

Support to Civil Society Organisations to Increase Natural Resources Management and Environmental Governance in Ghana

Samuel Kwofie

Department of Applied Mathematics, Faculty of Applied Science and Technology, Koforidua Polytechnic P.O. Box KF 981, Ghana, West Africa
E-mail:rockstahus@yahoo.com

Alfred Awuah

Department of Environmental Management and Technology. Faculty of Built and Natural Environment, Koforidua Polytechnic, P.O. Box KF 981. Koforidua
E-mail:alfredawuah@gmail.com

Isaac Kwasi Yankey

Department of Energy Systems Engineering, Faculty of Engineering, Koforidua Polytechnic P.O. Box KF 981, Ghana, West Africa

Abstract

Ghana with a socio-economic growth rate of 6 to 7 percent per year is endowed with rich natural resources which are over exploited. The Government of Ghana is confronted with serious challenges if it is to 'achieve its aims of securing the natural resource base, reducing environmental degradation, protecting natural resource-dependent communities, and increasing revenues from timber and mining sectors'. The complexities involved in the governance of natural resources require an in-depth sector specific dialogue and focus if significant reforms are to be attained. This study sought to explore feasible options to empower Civil Society (CS) to increase its involvement in governance of natural resources in Ghana and also to elicit and document responses on the factors that facilitate or constrain CS in NRM. The study was conducted in five (5) regions of Ghana namely, Greater Accra, Ashanti, Western, Brong Ahafo and Northern Regions. It employed multidisciplinary and multi-sectoral approaches supported largely with other participatory methodologies. The study identified the socio-political milieu in which CS and their groups live and work at the local level determines the issues and the extent of engagement. It was recommended that there is the need to reduce political patronage in the Environmental Natural Resources (ENR) sectors.

Keywords: strengthen, empower, consultations, enforcement, engagement

1.1 Background and Conceptualisation

Ghana's land area of 23 million hectares is endowed with rich natural resources which have sustained her over the years. Over 50 percent of Ghana's Gross Domestic Product (GDP) is related to the land economy. Land-based activities, mainly agriculture and mining sectors, also accounts for over 73 percent of Ghana's exports. With a socio-economic growth, currently estimated at the rate of 6 to 7 percent per annum, the tendency is for increased investment in several economic sectors of the economy which obviously will include land-based activities (agriculture, mining and forestry). The impact of this growth will lead to diminishing land and other natural resources. (GoG, 2006)

1.2 Problem statement

The Government of Ghana's long term goal is to develop an agric-industry driven economy and with increased investment in mining and forestry, Ghana's natural resource stands greater risk of decreasing at a faster rate. The blunt of this risk will be borne by the more than 70 percent population of Ghana that depend on natural resources for their basic necessities of life and other livelihoods. Whilst efforts seems to be intensified to limit that risks, the Government is confronted with serious challenges if it is to 'achieve its aims of securing the natural resource base, reducing environmental degradation, protecting natural resource-dependent communities, and increasing revenues from timber and mining sectors'. The complexities involved in the governance of natural resources require an in-depth sector specific dialogue and focus. Sector specific focusing is becoming increasingly important for the GoG and Civil Society (CS) at large with the emerging oil sector which has its own risks and would require selective targeting from the very beginning leading to the evolution of measures that would lead to effective management of the environment.

1.3 Goal and Objectives of the study

Recognising that several players are involved in the natural resources governance, the need to strengthen social accountability mechanisms to increase transparency and reduce corruption is paramount. The goal of the study is therefore to explore feasible options to empower CS to increase its involvement in governance of natural resources in Ghana. In line with this goal, the study seeks to achieve these specific objectives which include:

- Assessing arrangements for strengthening CS engagement and improving citizens voice in the policy making processes towards scaling up mechanisms for dialogue; and for increased social accountability through access to information, demand for transparency and accountability;
- Developing systems for promoting citizens right in their involvement in the processes for reducing corruption, monitoring of Government performance and tracking public expenditures;
- Providing a platform, through consultative meetings and workshops, for wider stakeholder and public engagement towards deliberation of proposals and arguments for enhancing CS involvement for the attainment of good governance in the ENR sector.

1.4 Scope of the study

Geographically, the study was conducted in five (5) regions of Ghana namely, Greater Accra, Ashanti, Western, Brong Ahafo and Northern Regions. The choice of the regions was based on factors as follows:

- The Western, Ashanti and Brong Ahafo regions have the largest concentration of mining activities (large scale multinational mining, small scale and artisanal mining/galamsey). These regions also have a number of conservation and protected areas. They therefore present unique locations for investigations into issues of mining and environment, forestry and wildlife.
- The Greater Accra, Ashanti and Western Regions are noted for their huge concentration of large, medium and small scale industrial concerns with significant impact on the environment, forestry and wildlife.
- The Greater Accra region is known to be the home for several Civil Society Organisations (CSOs) as their head offices are mostly located in Accra. By virtue of hosting Ghana's capital city, Greater Accra region again has significant presence of Development Partners and Ministry Department Agencies (MDAs). It also has the advantage of having the best infrastructure and Information Communication Technology (ICT) facilities in the country.
- The Northern Region was selected on the basis of its location in the transition zone and that the extent of human activity in response to the search for various livelihood options is causing degradation and depletion of the vegetation and the environment.
- The selection of the regions was also largely informed by findings of poverty assessment reports in which pockets of urban and rural poverty have been found to exist in these regions.

In terms of content, the study dwelt on theoretical and empirical investigations with a focus on the transactional interactions and the technical capacity of CS to engage in Social Accountability and influence policy and decision making processes of Government of Ghana (GoG) and Development Partners (DPs) in their quest to improve the Environmental Natural Resources (ENR) sector.

