

Ghana's Land Tenure and Benefit Sharing Approaches and their Implications for Forest Fringe Communities under the REDD+ Scheme

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Abstract

*Ghana is on track for implementation of a national REDD+ scheme, the incentive based mechanism that seeks to **Reduce Emissions from Deforestation and Forest Degradation** and also (+) enhances forest carbon stocks through sustainable forest management in developing countries. This study is based on a review of literature and interviews with key informants. The concepts utilised for this exploratory study were based on issues regarding the implications of land tenure and benefit sharing for forest fringe communities under the REDD+ scheme.*

The findings of the research indicate that Ghana's current statutory provision do not generally recognise the rights of forest fringe communities in the management of forest resources. However, under the REDD+ scheme preparatory process, Ghana has engaged forest fringe communities as key stakeholders for the scheme in general and for specific components such as the development of a benefit sharing framework for the scheme.

This paper suggests that the participatory approach adopted in the REDD+ readiness phase of Ghana could build genuine support from forest fringe communities if there is strong political will to initiate reforms in the forestry sector that will legally recognise the rights of forest fringe communities and thereby make these communities shareholders of the scheme.

1 INTRODUCTION

The REDD+ scheme covers climate change mitigation activities in the forestry sector through **Reduction** of greenhouse gas **Emissions** from reduced **Deforestation** and forest **Degradation** as well as (+) conservation and enhancement of forest carbon stocks and sustainable forest management (UNFCCC 2011 (Paragraph 70, decision 1/ CP. 16)). The net loss of forests globally occurs predominantly from deforestation in developing countries (FAO 2010a). Consequently, the REDD+ scheme has been conceptualised and operationalized as a scheme that results in the North-South flow of funds to incentivise the requisite sustainable forest management strategies in developing countries (UN 2012; Streck 2008).

The scope of this research is to explore the implications of land tenure and benefit sharing approaches on the REDD+ scheme in Ghana. Land tenure will be used in this paper to depict the property rights tied to land and its resources (including forests) (Bruce et al 2010, p. 3). Strengthening and clarifying property rights are crucial to ensure that the REDD+ scheme is equitable and not conceived as an attempt to marginalise or dispossess lands and forests from less powerful stakeholders. An effective benefit sharing approach is also a requirement to ensure that commensurate incentives are provided to essential actors to build legitimacy for the scheme. The two themes of the research will be addressed in relation to their implications for forest fringe communities in Ghana.

Forest fringe communities will be utilised in this paper to depict rural settlements in Ghana that are located close to forested areas and whose livelihoods primarily relies on their access to forests and forest resources (Lartey 2009; Marfo et al 2012). The terms forest fringe communities and local communities may be used interchangeably in this paper. Eliasch (2008, p. 9) points out that communities that live close to forests are more likely to be poor and are often politically and economically marginalised.

The REDD+ scheme in Ghana is in its early stage of evolution and there have not been much research on the impact of the scheme on forest fringe communities. The available research on benefit sharing, tenure issues and the REDD+ scheme in Ghana tend to have a broader scope. For example, Marfo et al (2012) focussed on problems with land tenure in Ghana under all climate change mitigation schemes. Also, Hansen et al (2009) only generally mentioned tenure and benefit sharing issues as significant challenges in rolling out the REDD scheme. This study will therefore contribute to the REDD+ literature by addressing specific tenure and benefit sharing issues that have implications for addressing equity under the REDD+ scheme.

1.1 Research Question and Objectives

1.1.1 Research Question

The research question for this paper is as follows:

How should a national REDD+ scheme for Ghana be designed to maximise benefits to forest fringe communities?

1.1.2 Research Objectives

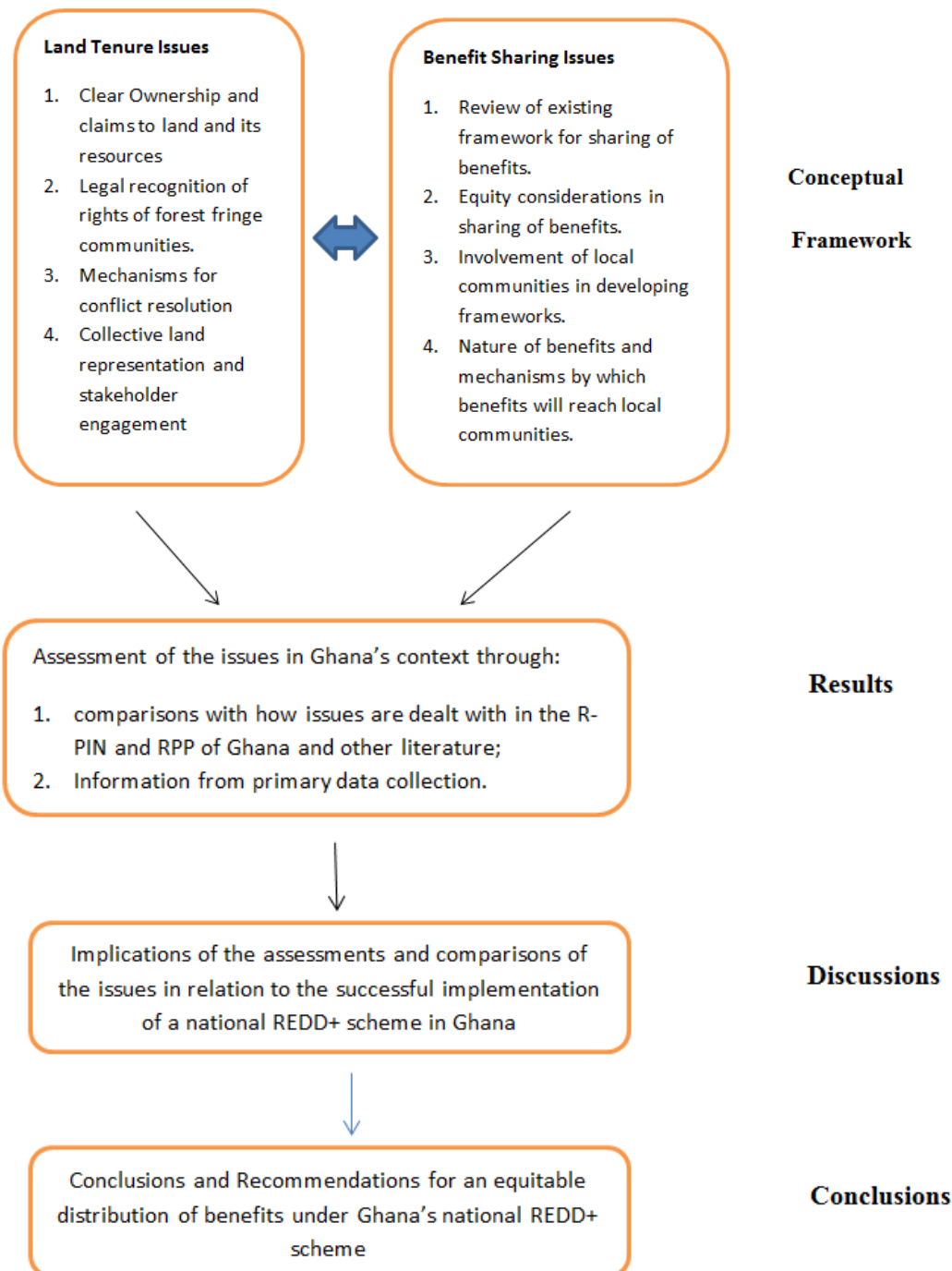
Based on the research scope and question, the specific objectives addressed include:

