

KROKOSUE SUB-HOTSPOT INTERVENTION AREA
JUABOSO DISTRICT
BYE-LAWS 2020

In exercise of powers conferred on the Forestry Commission as established by Forestry Commission Act, 1999 (Act 571), and the Ghana COCOBOD - under Ghana Cocoa Board Law, 1984, (PNDC. L.81) and, in line with Municipal Assemblies Bye-Law Section 181 of the Local Government Act, 2016 (Act, 963), and Local Government (Department of Municipal Assemblies (commencement) Instrument, 2009 L.I. 1961 Section 9, these Bye-Laws are hereby made as follows:

Title: Krokosue Sub-HIA Bye-Laws, Juaboso District Assembly Management and Protection of Hotspot Intervention Area (Bye-Laws, 2020).

These Bye-Laws shall apply within Krokosue Sub-Hotspot Intervention Area (hereinafter called Krokosue Sub-HIA) in the Juaboso District (hereinafter called the Assembly) within the Juaboso-Bia Hotspot Intervention Area (hereinafter referred to JB HIA).

Part 1: Jurisdiction and Application of Bye-Laws

Establishment of Krokosue Sub-HIA

Juaboso-Bia landscape is designated as Hotspot Intervention Areas (HIA) based on predominance of cocoa production, area of forests under threat, and presence of major stakeholders. It adapts a well-established Community Resource Management Area (CREMA) model for purposes of inclusive landscape governance. The adapted model is structured into a three-tier governance structure to involve communities, cocoa farmers, landowners and traditional authorities who live within, and preside over the HIA.

- o The first tier which forms the basis of the HIA governance structure is made up of community governance structures representative of all identifiable or interest groups in each respective community. Same as or similar to Community Resource Management Committee (CRMC), this structure is built on existing community governance and decision-making structures and is tasked with the implementation or enforcement of HIA management decision within the respective communities.
- o The second tier is composed of grouping or clustering of CREMAs and/or non-CREMA communities into Sub-HIAs depending on number of communities within a defined geographical area i.e. fit within a well-defined parameter. This tier has representation from all communities within a grouping or cluster and serves as bridge between the first tier and the third tier.
- o The third tier have representation of all second-tier structures to form a HIA Management Board. This tier is recognised as the aggregated community representation of the entire HIA and is responsible for all HIA management decisions.

Under GCFRP, the JB HIA is demarcated into six Sub-HIAs with one being the Krokosue Sub-HIA. The Krokosue Sub-HIA is guided by a constitution, and is

headed by an executive committee elected through free and fair elections, and with gender considerations that ensured representation of marginalised groups. As stakeholders (chiefs, queen mothers, assembly members, farmers, etc.) in constituent communities of this Sub-HIA, we have organised ourselves to collectively adopt climate smart cocoa production, sustainable natural resource management and conservation practices in our land use and livelihood activities. The aim is to establish a climate-smart cocoa sub-landscape with the intention to transform cocoa farming methods and landscape conservation measures for creating positive and sustainable environmental practices. It is envisaged that, encroachment into forest reserves will cease, and the off-reserve areas will retain significant patches of secondary forest, old forest fallows and relic cocoa agro-forests.

Application of Bye-Laws

The land area, and constituent communities within which these Bye-laws shall apply are specified in Annex 1 as also contained in the Constitution, and hereby established and designated as Krokosue Sub-Hotspot Intervention Area (Sub HIA). These Bye-Laws shall be in accordance with Forest Protection (Amendment) Act, 2002, Act 624, Timber Resources Management Act 617 (Amendment) Act, 2002, Wild Animals Preservation Act, 1961 (Act 43), the Timber Resource Management and Legality Licensing Regulations, 2017 L.I. 2254, Manual of Procedures – Forest resource Management Planning (Section F) – Controlled Timber Production off Reserve, 1988, the Riparian Buffer Zone Policy for Managing Fresh Water Bodies in Ghana, 2011 and in fulfilment of Collaborative Forest Management Strategies, Forest & Wildlife Policy (2012), as well as environmentally related customary rules and practices specific to the Krokosue Sub-HIA.

These Bye-Laws shall give legal backing to the constitution of the Krokosue Sub-HIA. It shall empower leadership of the Sub-HIA i.e. SHEC to enforce any rules and regulations of the Sub-HIA as spelt out in the constitution.

