusiasm of the committee members and promised that the Forestry Commission would revive its internal support processes to ensure the sustenance of the CFCs.

Visit www.ndfwestafrica.org for more details.

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©NDF Cross-section of CFC members at the Lessons sharing workshop

Awareness on transparency and accountability gaps in Forest Governance Created



©FOE-GHANA Group picture of Media Practitioners after a training Workshop in Koforidua

Lack of awareness with respect to transparency and accountability in Ghana's forest governance constitute one of the major setbacks

for lawlessness in the forest sector. Usually, illegalities in the sector occur due to ignorance of the provisions of the law and the rationale behind them.

Public education and awareness focusing on the implementation of Ghana's Forest Law

Enforcement Governance and Trade and the Voluntary Partnership Agreement (FLEGT/VPA) and Ghana's forest laws and policies is therefore considered a critical intervention point to address this need.

In this regard, media practitioners were selected from various radio stations, television stations and print media and groomed on how to effectively communicate issues relating to FLEGT/VPA with regards to transparency and accountability in the forestry sector.

The training also aimed at increasing media capacity in circulating the right information to stakeholders and raising the needed awareness on the governance of Ghana's Forestry sector.

Organisers of the training, Friends of the Earth-Ghana, were expectant that in the medium to long term, the Ghanaian media through the capacity building will increase public awareness on the measures to be taken in the sector to improve transparency and good forest governance.

For more information, visit: <http://flegtinfo.org> and <http://foe-ghana.org>

Contributed by: Friends of the Earth Ghana

Forest Communities empowered to intensify watchdog role

Communities on the forest fringes have been encouraged to intensify their watchdog role in protecting the forest as they play a major part in its monitoring.

In an interview at New Edubiase, Mr. Emmanuel Owusu Nkwantabisa, the New Edubiase District Forest Manager of the Forestry Commission, said protecting the forest is not the sole responsibility of the Forestry Commission but more especially people living around the reserve.

He said though communities have helped tremendously in reducing illegal forest activities in the district, more needs to be done to decrease the criminalities to the barest minimum, assuring Community Forest Committees (CFCs) in his district that any successful effort in guarding the reserve from illegal chainsaw operators shall not go unrewarded.

Mr. Nkwantabisa charged informants who call the Forestry Commission to report cases of illegalities not to be afraid to come forward. "Even if the person pleads for anonymity we

would accept but will use the initial complaint to investigate to the bottom of the issue" he added.

He urged members of the CFC to confidently stop and question the destination of any truck carrying timber from the forest without fright.

He also advised that in cases where members are in doubt of the legitimacy and final destination of a truck of timber due to the presence of a forest officer in the vehicle, a follow-up to the office for proper verification would be useful.

Visit www.ndfwestafrica.org for more details.

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©NDF Emmanuel Nkwantabisa, District Manager, New Edubiase, Forestry Commission

CSOs secure seat at FLEGT/VPA negotiation table



©CR Civic Response

A more definite success of FLEGT-VPA in Ghana is the opening up of the political space for Civil Society Organisation (CSO) participation in the governance and management of forest resources in Ghana.

The period prior to the FLEGT-VPA was marked by irregular and cold engagements between CSOs and the Forestry Commission of Ghana. Bringing these odd ends to the table to constructively dialogue to improve sector governance, has become possible through the VPA which made stakeholder participation a requirement.

Ghanaian CSOs used the leverage provided by the FLEGT-VPA to secure two seats for civil society at the negotiation table. As a

result, CSOs had direct access to the negotiation process and contributed ideas to the various working groups. Through the VPA negotiations the value that CSOs brought to the national process became more evident. Timber industry groups, particularly the less powerful ones in the informal sector made the participation of CSOs very useful. This made Stakeholder participation in VPA dialogues more or less institutionalized.

So far, CSOs have improved their understanding of aspects of forest governance previously regarded as technical and has played effective roles at various stages of the VPA, particularly in the development of the Legality Assurance System (LAS).