1. Exploration of the underlying tenure/ benefit sharing issues that have implications for equity under the REDD+ scheme.
2. Assessment of proposed and existing benefit sharing frameworks in the forest sector in terms of how they address equity from the perspective of forest fringe communities.
3. Analysis of land tenure issues in Ghana and their implications for equitable share of benefits under the REDD+ scheme.

2 CONCEPTUAL FRAMEWORK

As recommended by Rocco & Plakhotnik (2009), the conceptual framework utilised for this study consists of theoretical and empirical work related to the exploratory basis of the study. The conceptual framework and its significance for the research is presented in Figure 1 and discussed below.

Figure 1: Conceptual Framework for paper



2.1 Land tenure Issues

The REDD+ literature (see Hatcher (2009); Larson et al (2012); Sunderlin et al (2009); and Sunderlin et al (2008)) presents some key tenure issues that have implications for the REDD+ scheme in general and addressing equity from the perspective of forest fringe communities in particular. Four of these issues were explored in this paper:

1. Clarification of ownership and claims to land and forest resources

As previously noted, forest fringe communities tend to be less powerful stakeholders. Consequently, in situations where claims to land and forest resources are unclear, more powerful stakeholders such as governments and merchants are likely to control the land and its resources and thereby siphon benefits that are due to local communities from the forest resources (Cotula & Mayers (2009); Veit et al (2012); Sunderlin et al (2009)).

2. Legal Recognition of the Rights of forest fringe communities

Recognising rights refers to the legal acknowledgement of the historical and customary rights that communities have in the management of forest resources (Hatcher 2009). Aside the moral argument of including people who depend directly on the forests for their livelihood under the REDD+ scheme, there is also a likelihood that if the rights of forest fringe communities to forests are not legally recognised they may find ways of thwarting the success of the carbon sequestration scheme (Sunderlin et al 2008, p. 29).

3. Establishment of a mechanism for conflict resolution

Legally recognising rights should go in tandem with improved enforcement and monitoring of the legal reforms of a country (Hatcher 2009). One important factor that has to be considered in clarifying land tenure issues is therefore the development of a trusted and fair framework for resolution of disputes (Sunderlin et al 2009).

4. Collective land representation

Administering an effectual land tenure regime means that all stakeholders with rights to the forest should be represented in decisions that are made concerning the land and its resources (Larson et al 2012).

2.2 Benefit Sharing Issues

The suggestions and recommendations provided by Williams and Davis (2012); Luttrell et al (2012) and the IUCN (2009) are utilised in this research to assess the existence of an equitable framework for distribution of benefits under the REDD+ scheme in Ghana.

1. Review of Existing Framework for Sharing of Benefits

The REDD+ scheme does not represent a novelty in sharing of benefits from forest resources. Consequently, an assessment of the successes and challenges of previous benefit sharing frameworks in the forestry sector will be helpful in designing an equitable framework under the REDD+ scheme (Williams & Davis 2012; Cotula & Mayers 2009).

2. Equity Consideration

The equity criterion for distribution of benefits pays attention to the rights of actors to benefit from the REDD+ scheme and ensuring fairness in the distribution of the benefits. Luttrell et al (2012, pp. 143 - 148) provide a list of four equity related discourses which are presented in relation to their significance to forest fringe communities in Appendix 2 of this paper.

3. Involvement of Local Communities

Involvement of local communities in the design of REDD+ benefit sharing schemes could be enhanced through tenure reform, building a consultative approach into the design of the

scheme, strengthening local governance with REDD+ funding and aligning REDD+ with other pro-poor development strategies (Peskett 2010, p. 26).

4. Nature and Delivery of benefits

The benefits of REDD+ could be direct or indirect. These benefits could also be disaggregated into monetary and non-monetary benefits (Shames et al 2012). The IUCN asserts that well-functioning benefit sharing framework should have a trusted and transparent framework for delivery of the benefits (IUCN 2009, p. 7).

3 MATERIALS AND METHODS

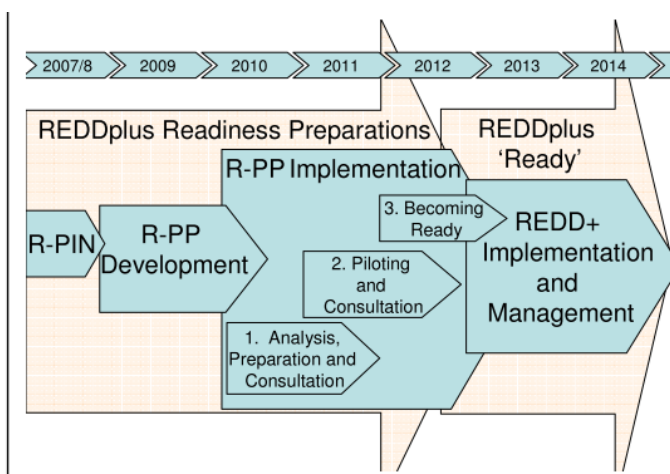
3.1 Study area

Ghana is located in West Africa and lies between longitudes 0⁰ and 3⁰ west and latitudes 5⁰ and 11⁰ north. The forest cover of Ghana is estimated at about five million hectares which represents 21 per cent of Ghana’s total land area (FAO 2010b). Ghana’s deforestation rates stood at about two per cent per annum between 2005 and 2010 (FAO 2010b). The forestry sector accounted for approximately 25 per cent of Ghana’s greenhouse gas emissions of 23.9 MtCO₂e in 2006 (Ghana 2011, p. 68).