1.5 Methodology and Approach

1.5.1 Methodological approach and procedure for information gathering.

The Researcher employed multidisciplinary and multi-sectoral approaches supported largely with other participatory methodologies that combine social, institutional, political and economic parameters in the information collection, collation, analysis and synthesis, and for reporting.

In gathering the Information, both quantitative and qualitative data were gathered through desk studies, consultations with key informants, interviews, conduct of Focus Groups Discussions (FGDs) and design and administration of structured and semi-structured questionnaires. Recognising that enormous wealth of information on the subject already exists and several studies have already been conducted secondary data collection which assembled all such information for analysis.

To capture the relative perceptions of stakeholders, field visits were undertaken to hold one-on-one discussions and consultations with key respondents from Governmental, CSOs (both local and international Non-Government Organisations (NGOs)), key informants and identifiable groups in twenty communities in the study regions. In this context, three types of surveys were conducted. Three sets of semi-structured interviews were developed and used. The first level data collection instrument was designed to elicit information from communities in mining and forest conservation areas. The second type was used for extracting information from CSOs and the third was targeted at international organisations, DPs and GoG agencies involved in Natural Resources Management (NRM).

1.5.2 Data Sources

Data sources included legislative instruments, policy documents on Natural Resources and Environmental Governance in Ghana, annual and mid-term reviews and reports on environmental resources was conducted. Other sources of information were research and project reports, and information from websites. These were complemented with empirical information gathered through interaction among institutions, communities, groups and individuals from all the five geo-political regions. Based on sampling, the researcher collected primarily data from selected communities in the Tarkwa-Nsueam Municipal and Prestea-Bogoso-Huni Valley District in the Western Region, Adansi West in the Ashanti Region, Asutifi North District in the Brong Ahafo Region and Ga East District in the Greater Accra Region. Others included Tamale Municipal, Sunyani Municipal, Ahafo North District and Berekum District.

1.5.3 Sampling, Field Survey Design and Execution

In designing the sample, the Greater Region of the Ghana Statistical Services (GSS) was consulted, as an arm of the National body mandated to develop all statistical data in Ghana. This was done to ensure that the sample reflected acceptable approaches and is in conformity with the applicable formats in Ghana. On the basis of inferences that reduce sampling errors and control the quality of the survey, a sample size of 80 households from the nine administrative districts were deemed to be adequate as a fair representation of the totality of the respondents so that generalised statements could be deemed to provide a true reflection of the situation on the ground.

1.5.4 Collation, Analysis and Synthesis of Data

The volume of information generated required careful analysis and the use of more scientific tools, which was to provide systematic and logical trace of the research. The analysis was thus an output of two computer programmes namely Sampling Programme for Survey Statistician (SPSS) and Excel both of which are computerised worksheet programme for statistical analysis.

2.1 Natural Resource Management and Environmental Governance

2.1.1 Introduction

Ghana has a wide range of natural resources which include extensive forests, arable land, fishing, crude oil reserves and natural gas. Several lakes and rivers offer opportunities for hydroelectric power development. Other natural resources include mineral resources such as gold, industrial diamonds, bauxite and manganese. Forest and mineral resources are among the most exploited in Ghana.

The governance of natural resources has been fraught with problems, several of which have been confrontational in most parts of the world where such resources exist. The discovery of natural resources often brings about dreams of wealth and prosperity for nations, particularly in developing countries such as Ghana. Whilst this has been the case substantially, the lack of resources (or its existence in limited quantities) has not constituted barrier to economic growth. Whether with or without resources, it's prudent management, while factoring in active Civil Society (CS) participation in the discourse towards economic growth gives an indication of the level of transparency and accountability in resource use. The lack of CS participation in natural resources decision-making has been identified as one of the banes to accountability in natural resource endowed areas. The weak connection between CS and Government at the various levels of engagement has culminated in lack of sense of ownership, hence reduced commitment on the part of citizens in the sustainable use and management of resources. (Beeko et al: 12-17)

In as much as these natural resources are community owned, the Government, through its agencies, such as the Minerals and Forestry Commissions hold them in trust for the people. Communities living in, and on the fringes of resource areas have been affected in several ways by the activities of both public and private sector actors in the utilisation and management of these resources. Their voices are little heard and in most cases ignored. On the other hand, these people through their various representatives, especially groups within CS lack the capacity to effectively engage with actors within the sector. (CDD: 2005:39)

2.2 Evolution of Environmental Governance in Ghana

Although environmental and natural resource conservation has existed in Ghana and influenced by traditional practices, cultural norms, taboos, specific sectoral enactments, etc., the first official policy attempt at harmonisation of all environmental and natural resource efforts began in early 1970s following the Stockholm Conference on Human Environment in June 1972. The requirement of the Stockholm declaration led to the establishment of the Environmental Protection Council (EPC) by a Decree (NRC 239). The memorandum justifying the creation of a national body called for one with 'requisite standing authority', and was, amongst other things, to advise, coordinate and educate on environmental issues. Section 2 of the Decree listed eight functions that were devoid of any regulatory and enforcement mechanisms. (ESSDN, 2007)

The absence of any "teeth" with which the Council could bite resulted in its persistent criticism as a "toothless bull dog". As a consequence, the decree establishing the EPC was amended by SMC Decree (SMCD

58). Despite the provisions made in the amendment, a number of deficiencies still remained in the legislation. These included:

- Lack of enforcement and regulatory powers
- Absent of funding provision,
- Duplication of functions and conflicts among cognate institutions i.e. environmental issues cut across sectors, and
- Provisions for Environmental Impact Assessment ill-defined.