Part 2. Prohibitions, Permissions and Sanctions

2.1 Climate Smart/Sustainable Cocoa Production

2.1.a Prohibitions

2.1.a.1 Production, Sale, Distribution and Use of COCOBOD unapproved cocoa agro-chemical(s) (weedicides, pesticides, fertilizers, etc.) shall not be allowed within the Sub-HIA.

2.1.a.2 Establishment of new cocoa farms in any recognised forest reserve, except in admitted farms shall not be allowed within the Sub-HIA.

2.1.a.3 Selling/Buying of cocoa beans outside the immediate producing vicinity i.e. Community, Cocoa District, Administrative/Political District shall not be allowed within the Sub HIA.

2.1.a.4 Smuggling of cocoa beans into, or out of the Sub-HIA to neighbouring country (Ivory Coast) shall not be allowed.

2.1.a.5 Dealers without requisite licenses shall not engaged in the sale of agro chemicals within the Sub HIA.

2.1.b Permissions

2.1.b.1 All cocoa farmers within the Sub-HIA shall endeavour to plant 8-9 COCOBOD recommended shade trees species per acre in their cocoa farms.

2.1.b.2 Dealers in cocoa agro chemicals shall demonstrate competence to educate farmers on safe use such agro chemicals.

2.1.b.3 All cocoa farmers shall procure/receive/accept and plant only improved cocoa seedlings in the establishment of new or rehabilitation of cocoa farms.

2.1.b.4 Only COCOBOD recommended plant materials shall be used for fermentation of cocoa beans other than mosquito nets and other rubber materials.

2.1.b.5 Farmers, landowners, investors, etc. shall have all planted and/or nurtured trees on their farms dully registered by the FC with support of the SHEC.

2.1.b.6 Fermentation of cocoa beans shall not be done in less than 6 days and not more than 7 days.

2.1.b.7 Cocoa farmers within the Sub-HIA shall adhere to COCOBOD recommended CSC practices on land preparation in cocoa farming.

2.1.b.8 SHEC, purchasing clerks and farmers must have capacity to identify and ensure only quality cocoa bean are produced and traded in within the Sub HIA.

2.1.c Offences/Sanctions

2.1.c.1 Any person, group or entity that violates section 2.1.a.1 and 2.1.a.5 shall be sanctioned as:

- o first time offenders shall be cautioned and advised by the SHEC to refrain from such acts.
- o serial offenders shall be reported by SHEC to COCOBOD, EPA, and Ghana Police Service for arrest and prosecution.

2.1.c.2 Offenders of section 2.1.a.2

- o will be reported by SHEC to FC for arrest and prosecution.
- o the SHEC shall support the FC to destroy such illegal farms in recognised forest reserves.

2.1.c.3 Individuals and entities that violate section 2.1.a.3 shall be compelled by the SHEC in collaboration with respective traditional authority and COCOBOB to sell within the producing area.

2.1.c.4 Individuals and entities that violate section 2.1.a.4 shall have their smuggled cocoa beans seized by the SHEC in collaboration with either of the following regulatory/law enforcement agencies i.e. GIS, GPS, GAF, traditional authority for appropriate sanctions to apply.

2.2 Forest Resource Protection

2.2.a Prohibitions

2.2.a.1 Use of fire or burning for whatever purpose shall not be allowed in any recognised forest reserve within the Sub-HIA.

2.2.a.2 Farms under Modified Taungya System (MTS) shall not exist beyond the stipulated number of years i.e. 3 years as allowed for under the MTS guidelines.

2.2.a.3 Illegal logging shall not be allowed in any recognised forest reserve, in off-reserve areas and on-farm.

2.2.a.4 Economic/commercial activities involving the use of processing plants shall be allowed or sited or operate in recognised forest reserve.

2.2.a.5 Collection of timber products and NTFPs in commercial quantities from recognised forest reserve without permit from FC (WD or FSD) and prior knowledge of the SHEC or source community shall not be allowed within the Sub HIA.

2.2b Permissions

2.2.b.1 Residents will require the permission from the SHEC to harvest 1-3 timber trees owned and managed by the SHEC, but for domestic use only.

2.2.b.2 Permitted or legal logging under section must be done with minimal destruction of other tree species and shall be monitored by SHEC in collaboration with the FC-FSD.

2.2.b.3 Farmers and landowners within the Sub-HIA can plant, nurture naturally occurring trees, own and harvest same with prior knowledge and permission of the SHEC and FC-FSD.