About 2 million people mainly from forest fringe communities directly depend on forests for subsistence uses and to enhance their traditional and customary lifestyles (Domson & Vlosky 2007). These uses are direct, for example provision of food and raw materials for building, and indirect through ecosystem services such as enrichment of soil and protection of watersheds (Osei-Tutu et al 2010).

The advancement towards REDD+ implementation in Ghana has been divided into two core phases: the REDD+ Readiness Preparation Phase and the REDD+ Implementation and Management Phase (Figure 2). Ghana has a set a deadline of early 2013 for completion of the readiness phase and consequent commencement of the implementation phase (Forestry Commission 2010). The implementation phase will involve results-based actions with a full Monitoring/ Measurement Reporting and Verification (MRV) framework (FCPF 2012).

Figure 2: Ghana's Progression towards REDD+ Readiness



Source: Forestry Commission (2010).

3.2 Research Phases and Methods

This research employed a qualitative approach which sought and analysed primary and relevant secondary data. The research was undertaken between June and November, 2012. Targeted sampling was utilised to recruit informants for the primary data collection phase of the study. The collection of data from the targeted stakeholders was done via semi-structured interviews through telephone (and video) conversations; and submission of structured survey questions via e-mail. A list of the survey questions designed for collection of primary data and the names of the ten key informants contacted are attached in Appendix 1 of this paper.

Data analysis was undertaken through organisation of the data, categorisation of information received, and description and interpretation of the emerging themes as recommended by Creswell (2003, p. 191 – 195).

During the primary data collection phase, the researcher provided assurances of confidentiality and secure storage of responses to all respondents whereas follow ups were made in situations where further clarification was needed for the answers provided. These processes ensured that biases associated with utilising telephone and e-mail surveys, such as the low likelihood of communication of sensitive information, were minimised.

4 RESULTS

4.1 Land tenure issues under The REDD+ scheme In Ghana

4.1.1 Land and Forest Ownership

Ghana's lands may be classified into customary and public lands. Customary ownership accounts for about 80 per cent of land holding in Ghana and is characterised by communal ownership where land is held in trust of the entire community by the head of the community usually designated as the traditional authority or stool (or skin) land owner (MLF 2003). The remaining 20 per cent of lands in Ghana are fully owned by the State through constitutional or statutory intervention (MLF 2003).

Naturally occurring forests in Ghana are normally managed as resources on vested lands where the State has management rights whereas customary owners usually retain ownership of the lands and its resources under a pluralistic legal regime. However, for non-State plantations and communal forests outside forest reserves, management is undertaken by the respective owners of the resources.

There are 86 statutory legal instruments on the administration of land in Ghana. These statutory instruments operate alongside a number of customary laws creating a conflicting and an overlapping legal pluralistic regime (MLF 2003, p. 14). Additionally and as noted by the representative from the Office of the Administrator of Stool Lands interviewed as part of this research, some land owning communities in Ghana perceive land and the resources on it as sacred assets that were handed over from generations to generations through battles and conquests and should therefore not be subject to modernised law, statutory or customary, but should be a cherished asset that are to be defended fiercely by fringe communities and passed on to future generations.

4.1.2 Legal Recognition of Rights of Communities

Although forest fringe communities are credited with ensuring the sustainable management of forest resources in Ghana prior to colonisation (IUCN 1996); the colonisation and post-colonisation years ushered in a period of marginalisation and gradual depletion of all legal rights to forest resources of fringe communities through statutory intervention such as forest reservation and forcible State acquisition and control of land and forest resources (Appiah 2009; Kotey et al 1998).

4.1.3 Mechanism for Conflict Resolution

The legal instrument that prescribes the mechanism for resolution of conflicts emanating from claims to land from a forest management perspective in Ghana is the Timber Resources Management Regulations, 1998 (LI 1649). This legal instrument recommends that if conflicting claims and rights to land and forest resources are made, the matter should be referred to the Forest Services Division who will constitute a four-member committee for examination of the issues (Forestry Commission 1998). The committee members include two representatives from the relevant State's District Assembly and a representative each from the Office of the Administrator of Stool land and the Traditional Council, which is a council made up of traditional chiefs. There is therefore no representation from forest fringe communities on such matters. However, under the REDD+ scheme, Ghana has indicated that the principle of subsidiarity will be utilised for conflict resolution where conflicts will be addressed at the lowest or the most localised level (Forestry Commission 2010).

4.1.4 Collective land representation

During preparatory activities for the REDD+ scheme, Ghana has adopted a 'participatory approach to decision making' which involves the integration of the inputs from a wide range of stakeholders including forest fringe communities, the private sector, other government institutions and development partners (Forestry Commission 2010).

4.2 Benefit sharing issues under the REDD+ scheme in Ghana

4.2.1 Existing Frameworks for Sharing of 'Forest' Benefits in Ghana

The two main benefit sharing schemes which are operational in the forest sector of Ghana are the constitutional provision for share of benefits from fees collected from timber companies and the benefit sharing arrangements for the Modified Taungya System (MTS) (Foli & Dumenu 2011; Sambian 2012; Tropenbos International Ghana 2010; and Lindhjem et al 2010).

Article 267 of Ghana's constitution provides a fixed formula for the share of revenue accruing from customary lands in Ghana. The Forestry Commission of Ghana operationalizes this formula in the share of proceeds from forest resources. The Commission deducts 60 per cent and 40 per cent of revenue received from timber operations in forest reserves and off forest reserves respectively as management levy (Sambian 2012). The remaining revenue is then shared amongst the stakeholders based on the constitutional provision (Table 2).

Table 1: Benefit Sharing Scheme for Timber Revenue in Ghana

Stakeholders	Forest Reserve (%)	Off-Reserve Areas (%)
Forestry Commission	60.0	40.0
District Assemblies	19.8	29.7
Traditional Council	7.2	10.8
Stools	9.0	13.5
Office Administrator of Stool Lands	4.0	6.0

Source: Foli & Dumenu (2011).

The constitution of Ghana did not prescribe any framework for the distribution of revenue received by the stakeholders as well as how issues of accountability from receipt of forest revenues should be handled. Consequently, the stakeholders utilise their discretion in the use of the revenues received which does not result in flow of benefits to forest fringe communities (Marfo et al 2012).

The only 'legitimate' source of benefits for forest fringe communities is through Social Responsibility Agreements (SRAs). As part of their Timber Utilisation Contracts (TUCs), timber companies are required to enter into a SRA where they are to outline a specific investment for the community such as a clinic or a community centre (Lindhjem et al 2010). However, in recent times the SRA concept has been monetised and has 'demonstrated elite capture' where SRA payments are made only to traditional leaders and not invested in any communal projects (Marfo et al 2012; Tropenbos International Ghana 2010).