The inconsistencies within the amended legislation necessitated the enactment of a new law, leading to the establishment of an Environmental Protection Agency (EPA) in 1994. An immediate justification for the establishment of EPA, was that a new Ministry responsible for environmental and natural resources policy (the Ministry of Environment) was created in 1993 calling for the need to (a) fill in the gaps identified in the operation of the old law (b) partly fulfil the requirements of National Environmental Action Plan (NEAP) which, among other things, required a number of institutional changes to enable the effective implementation of the plan and (c) reinforce the integrated approach to environmental protection and natural resources management. A careful study of the environmental protection and natural management policy revealed that adequate provisions exist for the protection of the environment and natural resources management, including public hearing (but not public participation in the conduct of EIA) at EIA presentation. There is nowhere in this ACT, (ACT 490) are provisions made for active involvement of civil society groups in the development of environmental protection and natural resources management policy in Ghana.

2.3 Environmental Governance Policies

Since the early part of the 1970s when environmental issues gained prominence on the international development agenda, global environmental politics and policies have gained ascendancy. The environmental governance system in the world today – its failures and successes – is a reflection of that development. The spectacular growth in awareness of environmental issues, the threat it poses and the challenges it imposes on the world has led to the development of numerous and varying mechanisms aimed at regulating natural resource management and environmental governance with the ultimate goal of achieving sustainable development. (EPA, 2004:24-30) Since the 1972 United Nations Conference on the Human Environment several activities and processes have taken place in global environmental policy and more recently, in sustainable development policy. Despite the successes and achievements made in terms of evolving new treaties, attracting more resources and adopting more participatory and active system compared to its inception in the early 1970s, some problems still confront the sector. The system is characterised by multiplicity of actors, different and divergent agreements and treaties, lack of cooperation and coordination among international organisations and limited capacity for implementation, enforcement and effectiveness of policies. Other challenges are insufficient resources and inefficient use of these resources, the implementation of environmental governance outside the ‘environmental arena’ and more importantly, the role of non - state actors, including CS, in a state – centric system.

The Ghanaian environmental governance structures sufficiently allow for the participation of CS, traditional authorities, and all sections of society. Several legislations and policies have been promulgated for the governance of natural resources. Of prominence and interest to this study are the forestry and wildlife and mining sub-sectors. (EPA, 2004)

2.4 Forest Sub-sector

As far back as 1906, Ghana enacted a legislation to control the exploitation of natural resources. Later in 1908, the Forestry Department was established. Primarily, the Forestry Department was to encourage the reservation of 20-25 percent of the land in the high forest zone. By 1939, the demarcation and reservation of the forest estate had been largely completed. Nine years later (i.e. 1948) a Forest Policy was adopted. The object of the forest policy, among others, was to provide for the creation of a permanent forest estate to cater for the welfare of people. In 1994, the Ministry of Lands and Forestry adopted a new policy on Forest and Wildlife. For the legislations and policies to achieve the anticipated results, it was envisaged that a strategy for building social consensus based on broader participatory decision-making that enhances the legitimacy of political authority in the administration of public resources in the best interest of the state and the people would be pursued. Without this consensus, public policies and programmes, though well-intended could lack the consent and support of the people, suffer hostile response, covert frustration and undermine or at best, engage the askance on-looking of the people. (NREG, 2007; NDPC, 2009)

Unfortunately, this review revealed that the Forest sector is much centralised in its decision-making and implementation processes, including weak financial and administrative capacities of CS and fragile social consensus. In a broad sense, the problems of the sector could be categorised into four broad areas, namely:

Timber and land pricing: Since the inception of timber and land pricing in 1956, it had been difficult evolving it into an efficient instrument for mobilising financial resources to fund sustainable forest management in Ghana

despite the desire and efforts of various Governments and public institutions engaged in forest management, and CS to achieve that. The administration of concessions, which is fraught with political patronage and clientelism, had resulted in inappropriate tariffs on concessions, laissez faire monitoring and supervision of exploitation of concessions. Consequently, unsustainable practices in forest utilisation and numerous complaints by landowners, peri-forest communities and CS have become the lot of the forestry sector.

Attitudes of political patronage and rent seeking: Increasingly, political patronage in the timber industry has over the years made beneficiaries economically so powerful to the extent of being able to blackmail and hold Governments and CS to ransom. Worse still, there is persistent indulgence of powerful industrialists and politicians in rent-seeking practices (i.e. acquiring concessions and sub-letting them) with little or no regard to whether or not exploitation conforms to sustainable practices.

Penury of local land owning local communities: The ownership of most forest reserves in Ghana resides in the land owning local communities. However, despite this wealth, the activities of rent seekers and the powerful industrial and political lobbyists have consigned members of these communities to abject poverty. In response to this condition, the apparent anger of members of these communities in search of their livelihood have been to clear lands free from all trees including known economic species because they do not see themselves benefiting economically from their exploitation, thus furthering forest and timber depletion.

Collectively, these problems have interacted to entrench special interests against those of the larger society resulting in the growing decline in forest reserves and depletion of timber resources. The overarching questions based on the regulatory gaps/problems identified in the review of forestry sector activities are:

- a. How can Governments be made more responsive to CS in the management of forest resources?
- b. How can political patronage be minimised? In simple terms, what policies and measures can Governments evolve to address the issue of political economy in the land and forestry sector and for the former to be made more responsive to CS? What needs would CS groups require to make their participation in natural resource governance more effective and meaningful?
- c. What is the current support for CS participation in natural resource governance?