Through various funding initiatives including those by the EU, FAO, ITTO and DFID which support CSO capacity building, there is a remarkably increased number of forest campaigners who have been trained in quality management systems

and the audit of chain-of-custody systems for forest products. With this enhanced capacity, CSOs have been positioned to effectively engage in independent forest monitoring of compliance with legality requirements and other forest governance indicators.

As a result of this enhanced capacity, the Forestry Commission of Ghana is partnering several NGOs on a number of projects to advance Ghana's readiness for FLEGT implementation.

Source: Civic Response (A compilation by civil society organisations working on forest governance in Ghana)



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©FOE-GHANA Community Forest forum in HO forest District

Local Communities in Volta Region willing to collaborate on Forest Management

Some local communities in the Volta Region have expressed their willingness to collaborate with the

Forestry Commission (FC) in implementing local management mechanisms like green fire belts to protect their remnant forest

resources.

At various community forums in the Ho and Hohoe Municipalities organized by Friends of the Earth-Ghana and the Accelerated Rural Development Organisation (ARDO), the communities indicated that they wanted to establish plantations to help provide wood for local use and therefore appealed to the Forestry Commission to allocate to them portions of the forest reserves for farming.

On the other hand, they registered their dissatisfaction at the negotiation and fulfilment of Social Responsibility Agreements, demonstrating their resentment with regards to the payment of compensation when forest resources are exploited.

It was also observed during the forums that though bush fires remained an annual foreseen disaster destroying forest reserves as well as croplands of local communities, the affected communities are unable to do much to prevent them. They expressed interest in establishing fire-volunteer groups with support from the National Fire Service to prevent the annual bush fires especially in the Togo plateau Forest Reserve.

It is essential that forestry conflicts relating to tree tenure, land boundaries, and benefit sharing especially compensation payments and social responsibility agreement benefits must be taken a second look at as it will empower communities to effectively contribute to good forest governance and management. For more information,

visit: <http://flegtinfo.org> and
<http://foe-ghana.org>

Contributed by: Friends of the Earth Ghana

EU Delegation head on FLEGT

<<< Continued from front page

being piloted but the only thing left is a full scale test and the resolution of some few challenges associated with the process then the FLEGT licence can be issued in Ghana" Director of the Resource Management Support Centre (RMSC), Mr. Edward Obiaw revealed.

The Ambassador extended his tour to Kansakrom, a forest fringe community being trained on forest conservation by NDF in collaboration with the National Forestry Forum- Ghana (NFFG), to assess their contributions in sustaining the forest. Community members expressed confidence that their monitoring has drastically reduced the activities of illegal chainsaw operators along the forest range of their community, though not totally eradicated. Ambassador

William Hanna, applauded committee members for their unpaid services in guarding the forest. He assured them that the EU is interested in working with Ghana to preserve the forest for future generations.

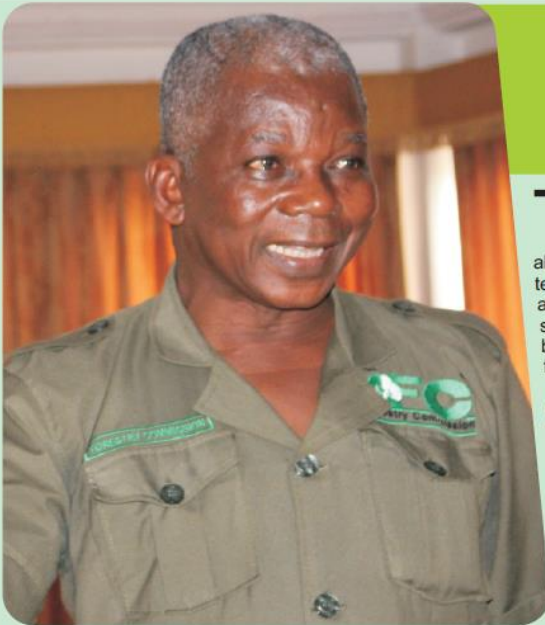
The Ambassador was in the company of the Minister for Lands and Natural Resources, Nii Osah Mills, staff of the Forestry Commission of Ghana and some EU officials.