MTS commences as an agroforestry system in forest reserves and after three years evolve into a tree plantation system as a result of the formation of a closed canopy by the trees (Kalame et al 2011). The current benefit sharing framework for MTS (introduced in 2002) provides a share of benefits for both the participating farmers (40%) and the entire forest fringe communities (5%) to properly take into account their efforts in establishment and protection of the established plantations respectively (Agyeman et al 2003). The remainder of revenue is shared amongst other stakeholders as presented in Table 3 below:

Table 2: Comparison between the Benefit Sharing framework for the old taungya system and the MTS depicting share of benefits in percentages

Stakeholder	Old taungya system	Modified taungya system
Public agencies		
Forestry Commission	60	40
District Assembly	20	0
Administrator of tribal lands	4	0
Subtotal	84	40
Local community groups		
Tribal landowners	9	8
Traditional authority	7	7
Forest-adjacent community	0	5
Farmers	0	40
Subtotal	16	60
Total	100	100

Source: Agyeman et al (2003).

4.2.2 Equity Considerations

Three benefit sharing approaches have so far been proposed by the stakeholders of Ghana's REDD+ scheme (Foli & Dumenu 2011). These approaches are:

- Community Managed Revolving Credit Scheme.
- Individual Payments Scheme.
- Hybrid of the two schemes.

For the Community Managed Revolving Credit Scheme, revenues that accrue from the REDD+ scheme will be put into a fund that is managed by appointees from forest fringe communities as a credit scheme. The Individual Payments Scheme involves the payments of individuals who partake in REDD+ activities for work done. Under the Hybrid Approach, a larger proportion of benefits from REDD+ activities is paid to individuals for work done whereas the remainder is paid into a community revolving fund. A comparison of the three approaches in terms of their advantages and disadvantages as well as advocates for the approach are presented in Table 4.

Table 3: Comparisons of three proposed REDD+ benefit sharing approaches for Ghana

BENEFIT SHARING APPROACH	STAKEHOLDERS SUPPORTING APPROACH	ADVANTAGES OF APPROACH	DISADVANTAGES OF APPROACH
Community Managed Credit Scheme	Traditional Authorities and Community representatives	<ul style="list-style-type: none"> • Long term benefit of REDD+ activities. • Better investments since it is a credit based scheme. • Less dependence on forests and engagement in alternative economic activities 	<ul style="list-style-type: none"> • Free riding. • High risk of non-payment of loans. • Likely issues of corruption, nepotism and mismanagement of funds
Individual Payments Scheme	Government Agencies	<ul style="list-style-type: none"> • Reduced tendencies of favouritism and corruption. • Reduced risk of non-payments of credits. • Effective (those who work are paid). 	<ul style="list-style-type: none"> • Potential for sabotage by wider community. • Long term sustainability of the scheme may be threatened. • Creation of income class in community and potential for social disorder.
Hybrid Scheme	Resource users (farmers; land owners) and civil society groups.	<ul style="list-style-type: none"> • Recognises the heterogeneity that exists in communities which may make a credit scheme inapplicable in all cases. • Reduced tendency for sabotage by communities since there is likely to be a win-win situation especially if participating individuals are also from the community. 	Considering that a smaller percentage will be provided for communities, there is still some risk of unsustainability of the scheme and social disorder.

Source: Adapted from Foli & Dumenu (2011).

The community members contacted for this survey asserted that the Credit Scheme approach is preferred since it is more likely to result in inter and intra-generational equity and make members of fringe communities accountable for the required forest management activities under the REDD+ scheme.

4.2.3 Involvement of local communities

The ‘participatory approach to decision making’ framework being utilised for the REDD+ scheme in general and development of benefits sharing frameworks for the scheme in particular is designed to incorporate the views of all the major stakeholders (Forestry Commission 2010). Additionally, the REDD+ scheme is also seen by the government as a complimentary avenue for addressing poverty in local communities in Ghana. All the

interviewees contacted for the research suggested that the legitimacy of any benefit sharing framework under the REDD+ scheme will be enhanced if it is undertaken with full participation from forest fringe communities.

4.2.4 Nature and Delivery of Benefits

The proposed benefit sharing approaches are based solely on the financial payments that would be made under the REDD+ scheme (Foli & Dumenu 2011). Also, Ghana's RPIN made references to the commitment of the government to decrease bureaucracy and ensure transparency in the delivery of benefits under the REDD+ scheme. NGOs contacted for the survey were of the view that delivering benefits under the REDD+ scheme should be undertaken on case by case basis to properly take into account the heterogeneity and the different acceptable delivery processes that exists amongst various ethnic groups in Ghana.

5 DISCUSSIONS AND POLICY IMPLICATIONS

5.1 Implications of land tenure issues for the REDD+ scheme in Ghana

According to Ghana's Ministry of Lands and Forestry, the pluralistic legal environment and additional challenges such as chieftaincy disputes in Ghana are contributory factors to the mismanagement of common pool resources such as forests in Ghana (MLF 2003). The lack of clear tenure arrangements will also introduce challenges in identifying stakeholders whose rights should be recognised under the REDD+ scheme since multiple stakeholders can claim ownership of carbon credits because of the diverging rights to land and forests (Norton Rose Group 2010).

The legal pluralistic environment and lack of legal recognition of rights of local communities in the management of lands and forest are sources of conflicts and destruction of livelihoods in Ghana (USAID 2012). Without appropriate and effective dispute prevention and resolution mechanisms, there would be exacerbation of such conflicts under the REDD+ scheme where monetary incentives may ensure that actors and stakeholders adopt entrenched positions in land disputes. The Judiciary has responsibility for deliberation on land disputes in Ghana. However, the prospect of early resolution of the numerous land cases¹ before the law courts in Ghana is very low (MLF 2007). The impact of such a situation on the REDD+ scheme could be severe. First, it could serve as a disincentive for investment in a national REDD+ scheme in Ghana. Second, there is also a potential that REDD+ activities could be stalled unnecessarily if disputes are not resolved in time or injunctions are placed on the various activities.