2.4.1 Mining Sub-sector

Ghana is presently the second largest producer of gold in sub-Saharan Africa, only behind South Africa, and a leading exporter of bauxite, diamonds, and timber. Despite centuries of several benefits derived from mineral resource exploitation in Ghana, benefits from mining exploits were not equitably distributed across legitimate beneficiaries and that CS groups were completely excluded in the benefits and policy dialogue. Upon realising the deficiencies in the regulation of mining sector activities and to complement the legal reforms at the time, the Government established the Minerals Commission in 1986 as the primary institution to oversee domestic and international actors in the Ghanaian mining sector. In addition to the regulatory frameworks developed, generous incentives were provided to foreign investors to boost foreign direct investment in mining. For example, corporate income tax on the mineral production of private companies in Ghana decreased from 50-55 percent in 1975 to 45 percent in 1986 and 35 percent in 1994. Royalties paid to the Government decreased from 6 percent of total value of mineral production in 1975 to 3.7 percent in 1987. Companies received breaks on import duties on equipment and accessories necessary for mining production. Additionally, mining companies were allowed to keep a minimum of 25 percent of foreign exchange in an external account for various purposes, including acquiring physical capital requirements necessary for production and dividend payment and remittance for expatriate labour. The benefits accrued to mining companies as a result of the dynamic evolution of mineral laws and policies, in turn, led to the rapid growth of Ghana's mining economy. Here again, the Minerals and Mining Law, (PNDCL 153; 1986), makes no reference to the interest of local land owners. The law makes no provision for the inclusion of the rights of local residents and their participation in decision-making on mining activities.

Although there are provisions for public hearing in Environmental Impact Assessments (EIAs) before the commencement of mining activities, it is absolutely evident that this engagement is minimal. What is also not clear is how this minimal engagement of the public and for that matter CS results in significant inputs into the decision making process let alone sharing of benefits arising from the mining operations. In other words, serious concerns remain unaddressed regarding (a) the representativeness of the CS groups consulted; (b) their capacity to address policy issues; (c) the extent to which the elected representatives of the people on mining decision-making boards are involved; (d) how much room for manoeuvrability exists for the local people to affect the mining policy content; and (e) the gap between policies articulated in the mining regulation and those implemented by Governments through budget statements and other policy measures.(GFC, 2001)

Another major concern for mineral resource governance relates to arrangements for allocating portions of central Government mineral revenues to local mining communities, and the management of monies so allocated. The scheme must first of all clearly identify, by legislation or otherwise, the communities to benefit. It must then specify (a) the components of Government revenues from which allocation is to be made – whether from royalties, corporate taxes, dividends, or a combination of any of these; (b) the proportion to allocate; and (c) the groups or institutions within the community to benefit, and their respective shares. Payments to the groups

may be made directly by the central Government revenue collectors, or through another Government agency or institution, either existing or created for the purpose. The Mineral Development Fund (MDF), which has been in existence since 1993, provides the mechanism through which portions of royalties paid to the central Government are distributed to mining communities. Under the MDF, 9 percent of royalties paid by a mining project goes to the local community to be shared between the District Assembly (the local political administrative unit) and the local traditional authorities. The MDF also provides for monies to be made available, on application, for use in addressing some specific problems, which may be shown to result from mining activities.

There is a general discontentment over utilisation and management of mining revenues paid to traditional authorities, through the chiefs as representatives of the whole community. Under a well-functioning customary law system they would be utilised and managed as agreed among sub-chiefs, elders and advisers on behalf of the polities they represent. But the record shows that in many cases things do not work out accordingly. There are many cases where there has been no consensus on the use of the sums, nor even public disclosure of amounts paid.

2.5 Social Accountability Initiatives in Ghana

The quest for accountability pre-dates colonial rule in Ghana. Traditional laws and practices (taboos and norms) have existed for several centuries and covered many natural resource areas including water conservation, pollution control, protection of catchments and protection of fisheries. In the enforcement of these laws and practices, CS groups such as the Council of Elders and other identifiable groups and associations such as the 'Asafo' have been in the forefront. Several groups and structures also existed at the family level, running through clan to the larger community and ethnic group levels for the enforcement of these laws and practices. These groups, working independent of the traditional authority and also the colonial administrative structures, have represented the views of CS and had spearheaded the protection, conservation and preservation of environment, forests and wildlife (and also water resources) over the years. The activities of these groups have to a large extent led to the demand for transparency and accountability in the management of natural resources and other community resources including royalties. These indigenous practices and usages, including the establishment and protection of sacred grooves and selected tree species, to a very large extent is indicative of indigenous approaches to environmental governance and management and the roles of CS in the process.

Present day approaches to social accountability has taken new dimensions. The hitherto simplistic approach adopted at the community level has now shifted to the development of structures and the presentation of a united front. Several networks emerged in response to the nature of issues confronting the sector that is dominated by large scale concession holders and small scale unregulated actors, all extracting from the sector. A number of organisations are engaged in policy discourse and calling for enhanced Government responsiveness as well as increased corporate responsibility from the private sector. The use of the media as a tool for accountability gained prominence with a number of initiatives. A network of Environmental Journalists was established in the mid 1990s with the aim of providing a platform for reportage on the environmental sector. This network, though little heard of these days, gained prominence in the earlier periods of advocacy on the environment in general and mining in particular. An innovation in the accountability landscape is the emergence of CSO run news media, with the 'Public Agenda' and the 'Advocat' as pioneers. Other types of media engagement in social accountability are the various community radio broadcast stations working with the Ghana Community Radio Network.