www.ndfwestafrica.org

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©NDF Ambassador William Hanna and his entourage being briefed on the Wood Tracking System (WTS)



©NDF Cletus Nateg (Operations Director, Wildlife Division, FC)

Exporters Warned Against Mislabelling *Pericopsis elata*

Timber Exporters who mislabel wood from "Kokrodua" also known in scientific terms as *Pericopsis elata* and other CITES listed species for export have been warned to desist from the act.

Operations Director of the Wildlife Division of the Forestry Commission, Mr. Cletus Nateg said, "there is no economic incentive in doing that as the system can easily catch up with such exporters".

He explained that

"there are other experts at the destinations in the west who crosscheck and when they discover that you have a CITES listed species which has been misdescribed, you are going to lose the whole consignment". "Even if they beat the system here they will not beat it out there" he added.

Mr. Nateg made the remark at an inception workshop on the project, "Improving sustainable *Pericopsis elata* conservation and trade regulation in Ghana" funded by the International Tropical Timber Organization (ITTO).

In an interview, the Ashanti Regional Production Manager of the Resource Management Support Centre (RMSC) Mr. Kofi Afum-Baffoe, emphasized that any wood from *Pericopsis elata* found on the domestic market is from illegal source.

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Stakeholders schooled on SRA negotiations

Social Responsibility Agreement (SRA) is one significant tool in timber harvesting operations. It is the only agreement that ensures that forest fringe communities have a fair share of proceeds that accrue from any yield harvested. In essence, the SRA is regarded as an effective conflict resolution mechanism among timber companies and forest communities.

As a result, the New Edubiase forest district engaged community leaders, accredited timber companies and other stakeholders within the district to educate them on the need for SRAs and provide them with the requisite skills to effectively participate in its negotiations.

According to the Ashanti regional Manager of the Forestry Commission, Mr. Alex Oduro-Barnie, SRA is an agreement between the winner of Timber Utilization Contract (TUC) bid and the community on whose land the TUC holder would be working. He said per the agreement, 5% of the total value of the annual stumpage fee from the harvested timber goes to the community and this gives them an equitable share of proceeds from the harvested timber - a law explicitly stated

.....monitoring of SRA between timber companies and communities should as well involve community representatives.....



©NDF Oduro Barnie, Ashanti Regional Manager, FC



©NDF

in the Forest and Wildlife Policy of Ghana.

Mr Oduro-Barnie cautioned timber companies who saw themselves as owners of the forest on winning TUC bid, to accord respect for the cultural norms and values (taboo days and sacred grooves) of the communities and not to trample on their rights; reminding them of the code of conducts that governs SRAs.

He emphasised that decision making should always start at the

community level and monitoring of SRA between timber companies and communities should as well involve community representatives.

In his appreciation, the District Manager, Mr. Emmanuel Nkwantabisa, reiterated the need for collaboration in the protection and sustainable management of the forest resources.

Source: New Edubiase Forest District

Legal timber trade with EU; big business for SMEs in Cameroon



©EU Cameroonian SME Delegates meeting

For small and medium enterprises in Cameroon's forest sector, trade with the vast EU market is a prized target.

But small companies often face big

challenges. Growing market demands for assurances that timber and timber products are legal mean such companies must adapt.

New partnerships between the EU and Cameroon are therefore helping ensure that trade can not only tackle illegal logging but also drive sustainable development. For small businesses, legality can be the key that unlocks the EU market and enables them to modernise and grow.

EU importers have shown interest in buying timber provided by small and medium enterprises (SMEs), but they need to understand how SMEs work and what products they can provide. Increased

communication between the two groups could lead to new business deals.

To encourage stronger links, small and medium enterprises in Cameroon visited Brussels to meet EU representatives, enforcement agencies and EU timber importers and processors.