Ghana's ongoing donor funded Land Administration Project (LAP), which commenced in 2003 and will be completed in 2023, seeks to partly develop effective and transparent mechanism for land dispute resolution. The LAP intends to attain these objectives through the preventative measure of clarifying and strengthening land tenure and also utilising the subsidiarity approach (as described in Ghana's REDD+ Readiness Preparation Proposal (RPP)) as a basis for adjudicating land cases (MLF 2007). There is the need therefore for strong institutional linkages and coordination between the REDD+ Steering Committee and relevant agencies as well as the LAP unit of MLF to ensure the prioritisation and consequent

¹ In 2007, the Ministry of Lands and Forestry in Ghana reported that there are 35,000 land cases before the law courts in Ghana (MLF 2007).

development of effective dispute resolution mechanisms to facilitate implementation of national REDD+ activities in Ghana. It will also be helpful if representation to decentralised or customarily based dispute resolution structures involves all stakeholders including forest fringe communities and that mediation processes are adopted as the basic conflict management strategy. As noted by Fred-Mensah (1999, p. 957), mediation and negotiation is preferable to adjudication in land conflict resolution since they avoid ‘overt display of power, winner-loser mentality, social scars and bitterness’.

Ghana’s adoption of the ‘participatory approach to decision-making’ for the REDD+ scheme is commendable. Such an arrangement will ensure that the views of important stakeholders such as forest fringe communities are firmly incorporated in the design of national REDD+ strategies. Extensive deliberation amongst stakeholders is required to bring to the fore and address any issues that may result in conflicts in environmental decision making (Chess et al 1998). It is however essential that the State gives legal backing to agreements reached during the REDD+ stakeholder interactions since these interactions may not translate to any meaningful impacts to forest fringe communities if there are no legal basis for any agreement reached.

BOX 1: LAND TENURE AND REDD+ IN GHANA:

Case study of Aowin Suaman District in the Western Region of Ghana (*Excerpted from Sambian (2012)*)

Sambian (2012) utilised people’s livelihood and access and use of land to explain whether REDD+ will be successful in six villages in the Aowin Suaman District of Ghana. The study found out that the pluralistic legal regime associated with land administration in the study area introduces unclear property rights to forests on customary lands which make deforesting activities, such as expansion of private farms into forest reserves without extraction of trees for economic benefit, appear legal. The pluralistic land tenure regime therefore creates difficulties for the effective management of forests by both State and traditional authorities.

The respondents from the community indicated that enhancing community involvement in REDD+ activities as well as strengthening the property rights structure to land and forest resources will aid in preventing conflicts under the REDD+ scheme.

Sambian (2012) argued that livelihood activities of the forest fringe communities in the district such as agriculture, collection of NTFPs and charcoal production will be affected with the introduction of the REDD+ scheme which will lead to poverty. Consequently, Sambian (2012) recommended that the State should restore the lost rights of the communities to them so that they will be beneficiaries of incentives paid under the scheme.

5.2 Implications of benefit sharing approaches to the REDD+ scheme in Ghana

Ghana’s existing benefit sharing framework and other mechanisms of monetary distribution such as SRAs are prone to be captured by elites who are not legally accountable to forest fringe communities. As noted by Marfo et al (2012), under Ghana’s REDD+ programme, there is likely to be heightened efforts to conserve the existing naturally occurring forests. Consequently, if none of the proposed benefit sharing framework is finalised before a

national REDD+ scheme is rolled out, any revenue received from REDD+ are likely to be distributed based on the constitutionally mandated framework where revenue accrue to elite and powerful institutions and personalities whereas forest fringe communities are excluded. This sentiment was echoed by the two community representatives interviewed during the study. Although the benefit sharing framework under the plantation based MTS will aid in the advancement of revenue to forest fringe communities and individual farmers; however, all plantations in Ghana including MTS cover 1.2 per cent of the area of natural forest cover (Forestry Commission 2010). Additionally, the benefit sharing arrangement under the MTS is yet to be given a legal form in the statutes books of Ghana.

The proposed Community Managed Credit Benefit Sharing Scheme and to some extent the Hybrid Scheme may be helpful in addressing equity from the perspective of forest fringe communities through allocation of funds to a body established and accountable to the communities. However, the government proposed Individual Payment Benefit Sharing Scheme may reinforce existing inequities in the forestry sector if implemented. Defining successful activities completed under the REDD+ scheme could be susceptible to several interpretations. For example, timber companies or traditional chiefs may indicate that they have lost profits or revenue respectively and therefore need to be equivalently compensated under the REDD+ scheme. There is therefore the possibility of rent seeking behaviour especially if there is centralised distribution of REDD+ funds. Forest fringe communities who are considered as less powerful stakeholders may therefore not receive any benefits under Individual Payment Benefit Sharing Approach.

Ghana's recognition that non-monetary benefits will not be included as benefits to be shared under the REDD+ scheme is commendable. Inclusion of non-monetary benefits as additional benefits to be shared could be problematic as a result of difficulties in quantifying the exact benefits and the beneficiaries.

BOX 2: BENEFIT SHARING AND FOREST MANAGEMENT IN GHANA:

Case study of Asunafo North District of Ghana (Excerpted from Dumenu (2010))

Dumenu (2010) explored the roles, rights and responsibilities of stakeholders in the management of off-reserve timber resources. The study found out that the existing framework for sharing of benefits from forest resources in the district is not deemed as equitable by farmers and local communities. Farmers and local communities are responsible for several management interventions of off-reserve forest resources including weeding, fire protection, thinning and preservation of specific tree species. However, these stakeholders are not included in the share of benefits from these forest resources.

The study revealed that the lack of recognition of the rights of some stakeholders and inequitable share of benefits from forest resources are the main factors accounting for the dwindling volume of timber harvest from off-forest reserves in Ghana. Consequently, it is recommended that for the sustainability of forest resources in Ghana to be guaranteed, there is the need for crucial stakeholders such as local communities and farmers to receive an equitable share of benefits from forest resources so that they could continually offer effective management of the forest and its resources.

6 CONCLUSION AND FUTURE RESEARCH DIRECTIONS

6.1 Conclusion

This research has established that although during the preparatory activities for the REDD+ scheme, Ghana is utilising a participatory approach to forest management which incorporates forest fringe communities; inherent inequities exist in Ghana's existing land tenure regime and benefit sharing arrangements that may lead to the marginalisation of forest fringe communities during the actual implementation of the REDD+ scheme.

The pluralistic land tenure regime in Ghana makes identification of stakeholders whose rights should be recognised in the management of forest resources extremely complicated and leads to marginalisation of less powerful stakeholders such as forest fringe communities. Although during the preparatory process of the REDD+ scheme, Ghana has made an attempt to incorporate all stakeholders; such attempts may become futile if the fundamental problem of unclear land tenure regime in the country is not addressed.

The REDD+ scheme therefore represents an opportunity where the rights of forest fringe communities will be legally recognised so that these communities will be motivated to partly take ownership and contribute meaningfully for the success of the scheme. There should therefore be political will by the central Government of Ghana to initiate the requisite reforms that are needed to clarify and reconcile responsibilities and rights to forest resources. It is also recommended that a portion of the financial incentives earmarked for REDD+ activities is directed specifically at strengthening the land tenure arrangements in Ghana since insecure land tenure is also a driver of deforestation in Ghana.