Box 2: Use of Community Radio to Promote Civic Engagement

Radio Ada, the first community broadcast station in Ghana run by the Ghana Community Broadcast Network, adopted the local language – Dangme - for its target audience. The radio was set up mainly to 'provide a voice for the voiceless' through the promotion and contribution to informed dialogue and also to mobilise people's interest and participation in local governance amongst others. The radio, serving a predominantly fishing and farming population researches and presents both national and international news establishing linkages between these news and local level developments. Radio Ada also created the platform for local people to participate in local level debates. The radio under its Community Participation in Local Governance programme successfully created a forum for community members to dialogue and questions local political leaders and the District officials of their stewardship in live broadcasts. The Radio has gained international recognition and acclamation as the first Community Broadcast radio in Ghana.

www.unesco.org

The SEND foundation, the Institute for Policy Alternatives (IPA) and ISODEC present interesting examples of social accountability initiatives activities in Ghana. ISODEC, through its centre for Budget Advocacy, has tracked Government budgeting process and expenditure and the efficiency in the use of public resources. The programme also tracks transparency in public financial transaction and Central Government

transfers to Local Government authorities.

The SEND Foundation in its Ghana HIPC Watch programme aimed at maximising the impacts of the HIPC initiative on the resource poor communities and people of northern Ghana.

Box 3: SEND Foundation Experiences in Social Accountability

SEND Foundation's work in social accountability focuses on revenue streams from the Government to the MMDAs. The foundation derives information from the MFEP. Their experience in the sector is to develop a feedback processes in which information they generate, analyse and published are validated from the Government side. In addition, the organisation waits for response from the MFEP. As a practice, SEND avoids open confrontation with Government in their work if there are concerns expressed, or rebuttals from the Government side. On the contrary, they take such concerns seriously, and begin to analyse the issues raised by the Government side. In one instance, it was realised that the concerns raised by sector Ministry was real due to the fact that the revenue stream that was tracked was captured under a different budget line at the recipient DA.

The area of participatory budgeting is all replete with experiences from some CS groups, mainly NGOs. The GAIT II programme is one such group that has promoted participatory budgeting processes in the DA level. As already indicated, the technical capacity for social accountability exists within CS in Ghana. As such, the sector has engaged policy on several issues.

Of interest to this study is ISODEC's work in the extractive industries sector (i.e. the EITI process). Under its Extractive Industries Accountability Campaign, ISODEC works towards transparency in the receipt and utilisation of payments and revenues generated by extractive industries in the mining areas of Ghana. Its 'Publish As You Pay' and the 'Social Environment Audit Template' is in line with the social accountability process.

However, accountability processes in all sectors is weak. There are weaknesses in the capacity for accountability due to the inability to generate information. In addition to that, local level actors such as CBOs in addition to their limited capacity for accountability do not also understand the processes involved in policy engagement and dialoguing. Accountability is seen as an 'elitist' activity, the preserve of urban based large scale NGOs. The focus of accountability is therefore on national level processes without recourse to occurrences at the local level such as revenue from royalties, amongst others.

2.6 Environmental Governance and Social Accountability

A growing trend in the area of accountability is the over concentration on Government and its agencies, calling for accountability from them, without CS itself being accountable. On the other hand, the process of accountability over the period had been between Government and its agencies on one hand, and CS on the other. There is a demand and supply side of Accountability; with the CS sector demanding accountability from the Government side, and Government side accounting for its stewardship. In all these engagement, the private sector, being an important stakeholder in the socio-economic development of the country, is hardly included. The other side of the coin is that CS though making the demands, has in itself not been meeting the demand side of the continuum, by being accountable to its constituency.

The content and extent of social accountability processes to a very large degree is dependent on the context, capability, capacity and sector in which it is pursued. The extractive industry sector is replete with such examples. However, there are variations between processes in the mining sector and that of the forestry sector. Other extractive sectors such as fishing and quarrying have received very little attention. One would maintain here that the agenda for social accountability has a direct relationship with the international agenda for doing same. In the forestry sector, FWG and its individual member organisations are engaged in the call for social accountability. The NCOM is also engaged in the mining sector. Individual organisations such as ISODEC, TWN and WACAM are very prominent in the mining sector. The oil and gas sector is emerging and poses the greatest challenge to both Government and CS.

However, there are identifiable gaps, the aggregate of which gives the indication that CS capacity for social accountability is weak. Some of the gaps identified include:

1. *Limited capacity to conceptualise the framework for social accountability.* Social accountability is not only about demanding rights. It rests on the premise of dialogue among parties engaged in it. It requires the development of a framework for dialogue with all stakeholders, ranging from community members and their leadership through the sub-national units to the national level. The inability of CS to put both the demand and supply side of SA into perspective more often than not makes Government to view CS with contempt and suspicion.
2. *Limited information within the public domain.* Speculations abound when information is limited or virtually non-existent. As it stands now, there is no compelling law in Ghana relating to information in the public domain. The Freedom of Information Bill is yet to be passed into law. The enactment of such a law could enhance both the demand and supply side of accountability.