The meeting was part of a years-long process through which the EU and Cameroon are cooperating to eliminate illegal logging.

Click www.euflegt.efi.int/eu-flegt-evaluation for further details.

Resurgence in global wood production



©FAO Villagers milling lumber for eventual manufacture of wood products

Global production of all major wood products is showing its largest growth since the global economic downturn of 2008-2009.

In 2014, growth in wood products, including industrial round wood, sawn wood, wood-based panels and pulp and paper, ranged from 1 to 5 percent, surpassing the pre-recession levels of 2007, new data published by FAO in December 2015 revealed. The fastest growth was registered in Asia-Pacific and Latin America and Caribbean.

According to the head of the FAO's Forest Economics and Statistics Team, Thais Linhares-Juvenal, "Wood industries were among the hardest hit by the recent global economic downturn in 2008-2009. We are seeing now the highest growth of the global wood industries in the last five years, which is important to national economies and the wellbeing and livelihoods of millions of forest-dependant people worldwide".

FAO publishes the Statistical Yearbook of Forest Products on annual basis. It aims to provide countries with information and tools to assess the contribution of the forest products industry to global and national economies and sustainable development, and to improve their forest management and forestry policies. www.fao.org

EU & Liberia tackle illegal logging by improving Forest Governance



Rivercess, the eighth largest county in Liberia, is a paradox. The area is rich with forests, fish, gold and promise, but its people are still desperately poor.

Local resident Matthew T. Walley, is President of the National Union of Community Forest Development Committees. He said over the past century, corrupt leaders and warlords have overseen logging of huge areas, often kicking communities off their land. Now, thanks to the hard work of civil society and an EU action plan to end illegal logging, people are finally beginning to benefit from the land they depend on.

A couple of decades ago this would have been unthinkable. Liberia was engulfed in a nightmarish civil war, sustained largely by the sale of illegally logged timber. In 2003, the UN Security Council aimed to cut the flow of money by imposing sanctions on all timber

exports. The sanction ended in 2006 when the Government of Liberia began to improve the forest sector with a new Forestry Reform Law.

The law says the government should give forest communities 30% of the land rental fees that timber companies pay to log in state concessions. But Mr Walley had little confidence the communities would receive the agreed share.

"It's difficult to get change in this country," he explained. "There are a lot of obstacles. People are still fighting. Investors and people in high places [are] suppressing opportunities, so that forest benefits are not filtering down to the common man."

Between 2008 and 2014, the communities had received none of the US\$1.9 million they were owed.

Yet the problems have begun to lessen. Thanks in part to a Voluntary Partnership Agreement (VPA) between the EU and Liberia.

Read full article on www.euflegt.efi.int/

Source: EU FLEGT Facility



The blame game continues...



©FOE-GHANA

Community Forest Forum in Oda Forest District, Ashanti Region

Ghana has experienced an alarming rate of deforestation in recent years due to activities including logging, conversion of forest into agricultural lands, illegal chainsaw lumbering and mining operations. The effect is so enormous that efforts to curb it have yielded minimal results due to ad hoc measures and strategies being used over the years.

Measures such as collaborative forest management which saw the establishment of community forest committees have not achieved the needed outcomes owing to the abuse of power in some communities. The enforcement of forest legislation has also not been very effective and has made the fight

against deforestation challenging.

In an effort to find solution to the illegal logging menace to halt deforestation, Friends of the Earth-Ghana (FoE-Ghana), held over 50 community forest forums across six regions in Ghana to discuss and find collective solutions to forest management problems in Ghana. This is part of activities of the Enforcement and Governance for Sustainable Forest Management project which aims at improving forest governance in Ghana. Some of the communities were Awuransua, Kadewaso, Kumanini, Mofram, Alavanyo, Abehenase, Numereso, Abuakwa and Chini.