The benefit sharing framework for the REDD+ scheme in Ghana is yet to be finalised but it is crucial that such a framework recognises the need to distribute commensurate incentives to forest fringe communities not only to meet the equity criterion of the REDD+ scheme but also to ensure that the scheme builds legitimacy from the core actors whose efforts are required for long term sustenance of the scheme. The benefit sharing framework for the REDD+ scheme should also be delivered through a trusted mechanism by which issues of transparency and accountability are well addressed.

6.2 Future research directions

A couple of future research directions have emerged from this research. First an issue discussed in the research was that benefit sharing arrangements in Ghana has been historically premised on the power play that exist amongst stakeholders and not necessarily on the de facto rights and responsibilities of stakeholders. There is therefore a considerable scope of research that could be directed towards explaining power play amongst stakeholders in the forest sector of Ghana and the extent by which it has influenced forest management in Ghana.

Also, Ghana commenced implementation of pilot projects for the REDD+ scheme in 2012. Any future research could therefore analyse the implications of the REDD+ scheme for forest fringe communities through actual community based surveys and field observations from the REDD+ pilot sites in Ghana.

REFERENCES

- Agyeman, VK, Marfo, KA, Kasanga, KR, Danso, E, Asare, AB, Yeboah, OM & Agyeman, F 2003, 'Revising the Taungya Plantation System: New Revenue Sharing Proposals from Ghana', *Unasylva* 212, vol. 54, pp. 40 – 43.
- Appiah, DO 2009, 'Personifying Sustainable Rural Livelihoods in Forest Fringe Communities in Ghana: A Historic Rhetoric', *Journal of Food, Agriculture and Environment*, vol. 7, pp. 873 -877.
- Bruce, JW, Wendland, KL & Naughton-Trevis, L 2010, *Whom To Pay? Key Concepts and Terms Regarding Tenure and Property Rights in Payment-Based Forest Ecosystem Conservation*, Land Tenure Center Policy Brief no. 10, University of Wisconsin, Madison.
- Chess, C, Dietz, T & Shannon, M 1998, 'Who Should Deliberate When?', *Human Ecology Review*, vol. 5, no. 1, pp. 45 – 48.
- Cotula, L & Mayers, J, 2009, *Tenure in REDD: Start-point or Afterthought?*, International Institute for Environment and Development (IIED), London.
- Creswell, JW 2003, *Research Design: Qualitative, Quantitative and Mixed Methods Approaches*, 3rd edn, Sage Publications, Los Angeles.
- Domson, O & Vlosky, RP 2007, 'A Strategic Overview of the Forest Sector in Ghana', Louisiana Forest Products Development Center Working Paper # 81, School of Renewable Natural Resources, Louisiana State University, Baton Rouge.
- Dumenu, WK 2010, *Management of Timber Resources in Areas outside Forest Reserves in Ghana: The role of Stakeholders*, Published Thesis, University of Freiburg, Freiburg.
- Eliasch, J 2008, *Climate Change: Financing Global Forests*, Crown, UK.
- Food and Agriculture Organisation (FAO) 2010a, *Global Forest Resources Assessment 2010. Main Report*, FAO, Rome.
- Food and Agriculture Organisation (FAO) 2010b, *Global Forest Resources Assessment 2010: Country Report Ghana*, Food and Agriculture Organisation, Rome.
- Foli, EG & Dumenu, WK 2011, *Proposal for Vertical and Horizontal Benefit Sharing Options for REDD+ Implementation in Ghana: Synthesis Report*, IUCN, Accra.
- Forest Carbon Partnership Facility (FCPF) 2012, *REDD+ Readiness Progress Fact Sheet Country: Ghana*, FCPF, the World Bank, Washington, DC.
- Forestry Commission of Ghana 1998, 'LI 1649 - Timber Resources Management Regulations, 1998', *fcghana.org*, viewed on 19 September 2012, <http://www.fcghana.org/library_info.php?doc=46&publication>
- Forestry Commission of Ghana 2010, *Readiness Preparation Proposal Ghana*, Government of Ghana, Accra.
- Fred-Mensah, BK 1999, 'Capturing Ambiguities: Communal Conflict Management Alternative in Ghana', *World Development*, vol. 27, no. 6, pp. 951 – 965.
- Ghana 1992, *Constitution of the Fourth Republic of Ghana*, Government of Ghana, Accra.
- Ghana 2011, *Ghana's Second National Communication to the UNFCCC*, Government of Ghana, Accra.
- Ghana Statistical Service 2012, *2010 Population & Housing Census: Summary Report of Final Results*, Ghana Statistical Service, Accra.
- Hansen, CP, Lund & JF, Treue, T 2009, 'Neither Fast, nor Easy: The Prospect of Reducing Emissions from Deforestation and Degradation (REDD) in Ghana', *International Forestry Review*, vol. 11, no. 4, pp. 439 – 455.