3. *Limited capacity to dialogue.* One of the triggers for accountability is dialogue with all parties and sustaining the dialogue process. The inability to establish dialogue in the accountability process leads to biases and limitations in substance of the issues presented.
4. *Weak capacity to sustain any social accountability activity within CS.* The sustainability issue is also contingent upon available resources – human and financial. A number of groups engaged in accountability processes in the NRM are engaged in several activities with their staff multi-tasked and in some cases overstretched. In addition, most of them, especially the smaller groups, keep changing their programs in most cases to respond to funding regimes and schemes available. This makes sustained accountability work difficult. This factor is more prominent with groups that derive their advocacy agenda from others. In any endeavour, sustainability and replicability is an important element of success. Where a process is sustainable, but cannot be replicated, the gains of such an effort are eroded.
5. *Weak research capacity of CS.* Capacity for action oriented research is weak within CS as a whole. This has led most groups to pursue the supply side of accountability. There is over dependency on Government to supply information for the process. This lack of capacity affects the accountability process in the sense that the basis for demanding accountability in itself is inadequate and as such the results cannot be validated.
6. *Perceptions about social accountability as an intellectual and elitist activity.* Accountability processes have been seen as an activity exclusively reserved for the NGO sector. It is also perceived as an academic activity with only ‘elitist’ CSO groups leading it. Other groups within CS fear venturing into it, unless the agenda is development and they are drawn into the process.
7. *Limited understanding of policy.* Dovetailing the above is the related issue of limited understanding and comprehension of policy issues. Policy issues and other related documents are presented in very technical language, the interpretation of which becomes the exclusive preserve of a limited number of CSOs. Of interest is also the limited knowledge on the part of most groups on the standards of environmental quality.

2.7 Civil Society – State Relationships

No immediate threat from the state to individual organisations or any sections of CS exists and the political environment for CS activities has never been freer than it is at the moment. However, CS on its part has not taken advantage of the current liberal environment to demand active involvement in policy making, and according to an observer, this leaves Government “free to undertake any kind of engagement, consultation or involvement” of CS in its programmes. The increased freedom CS enjoys now is contrasted by a limited engagement between CS and the state to dialogue on policy issues, a manifestation of the limitations in capacity for both sides to engage constructively on issues.

The relationship between CS and Government has evolved from limited interaction and discord during the early days of the 1992 Constitution to increasing engagement over the past decade. CS groups also enjoy autonomy under the law and have in many instances provided alternatives for Government in various fields. On the other hand CS, represented by the intelligentsia, students, labour unions, religious and professional bodies, political movements, traditional rulers, community and town associations, and Government relationships have been a chequered one from the early post – independence days to the later part of the 1980s. Whereas in the years immediately preceding independence CS activism was much in support of the Government, a legacy from the fight for independence, future political developments place both Government and CS in an antagonistic position. Thus, the relationship between Government and CS oscillated between collaboration and cooperation to suspicion and mistrust as the years go by.

CS relationship with the fourth Republican Government has been healthy and cordial. Government attempts at regulating NGOs with the introduction of a Draft NGO Bill (1993) and again in the Trust and NGO Bill (2007) has created occasional flash points that have been resolved. Dialogue between CS and Government is continually growing, nonetheless the general picture is that “neither Government nor the Donor Community has defined and adopted a specific standard of civil society participation in the formulation, implementation, monitoring and evaluation of programmes, which may be considered as adequate or satisfactory”.

Though there appears to be some improvement in the level of engagement between the state and some CS groups generally, there still remains some work to be done in the sector. Some explanations for this state of affairs include:

- The combination of acceptance of dissenting voices with a closed attitude towards dialogue and engagement as a deliberate policy of the Government to maintain control.
- Limited experiences of CS and the state for engagement on policy issues – most CSOs have problems in moving beyond the blaming and fault finding stance, to engage with Government based on well researched “evidence-based” advocacy that provide clear and tangible alternative policies.
- Lack of understanding and experience on the functioning of Government institutions – most CSOs,

especially those rural based - have limited knowledge of the functioning of Government including sub-national governance processes. They are therefore unable to anchor their operations, especially their advocacy work into the governance structure.

- Lack of understanding and experiences on the work and functioning of CS – most Government functionaries at the sub-national level have limited understanding of the work and relevance of CS and therefore do not include them in their processes. Where such engagement exists, it is mainly to be part of the endorsement process rather than part of the planning and formulation stages.
- Limited capacity to collect and collate information for issues – based advocacy leading to speculation and misrepresentation of issues.
- Limited social and political space to operate – although provided for and guaranteed under the 1992 constitution of the Republic of Ghana, most CSOs have limited space to operate. These constraints are products of the institutional arrangements and framework within which they operate. This situation is further exasperated by the limited knowledge of the leadership of CS especially in the rural areas to take advantage of existing institutional framework and paradigm for engagement.
- Limited definition of CS as indicative of only NGOs on the part of Government and its agents to the exclusion of a large proportion of groups, which hitherto represents a greater majority of the population, especially the rural population.

The efficiency, effectiveness and sustainability of social accountability mechanisms, especially in the NREG sector, depend to a large extent on the degree to which the process is “institutionalised” and also the extent to which the internal mechanisms of the state and its functionaries and actors, private institutions and other duty holders are rendered more transparent and open to civic engagement. For Social accountability mechanisms to be effective in the long run, it needs to be institutionalised and linked to existing governance structures and service delivery systems.

2.8 Suggested Strategies to Improve Government’s Responsiveness to NREG

Governments over the years have tried to enact policies that enhanced participatory management of environment and natural resources. In spite of all these laudable efforts, gaps still exist in the process. In as much as policies relating to the forestry and wildlife sector support the concept of coordinated participatory forest management as the cardinal approach to ensuring sustainable management and utilisation of forest resources to the benefit of all stakeholders, there is the need for Government to be responsive to local land owning communities and CS groups which have significant roles to play in the management of forestry resources. Several factors account for lack of Government responsiveness to NREG, amongst them includes the following:

- **Poor participation of locals in management Processes:** The Forestry Commission (FC) Board as constituted presently has no room for local and/or land owning communities representation. Timber Resource Management Act (Act 547), which legally established the Timber Rights Evaluation Committee, also does not factor in local land owning communities representation. As a result, management of forest resources is much centralised. This defeats the principle of involving rural people in Forest and Wildlife conservation as enshrined in the 1992 Constitution. Successive legislations have also left traditional authorities/communities with little formal decision-making powers, much more the implementation of policy decisions in their legal position as landowners.
- **Conflicting legislation:** Some of the policies and legislation formulated for the forestry sector are at times ambiguous and conflicting. For instance, the customary and statutory laws give the right to the chiefs to become landowning authorities. However, the principal feature of the Administration of Lands Act, 1962 (Act 123) vested the management of stool lands and the collection of stool lands revenue into the hands of the Central Government. Besides, the Concessions Act, 1962 (Act 124) which was passed in the same year made major changes in the previous ordinances, basically vesting in the state (i.e. Central Government) the right to grant concessions and the management of all timber resources both on and off reserves. These statutes deprived the traditional authorities the right over their own resources. The collection of stool land revenues was also vested in the Central Government, which further deprived them of right of ownership.
- **Political Economy:** The forestry sector is one major sector of the economy of Ghana where dominant interest groups with power as a result of wealth exist and they have used this power to influence policy/legislation in the sector to their advantage. The granting of concessions under long leasehold agreements for instance created the impression in the minds of the timber contractors that they owned the resource. The subsequent over-exploitation of forest resource by these profit-maximising firms and other traditional farming practices and bushfires led to the depletion of forest resources. Furthermore, most of these firms were very wasteful. They failed to invest in modern and efficient technologies. Consequently there were low recovery rates or what is known as “high volume low value production” and never bothered to undertake development of timber species plantation.

- **Equity participation:** Ownership of equity interest in mining projects by the state, local mining community or individual citizens of the host nation is one vehicle for participating in the benefits of mining. This could be by way of free equity interest in mineral operations, in which case it has to be considered as part of the overall fiscal package; it would be a minority interest in the shareholding of the project company. In cases where the Government is to pay for its shareholding and where the operating company is not publicly quoted, determining what a fair price is could lead to disagreements.

2.9 Summary of Findings, Recommendations and Implications for Policy

The consultative process and engagement with CS over policy formulation and policy impacts to a very large extent is contingent on Government willingness for dialogue and CS capacity to be part of the dialoguing process. Whereas as capacities for the CS engagement in NR&EG varies, the general willingness and the preparedness of CS groups to engage in accountability processes through dialogue with Government in particular and the Private Sector as part of the stakeholder group is an indication of Civil Society's growing concerns over natural resource and environmental management.

2.9.1 Key Findings

The key issues emerging from the study and the engagement process include the following:

1. Political patronage, rent seeking practices, unsustainable exploitation and inequitable allocation and utilization of land and forestry resources pose significant challenges to management of the forest resources for societal benefit and fostering good governance, thereby making CS engagement in the monitoring of the sector difficult.
2. The definition and construction of CS in Ghana is biased towards the traditional professional NGO segment. The non-traditional segment comprising local and community based organization has been absent from policy dialogue. Existing documentation and classifications of CS express this bias as well. It is instructive to note that the designation of NGOs sometimes include all levels of CS groups.
3. CS interests in the ENR sector are varied, dynamic and changing since their livelihoods depends on the utilization and exploitation of natural resources. Economic activities of the local people change as the seasons and as such they are engaged in multiple activities some of which are dangerous to the environment. To this effect the engagement of community actors in ENR governance will increase their sense of commitment and ownership of the process. The institution of chieftaincy and the Traditional Councils headed by the Chiefs as important component of CS have been neglected in the process. Their exclusion in policy discourse affects the social organisation and cohesion of the communities they represent.
4. The number of groups engaged in the environment and forestry and wildlife sectors is high. The mining sector is on the other hand constrained. This is due to the fact that there is correlation between the other sub-sectors and mining. Mining is one extractive industrial sector which involves processes and technologies that affect the other sectors. The indication is that groups working in the sub-sectors of environment and forestry and wildlife are equally concerned about mining.
5. The socio-political milieu in which CS and their groups live and work at the local level determines the issues and the extent of engagement. The limited engagement they have with state and private sector actors is a reflection of the limited capacity to dialogue as well the need to satisfy more pressing needs and address issues of livelihood.

2.9.2 General Recommendations

Based on the review of the sector and field studies, the following general recommendations are worth considering:

1. There is the need to reduce political patronage in the ENR sectors. Policies should aim at reducing conflict of interest in the sector. Political office holders who have shares and other interests in the sector should be compelled to make public their interest, and where appropriate be reassigned schedules where the conflict will be minimal.
2. Forest land owners and local communities should be made members of the Forestry Commission (or the Technical Committees) and Timber Rights Evaluation Committee. Such membership, especially on the Commission at the minimum, will ensure that inputs of land owners/local people are taken care of as their concerns would be articulated and be made a part of the Government agenda. The Commission may utilize the mandate to create such units as it deems fit to rectify this anomaly.
3. The engagement of CS in the sector should be all inclusive and comprehensive. There should be focus on enhancing the non-traditional CS sector, with specific targeting of local level groups. Existing networks of such groups should be supported with capacity building programmes aimed at enhancing their efficiency.
4. Information on policy issues in the ENR sector should be readily available in the public domain, in a language comprehensible to local level stakeholders. In as much as possible, the implementation

arrangements of MDAs should also involve institutional public engagement processes with forest and mining area communities. Available and accessible information is catalyst for progress. The law relating to Freedom of Information would have to be passed with utmost agency. In the same way a law protecting the source of information should also be put in place.