Throughout these forums, a major issue that emerged was the blaming of the Forest Services Division (FSD) by the communities for the deforestation and illegal forest operations and vice versa. This has been the experience in almost all the forest districts and communities visited since 2014 to date. Community members often claim that FSD officials are conniving with illegal operators to commit the crime, and that they do not enforce laws or monitor the forest frequently. Community members normally mention that they feel reluctant to report illegal activities because they are often betrayed by FSD officials as well as failing to prosecute offenders.

The FSD on the other hand claim that communities shield, accommodate and aid illegal operators in their operations and sometimes resist the arrest of such people. This according to them always hinders their fight against illegal forest activities and deforestation.

This blame game is obviously not a healthy situation now, when collective and collaborative actions and decisions are needed for solving the illegal logging and lumbering menace in Ghana. A reduced level in illegal forest operations would lead to a reduced level of deforestation. Much will be achieved if the blame game is stopped and all hands are put on deck to fight illegal forest operations before it becomes too late.

For more information, visit: <http://flegtinfo.org> and <http://foe-ghana.org>

Contributed by: Friends of the Earth-Ghana

Exporters Warned Against Mislabelling *Pericopsis elata*

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"In the last 10 years we have not officially earmarked any *Pericopsis elata* species for exploitation so whatever people will see in the market are the leakages" he said.

He recounted that as it stands now, for sustainable harvest level of the species on the local market, one can only take a stem per annum for the entire country.

The Director of Nature and Development Foundation (implementers of the project), Mr. Mustapha Seidu, explained that though *Pericopsis elata* is a restricted species, "it is not illegal for anybody to harvest or export once you have a CITES certificate".

He said the last data collected on the species was 15 years ago. According to Mr. Seidu, there is the need to investigate whether it is still in existence and further update information on its market availability.

Mr. Seidu added that "even if it is being traded on the local market we want to find out what measure can be put in place to ensure that its continuous trade does not threaten its existence in Ghana".

CITES an international agreement between governments to ensure that international trade in specimens of wild animals and plants do not threaten their survival or are not over exploited and *Pericopsis elata* is one of such species.

www.ndfwestafrica.org

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Nature & Development Foundation



©NDF Pericopsis elata — "Kokrodus"

HURDLES HINDERING PROGRESS
OF FLEGT/VPA IMPLEMENTATION

Civil Society Organisations (CSOs) have identified four major hurdles that impede the implementation of the 2009 trade agreement with the EU that aimed at ensuring that timber exported from Ghana and traded on its domestic market is legal.

After a two day Legal Working Group (LWG) meeting in Accra, a letter was sent to the Ministry of Lands and Natural Resources on CSO positions. This is summarized as follows:

Hurdle I: 'Special Permits'

•CSO reaffirms the view that section 20(2) of the TRMA provides insufficient legal grounds to issue a type of permit not mentioned in the substantive part of the Act and that any grant of timber right is subject to Parliamentary ratification, should include Responsibility Agreements (SRA) provide for the payment of Rights Fees (TRF). If the Ministry would hold a different opinion on whether this section provides sufficient legal ground for 'special permit' that the opinion of the Attorney General be sought to give clarity on the issue as has been done with the conversion of leases.

•Any existing special permits need to be converted to be recognized as legal source of wood under the Voluntary Partnership Agreement (VPA).

•CSOs hold the position that logging permits are a creature of legislation and not an administrative process. Therefore, if the guidelines seek to provide the power and limits for the Minister to grant such permits they should be included in the Timber Resources Management Act (TRMA) and that proposal to put the guidelines in Manuals of Procedure (MoP) not satisfy the requirement of making the guidelines a creature of law.

•CSOs are not against the issuance of small scale timber permits by the Minister. However, of the view that such issuance of small scale permits to grant rights in natural resources must conform to the Constitution and existing legislation.

Hurdle II: Non-Converted Leases

•CSO reaffirms their position that old leases should be converted to Timber Contracts (TUC) a matter of urgency. Such conversion should respect key characteristics of TUCs such as the conclusion of SRA, the payment of TRF and the ratification by Parliament

•Though yet to receive an official copy of the Attorney General advice, they support his recommendation to take immediate actions to convert the existing leases to TUCs as required through mobilise support for the Forestry Commission (FC) implement this.