- Hatcher, J 2009, 'Securing Tenure Rights and Reducing Emissions from Deforestation and Degradation (REDD): Costs and Lessons Learned', Social Development Papers, Social Development Department, The World Bank, Washington, DC.
- International Union for Conservation of Nature (IUCN) 1996, *Communities and Forest Management*, IUCN, Washington, DC.
- International Union for Conservation of Nature (IUCN) 2009, *REDD-plus and benefit Sharing: Experiences in forest conservation and other resource management sectors*, IUCN, Washington DC.
- Kalame, FB, Aidoo, R, Nkem, J, Ajayie, OC, Kanninen, M, Luukkanen, O & Idinoba, M 2011, 'Modified Taungya System in Ghana: a Win-Win Practice for Forestry and Adaptation to Climate Change?', *Environmental Science and Policy*, vol. 14, pp. 519 – 530.
- Kotey, NA, Francois, J, Owusu, JGK, Yeboah, R, Amanor, KS & Antwi, L 1998, *Falling into Place*, International Institute for Environment and Development, London.
- Larson, AM, Brockhaus, M & Sunderlin, WD 2012, 'Tenure matters in REDD+: Lessons from the field' in A Angelsen, M Brockhaus, WD Sunderlin & LV Verchot (eds), *Analysing REDD+; Challenges and Choices*, CIFOR, Bogor, Indonesia, pp. 153 – 175.
- Lartey, E 2009, 'Forest Fringe Communities Perspective on the Socio-economic and Land Use Impacts of Granting Timber Rights: Case Study of Ghana', *International Journal of Social Forestry*, vol. 2, no. 2, pp. 167 – 184.
- Lindhjem, H, Aronsen, I, Braten, KG & Gleinsvik, A 2010, *Experiences with Benefit Sharing: Issues and Options for REDD-Plus*, Econ Poyry, Oslo.
- Luttrell, C, Loft, L, Gebara, M A & Kweka, D 2012, 'Who should benefit and why? Discourses on REDD+ benefit sharing', in A Angelsen, M Brockhaus, WD Sunderlin & LV Verchot (eds), *Analysing REDD+; Challenges and Choices*, CIFOR, Bogor, Indonesia, pp. 129 – 151.
- Marfo, E, Acheampong, E & Opuni-Frimpong, E 2012, 'Fractured Tenure, Unaccountable Authority, and Benefit Capture: Constraints to Improving Community Benefits Under Climate Change Mitigation Schemes in Ghana', *Conservation and Society*, vol. 10, no. 2, pp. 161 – 172.
- Mayers, J, Maginnis, S & Arthur, E 2010, *REDD Readiness Require Radical Reform: Prospects for Making the big Changes Needed to Prepare for REDD-plus in Ghana*, The Forest Dialogue, Connecticut.
- Ministry of Lands and Forestry (MLF) Ghana 2003, *Emerging Land Tenure Issues*, MLF, Accra.
- Ministry of Lands and Forestry (MLF) Ghana 2007, *Implementation Manual for land administration Project (LAP-1: 2003 – 2008)*, LAP Coordination Unit of MLF, Accra.
- Norton Rose Group 2010, *Forest Carbon Rights in REDD+ countries: a snapshot of Africa*, Norton Rose LLP, London
- Osei-Tutu, P, Nketiah, K, Kyereh, B, Owusu-Ansah, M & Faniyan, J 2010, *Hidden Forestry Revealed: Characteristics, Constraints and Opportunities for Small and Medium Forest Enterprises in Ghana*, Tropenbos International and International Institute of Environment and Development, London.
- Peskett, L 2010, *Benefit Sharing in REDD+: Exploring the Implications for Poor and Vulnerable People*, The World Bank, Washington, D.C.
- Rocco, TS & Plakhotnik, MS 2009, 'Literature Reviews, Conceptual Frameworks, and Theoretical Frameworks: Terms, Functions, and Distinctions', *Human Resources Development Review*, vol. 8, pp. 120 – 130.

- Sambian, KS 2012, *The Potential of REDD in Ghana: A Study of the Pilot Area, Aowin Suaman District in the Western Region, Ghana*, Published Thesis, Norwegian University of Life Science (UMB), Norway.
- Shames, S, Wollenberg, E, Buck, LE, Kristjanson, P, Masiga, M & Biryahaho, B 2012, 'Institutional innovations in African smallholder carbon projects, Climate Change Agriculture and Food Security (CCAFS) Report no. 8, Consultative Group on International Agricultural Research (CGIAR), Copenhagen.
- Streck, C 2008, 'Forests, Carbon Markets, and Avoided Deforestation: Legal Implications', *Carbon and Climate Law Review*, vol. 3, no. 2, pp. 239 – 247.
- Sunderlin, WD, Hatcher, J & Liddle, M 2008, *From Exclusion to Ownership? Challenges and opportunities in Advancing Forest Tenure Reform*, Rights and Resource Initiative, Washington, DC.
- Sunderlin, WD, Larson, AM & Cronkleton, P 2009, 'Forest Tenure Rights and REDD+: From Inertia to Policy Solutions' in A Angelsen (ed), *Realising REDD+: National Strategy and Policy Options*, CIFOR, Bogor, Indonesia, pp. 139 – 150.
- Tropenbos International Ghana 2010, 'Timber legality, local livelihoods and social safeguards: implications of FLEGT/ VPA in Ghana', Proceedings of an International workshop held in Accra, Ghana on 8th and 9th October 2009, Tropenbos International Ghana Workshop Proceedings 8, Kumasi, Ghana.
- United Nations (UN) 2012, 'About REDD+', *UN-REDD Programme*, viewed on 6 May, 2012, <<http://www.un-redd.org/AboutREDD/tabid/582/Default.aspx>>
- United Nations Framework Convention on Climate Change (UNFCCC) 2011, *Report on the Conference of the Parties on its Sixteenth Session, held in Cancun from 29 November to 10 December 2010*, UNFCCC, Bonn.
- United States Agency for International Development (USAID) 2012, *USAID Country Profile: Property Rights and Resource Governance, Ghana*, USAID, Washington DC.
- Viet, PG, Vhugen, D & Miner, J 2012, 'Threats to Village Land in Tanzania: implications for REDD+ Benefit Sharing Arrangements', in L Naughton-Treves & C Day (eds), *Lessons About Land Tenure, Forest Governance and REDD+: Case Studies from Africa, Asia and Latin America*, University of Wisconsin, Madison.
- Williams, LG & Davis, C 2012, 'Getting Ready with Forest Governance: A Review of the Forest Carbon Partnership Facility Readiness preparation Proposal and the UN-REDD National Programme Documents, version 1.9', World Resource Institute (WRI) Working Paper, WRI, Washington DC.

APPENDIX 1 - INTERVIEW QUESTIONS AND KEY INFORMANTS CONTACTED

A. INTERVIEW QUESTIONS FOR REDD+ STEERING COMMITTEE

1. Kindly outline the major activities that will be considered as eligible to meet the objectives of the REDD+ scheme in Ghana?
2. What is the working definition of 'benefits' under the REDD+ scheme for the REDD+ steering committee of Ghana?
3. The REDD+ literature suggests that Ghana will embark on a national REDD+ scheme by early 2013. What is/ are the proposed framework(s) for sharing of revenues (or benefits) from the REDD+ scheme to the various stakeholders?
4. To what extent will the benefit sharing framework(s) listed above incorporate the prevailing land and tree tenure regimes in Ghana?
5. How will forest fringe communities be incorporated in the national REDD+ scheme in general and any benefit sharing scheme in particular?
6. Thanks for your comments. If you have further comments on any of the issues presented in this survey, you may leave them here.

KEY INFORMANTS CONTACTED FROM THE REDD+ STEERING COMMITTEE, CLIMATE CHANGE UNIT, FC, GHANA

1. Mr. Robert Bamfo
2. Dr. Ernest Foli
3. Ms. Roselyn Zuta

B. INTERVIEW QUESTIONS FOR NGOs

1. What is the working definition of 'benefits' under the REDD+ scheme by your organization (*Name of NGO provided*)?

2. Do you think that forest fringe communities should receive benefits under the REDD+ scheme? Kindly explain your answer.
3. What attributes will you suggest for a REDD+ benefit sharing framework for Ghana that will minimize conflicts and reduce implementation costs?
4. Ghana has a pluralistic land tenure regime involving customary and statutory arrangements. What will be the implications of this land tenure regime on the REDD+ scheme for forest fringe communities in Ghana?
5. Thanks for your comments. If you have further comments on any of the issues presented in this survey, you may leave them here.