5. Chiefs and their Councils should be recognized as vibrant part of CS with interests transcending that of the larger community. They should be engaged in the accountability process. The structure of the institution and the sanctity it invokes makes for social cohesion. If well utilised, issues of accountability could be streamlined and institutionalised and potential conflict points minimised.

10. Conclusion

The Natural Resource and Environmental Governance (NREG) program, seeking to strengthen Social Accountability mechanisms to increase transparency and reduce corruption in natural resource and environmental management, covers critical sectors of forestry and wildlife, mining and the environment. Acknowledging that the CS is an important stakeholder in Ghana, their involvement in the NREG is perceived to be crucial. Civil Society need to be able to have the capacity to undertake research, monitor and evaluate impacts and through the process influence NREG policy so as to contribute to better governance of Ghana's renewable and non-renewable natural resources. However, given their current form and structure, the capacity of CS to meet this high expectation is unclear. The task of having adequate space to engage in multi-stakeholder dialogue demands enormous strength and capacity and hence the intent to have non-state actors to provide support to CS facility.

References

1. Adil N.; Mihaela, P. and Nadaa, T; (2006). *Global Environmental Governance. A Reform Agenda* International Institute for Sustainable Development. Ministry of Foreign Affairs, Denmark
2. Alan R, Jonathan S, 2007, *Ghana Country Case Study: The challenge of mineral wealth: using resource endowments to foster sustainable development*, International Council of Mining & Metals
3. Beeko, C., M. Parren, et al. (2005). *Wood Tracking System: Systems requirement analysis*. Validation of Legal Timber Programme. Accra, Ghana, SGS / Ghana Forestry Commission. p.14
4. Brown, D. (2005). *Strategies for Independent Monitoring*. Verifor Options, ODI, CIFOR, RECOFTC, CATIE. p. 2
5. Carmen, M; Reiner, F and Janmejy (2004) *Social Accountability. An Introduction to the Concept and Emerging Practice*. Social Development Papers. Participation and Civic Engagement. Paper No. 76. Dec 2004. World Bank
6. CDD-Ghana, (2005) *Ghana land and forestry policy support facility, Increasing Governments' responsiveness to civil society in matters of land and forestry policy*, Project no. 5. CDD-Ghana, Accra
7. Constitution of Ghana, *1992 Constitution*
8. Crook Richard; November 2005, *The role of faith-based associations in political change and development*. CDD/ODI Policy Brief No. 5,
9. Crook, R, Nov 2005, *The Role of Traditional Institutions In Political Change and Development*. Policy Brief No 4, ODI, London
10. DFID, EC, UNDP and World Bank, July 2002, *Linking Poverty Reduction and Environmental Management Policy Challenges and Opportunities*, A Contribution to the World Summit on Sustainable Development.
11. Environmentally and Socially Sustainable Development Network (2003). *The Role of Civic Engagement and Social Accountability in the Governance Equation*. Social Development Notes. Note No. 75. March 2003. World Bank.
12. EPA, 2004, *Strategic Plan*
13. EPA-Ghana (1999) *Ghana National Environmental Action Plan (NEAP)*. 1998 Annual Reports of Ghana Environmental Agency, Accra
14. European Commission (2005). *A timber legality assurance system*. FLEGT Briefing Note 9, European Commission. p.5
15. Gaventa, John. (2002) *Introduction: Exploring Citizenship, Participation and Accountability*. IDS Bulletin, Vol 3, No. 2 Brighton: Institute of Development Studies.
16. Ghana Forestry Commission (2001). *The Service Charter of the new Forestry Commission*. Accra, Ghana, Ghana Forestry Commission. www.fcghana.com/forestry_commission/charter/preamble.html
17. Government of Ghana, 1994, *Local Government Act 1994. Act 462*. Ghana.
18. Government of Ghana, 1999, *Forestry Commission Act 1999, Act 57*. Ghana
19. Government of Ghana, 2006, *Growth and Poverty Reduction Strategy 2006-2009*. Ghana
20. National Development Planning Commission (2007): *Implementation of the Growth and Poverty*

- Reduction Strategy 2006-2009: 2009*, Annual Progress Report. Accra, Ghana.
21. Natural Resources and Environmental Governance (NREG) Programme, 26 Aug-14 Sept 2007, *Aide Memoire of Joint Preparation Mission of the NREG programme*, RNE/DFID/AFD/EC/WB Ghana
 22. Yelapaala, K. (2003) *Mining, Sustainable Development, and Health in Ghana*. The Akwatia Case-Study. [Online document] cited on July 3, 2008 at: http://www.watsoninstitute.org/ge/watson_scholars/Mining.pdf

The IISTE is a pioneer in the Open-Access hosting service and academic event management. The aim of the firm is Accelerating Global Knowledge Sharing.

More information about the firm can be found on the homepage:

<http://www.iiste.org>

CALL FOR JOURNAL PAPERS

There are more than 30 peer-reviewed academic journals hosted under the hosting platform.

Prospective authors of journals can find the submission instruction on the following page: <http://www.iiste.org/journals/> All the journals articles are available online to the readers all over the world without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. Paper version of the journals is also available upon request of readers and authors.

MORE RESOURCES

Book publication information: <http://www.iiste.org/book/>

Academic conference: <http://www.iiste.org/conference/upcoming-conferences-call-for-paper/>

IISTE Knowledge Sharing Partners

EBSCO, Index Copernicus, Ulrich's Periodicals Directory, JournalTOCS, PKP Open Archives Harvester, Bielefeld Academic Search Engine, Elektronische Zeitschriftenbibliothek EZB, Open J-Gate, OCLC WorldCat, Universe Digital Library, NewJour, Google Scholar