•Further more a copy of the opinion of the Attorney General on this issue.

Hurdle III: Progress in the development of Management Plans.

•CSOs and commends with the FC to develop a number of forest reserve management plans.

•They commenced efforts to try and mobilize resources to support the FC to undertake some consultations on some of the management plans being developed.

•CSOs will information on the process and other relevant data to know how effectively assist the process.

Hurdle IV Integrating a checklist for SRA legal compliance in the legal timber verification protocols.

©CE Participants contributing at the last LWG meeting in 2015

•CSOs the position that all commercial logging permits require an SRA. FC for taking internal steps to improve documentation and monitoring of compliance with the SRA requirements.

•They acknowledge and commend the collaboration with the Resource develop a checklist to verify compliance with the legal requirement of SRA. of the view that the developed checklist should be integrated into the FC-TVD verification protocols ready to re-engage the FC-TVD on this issue to make the necessary modifications to make the checklist fit into the tenor of the protocols

The LWG meeting was facilitated by Taylor Crabbe initiative with support from ClientEarth and funded by <http://www.clientearth.org/ghana>

Contributed by: ClientEarth

Please send your Articles, Stories and Contributions to steteh@ndwestafrica.org to feature in subsequent editions

ABOUT NDF

The Nature & Development Foundation (NDF) was legally established in November 2013 in Ghana. It was born out of the long presence of WWF in Ghana and

across the West African region as a non-profit organization, limited by guarantee.

The foundation has a mission to help build a society in which human development and nature conservation complement each other. It also believes that, ways exist to balance the needs of development with sustainable land uses that do not threaten forest biodiversity and forest dependent livelihoods of the region.

NDF understands that it must not limit itself to working only with those in the forest industries itself, but must engage more widely in multiple sectors and processes if it is to achieve its mission.

Though currently active in Ghana, it aims to increase its activities in Cote d'Ivoire and Liberia in the future. For more information visit www.ndwestafrica.org Or call TEL: +233-302-518-710

ABOUT ClientEarth

"ClientEarth is a public interest environmental law organisation, founded in 2007. Their work combines legal

approaches with scientific and policy analysis to create practical solutions to the most pressing environmental problems (www.clientearth.org).

ClientEarth's Climate & Forests programme works to influence the development, implementation and enforcement of legal frameworks and policies. They seek to improve the operation and effectiveness of law in the EU and in non-EU focus countries with a view to minimising the impacts of agriculture, extractive industries and illegal logging on forests. They focus both on the substance and procedure of laws so that they become effective and equitable mechanisms to protect forests. Improved use and management of forests can contribute to a reduction in inequality and to tackling poverty, particularly for forest dependent communities.

Since 2012, ClientEarth has been working with national lawyers in Ghana, Gabon and the Republic of Congo to empower civil society organisations (CSOs) for them to take part in processes of law reform and implementation. Voluntary Partnership Agreements (VPAs) contribute to those processes and are therefore been an integral part of the focus of their work in country. This body of work is by the UK government under a DFID-FGMC (Forest Governance, Markets and Climate) grant."

ABOUT FOE-GHANA

FoE-Ghana is a member of Friends of the Earth International, a federation of 76 autonomous environmental organizations from all over the world.

Our vision is that Ghana should become an ecologically and economically sustainable society based on equitable distribution of resources to both men and women and the highest achievable standard of living for all. We promote solutions that will help to create environmentally sustainable and socially just societies.

Our mission is to work with others to build a movement for environmental change that spans from local to global levels. Our core activities cover natural resource management, policy and legislation issues including forest and biodiversity conservation, climate change mitigation and adaptation, sustainable land management, extractive sector advocacy, watershed conservation management, livelihoods support and women and youth empowerment.

We have a membership of about 15,000 people and over 2000 volunteers. Visit www.foe-ghana.org for more details. Or call TEL: + 233-302-544-257 or +233-302-512-312.

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