

ADVERTISER'S ANNOUNCEMENT

FORESTRY COMMISSION

We have learnt, with keen interest, disturbing as it is, a news publication by Global Witness, which is subsequently being discussed by both national and international networks and designed to impugn the integrity and credibility of Ghana's logging system. The publication alleges that majority of Ghana's timber being cut and exported carries a high risk of being illegal, not meeting the legal regimes in Ghana as well as the legal definition which Ghana has agreed with the European Union. This allegation is fundamentally flawed, both in substance and accuracy and shows a lack of understanding of Ghana's timber resource allocation system and the law governing it.

As a matter of fact, Ghana has a verifiable system of granting timber rights that is designed to foster sustainable management of our forests. The grant of the timber right is indeed in consonance with the legal framework of the country. The EU market is the biggest consumer of our wood exports, both in volume and value. Ghana shall, therefore, not risk playing itself out of such a lucrative market by flouting the very agreement, which is crafted to ensure our foothold on the EU market, and by extension, the global timber market.

To erase the erroneous impression, which the purported publication from the Global Witness seeks to create, we have stated below, the various timber rights and the laws under which they are granted.

In pursuance of the legal provisions governing the grant of Timber Rights, the Forestry Commission grants various timber rights in the form of Salvage Permits, Timber Utilisation Contracts and Permits (Special Permits):

1. SALVAGE PERMITS

In accordance with Regulation 38 of the Timber Resources Management Regulations, 1998 (LI 1649) Salvage Permits are approved by the Chief Executive of the Forestry Commission (FC) for the salvage of trees from areas of land undergoing development such as road construction, expansion of human settlement or cultivation of farms. The purpose of this law is to derive some revenue from the trees which otherwise, would have been destroyed through any form of development i.e farming, mining, electricity pylons erection, dam construction etc.

The Commission therefore wishes to state that all salvage permits issued are development related and that anybody who has any information to the contrary should provide evidence for further interrogation.

2. TIMBER UTILIZATION CONTRACTS (TUCs)

In accordance with the provisions of the Timber Resources Management Act, 1997 (Act 547) and its amendment, the Timber Resources Management (Amendment) Act, 2002 (Act 617), as

well as the Timber Resources Management Regulations, 1998 (LI 1649) and its amendment, Timber Resources Management (Amendment) Regulations, 2002 (LI 1721), Timber Utilisation Contracts are granted.

In accordance with Section 19 of Act 547, any timber right, concession or lease granted under any enactment and valid immediately before the commencement of this Act shall continue in force for a period not exceeding 6 months from the date of the coming into force of this Act. Within 6 months from the coming into force of this Act, the holder of any such timber right, concession or lease, may apply for a Timber Utilization Contract.

The Forestry Commission has completed the compilation of a database covering all the concessions and leases but the conversion process is stalled because of whether or not the payment of Timber Rights Fees (TRF) as prescribed by a later law LI 1721 is applicable to such converted areas. This has become a bone contention between F C and the Timber Industry. The matter has been referred to the Minister of Lands and Natural Resources for resolution.

The Commission would want to reiterate that no lease has been issued since the coming into force of Act 547 in 1997, as well as the signing of the Voluntary Partnership Agreement.

Once again the Commission would be grateful for any contrary evidence.

3. PERMITS (Special Permits)

In pursuance of Section 6 of Act 617 which amended section 20 of Act 547, areas that do not qualify as TUCs and no development is anticipated and thus salvage permits cannot be granted such areas are given out as Permits (Special Permits). These permits are approved by the Minister on the recommendation of the Forestry Commission. These permits although legal were omitted in the Voluntary Partnership Agreement (VPA) process. Consequently efforts are being made to include Permits or otherwise in the VPA.

In the light of the above, we wish to assure all Ghanaians, the EU and the General Public that the mandate given to the Forestry Commission to sustainably manage our forest resources in accordance with the provisions of our laws has not been compromised.

Samuel Afari Dartey
Chief Executive