KEY INFORMANTS CONTACTED FROM NGOS

1. Mr. Abdul Razak Saaeed – Civic Response Ghana
2. Mr. John Mason – Nature Conservation Research Centre, Ghana

C. INTERVIEW QUESTIONS FOR LAND ADMINISTRATORS

1. The Constitution of Ghana prescribes a formula that is utilized for sharing of benefits accruing from customary lands in Ghana. How are issues of accountability addressed in the sharing and utilization of the revenue that accrues to the various stakeholders as prescribed by the Constitution?
2. Some stakeholders such as farmers and forest fringe communities are excluded from the share of revenue from forest resources on customary lands as a result of Ghana's constitutional provisions. In what ways (if any) does this exclusion impact on sustainable forest management in Ghana?
3. Ghana has a pluralistic land tenure regime with overlapping customary/statutory ownership claims. To what extent does this tenure regime impact on sustainable forest management in Ghana?

4. What will be your recommendations for a benefit sharing framework under the REDD+ scheme that addresses equity and concurrently enhances the effectiveness of the scheme?
5. Thanks for your comments. If you have further comments on any of the issues presented in this survey, you may leave them here.

KEY INFORMANT CONTACTED FROM LAND ADMINISTRATORS IN GHANA

Mr Franklin Opong-Obiri – Office of the Administrator of Stool Lands, Ghana

D. INTERVIEW QUESTIONS FOR ACADEMIC RESEARCHERS

1. Historically, forest fringe communities in Ghana have been excluded from the share of net monetary benefits received from forest resources. Do you think that forest fringe communities should receive monetary benefits under the REDD+ scheme? Kindly explain your answer.
2. What attributes will you suggest for a REDD+ benefit sharing framework for Ghana that will minimize conflicts and reduce implementation costs?
3. Ghana has a pluralistic land tenure regime involving customary and statutory arrangements. What will be the implications of this land tenure regime on the REDD+ scheme for forest fringe communities in Ghana?
4. Thanks for your comments. If you have further comments on any of the issues presented in this survey, you may leave them here.

KEY INFORMANTS CONTACTED FROM NGOs

1. Dr Ernest Abeney – Senior Lecturer, Kwame Nkrumah University of Science and Technology, Ghana.
2. Emmanuel Amoah Boakye – Analyst at Working Group on Forest Certification, Ghana.

E. INTERVIEW QUESTIONS FOR REPRESENTATIVES OF FOREST FRINGE COMMUNITIES

1. What rights do you have to forest resources in Ghana?
2. Why do you think that the Forestry Commission of Ghana engages you for the management of forests in Ghana?
3. Will you support the REDD+ scheme (*explain the scheme to interviewee*)? Have you taken part in activities related to the scheme?
4. Kindly give specific examples, if any, when your views and opinions on forest management was accepted and applied by the Forestry Commission? (*A follow up reverse question was also asked*)
5. Do you benefit from share of proceeds from forest resources?
6. How will you suggest that any benefit sharing scheme under the REDD+ scheme in Ghana should be designed for equity, effectiveness and efficiency to be attained under the scheme?
7. Thanks for your comments. If you have further comments on any of the issues presented in this survey, you may leave them here.

KEY INFORMANTS CONTACTED FROM COMMUNITIES

1. Mr. John Adusei – Community Member/ Farmer, Abofu, Ashanti Region of Ghana.
2. Mr. Alhassan Iddrisu – Community Member/ Farmer, Adjeikrom, Eastern Region of Ghana.

APPENDIX 2 - EQUITY RELATED DISCOURSES UNDER THE REDD+ SCHEME

Adapted from Luttrell et al (2012, p. 143 – 148)

The first equity related discourse is that benefits from the REDD+ scheme should go to actors with legal rights. These rights will be dependent on the prevailing land tenure as well as the closely related carbon rights associated with forest resources and are normally not straightforward. If the rights of forest fringe communities are not legally recognised, they will not be incorporated in any benefit sharing scheme that utilises this discourse as a basis for its design.

The second discourse is that benefits should go to stewards who have been credited with historical low emissions from forests. For example, communities that have historically been credited with sustainable management of adjacent forest resources are the ones to benefit from the REDD+ scheme as per this discourse. On one hand, such an approach could serve as an incentive for other communities to sustainably manage forests in order to be considered for benefits. However, a limitation of this discourse is that the REDD+ scheme is designed to reduce deforestation and consequently it becomes difficult to prove the additionality of previously well managed forests.

The third discourse is that benefits should go to actors that have incurred high costs as a result of the introduction of REDD+. However, costs in REDD+ include opportunity, transaction and implementation costs. Consequently, even if forest fringe communities should incur high opportunity costs as a result of massive alteration to their way of life with the implementation of the REDD+ scheme, the State may present and justify high transaction and implementation costs which will mean higher receipt of benefits based on the rationale of this discourse. Additionally, there is a risk of reward of actors who will incur high costs under the REDD+ scheme as a result of their engagement in illegal forestry activities in the first place.

The fourth discourse is that benefits should be shared with the actors that are important for the effective implementation of the REDD+ scheme. This approach is closely related to the effectiveness discourse and the danger here is that if incentives

from the REDD+ scheme is deemed to be very lucrative, less powerful stakeholders such as forest fringe communities will be sidelined and lands may be forcefully appropriated from these communities. A benefit sharing framework employing such a discourse as a basis for its formulation will therefore favour large commercial concessionaires (Costenbader 2011, p. 39).

APPENDIX 3 - LIST OF ACRONYMS

FAO	Food and Agriculture Organisation
FCPF	Forest Carbon Partnership Facility
IUCN	International Union of Conservation of Nature
LAP	Land Administration Project
MLF	Ministry of Lands and Forestry (Ghana)
MRV	Measurement/ Monitoring, Reporting and Verification
MTS	Modified Taungya System
NGOs	Non-Governmental Organisations
REDD+	Reducing Emissions from Deforestation and Forest Degradation (and conservation and enhancement of forest carbon stock and sustainable forest management)
R-PIN	REDD+ Project Idea Note
RPP	Readiness Preparation Proposal
SRA	Social Responsibility Agreement
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change