2.2.c Offences/Sanctions

2.2.c.1 Offenders of section 2.2.a.1 shall be reported to FC-FSD, WD and GNFS by the SHEC for appropriate sanctions to be applied.

2.2.c.2 Contravention of section 2.2.a.2 will attract destruction of such farms/crops by the FC supported by the SHEC.

2.2.c.3 Offenders of section 2.2.a.3 related to planted or nurtured trees on-farm will:

- o have their equipment and logs or lumber ceased by the SHEC and disposal of same determined thereof.
- o pay compensation to farmers for stolen trees/timber and/or damages to crops.

2.2.c.4 Offenders of section 2.2.a.3 related to trees on-reserve will:

- o be reported to FC-FSD or WD for appropriate sanctions to be applied.

2.2.c.5 Violation of section 2.2.a.4 will attract seizure of gathered products i.e. timber of NTFPs either solely or jointly by the SHEC/Community, FC FSD and WD, and disposal of same determined thereof.

2.3 Water Resource Protection

2.3.a Prohibitions

2.3.a.1 Unapproved fishing methods including the use of poisonous chemicals and complete draining of water bodies shall not be allowed within the Sub-HIA.

2.3.a.2 Farming in river banks, or along stipulated buffer zones of water resources within the Sub-HIA shall not be allowed.

2.3.a.3 Dumping of household/industrial/farm waste into any water resource shall not be allowed within the sub-HIA.

2.3.a.4 Farmers and other users of agro-chemicals shall not wash chemical containers/protective gear in any water resource within the Sub HIA.

2.3.a.5 Individuals or households shall not use agro chemical containers for any domestic purpose including storage or preservation of human consumables.

2.3.a.6 Mining activities shall not be allowed inside any water resource in the Sub HIA.

2.3.a.7 Sand winning shall not be allowed in and around any waterbody within the Sub-HIA

2.3.a.8 Any other form of water pollution that threatens life shall not be allowed within the Sub-HIA.

2.3.b Permissions

2.3.b.1. Any activity including farming along water bodies shall leave a buffer zone of at least 10-15meters within the Sub-HIA.

2.3.b.2 The SHEC shall collaborate with relevant bodies develop buffer zones around water resources within the Sub-HIA.

2.3.c Offences/Sanctions

2.3.c.1 Any person who violates section 2.3.a.2 shall be plant trees to replace the damaged vegetation covering the damaged area.

2.3.c.2 Violation of section 2.3.a.1, 2.3.a.3, 2.3.a.4, 2.3.a.5, 2.3.a.6, 2.3.a.7 and 2.3.c.8 will be reported by the SHEC to the appropriate state institution including traditional authority for sanctioning.

2.4 Mineral Resource Protection

2.4.a Prohibitions

2.4.a.1 Illegal gold mining in any form shall not be allowed within the Sub-HIA.

2.4.a.2 Prospecting for minerals shall not be allowed in, or within banks of major water bodies within the Sub HIA

2.4.a.3 Prospecting for a mineral without EIA and licence shall not be allowed in recognised forest reserves within the Sub-HIA.

2.4.b Permissions

2.4.b.1 Mining within the Sub-HIA shall only be allowed if the mining company/individual has obtained requisite permits/licenses from appropriate state institutions.

2.4.c.2 Mineral prospecting shall only be allowed in non-protected areas upon acquisition of license from the appropriate state institution relevant bodies within the Sub-HIA.

2.4.b.3 Legal mining shall be undertaken with no damage to cocoa farms within the Sub-HIA.

2.4.c Offences/Sanctions

2.4.c.1 Equipment belonging to offenders of section 2.4.a.1, 2.4.a.1 and 2.4.a.3 will be ceased by the SHEC/Community(ies) in collaboration with the relevant traditional authorities, Ghana Police Service and disposal of such equipment determined thereof.

2.5 Wildlife Management and Protection

2.5.a Prohibitions

2.5.a.1 Individuals, households or groups within the sub-HIA shall not, and/or support other persons to hunt or trap wildlife in the Bia National Park.

2.5.a.2 Hunting or setting wildlife traps shall not allowed during closed hunting season (1st August - 31st December) both in on and off reserve areas.

2.5.a.3 Individuals or groups shall not carry any weapon (guns) capable of harming or killing wildlife in any established recognised forest reserve in the closed hunting season.

2.5.a.4 Poaching shall not be allowed within the Sub-HIA.

2.5.a.5 Hunters (permitted and unpermitted) shall not use fire for hunting during the dry season.

2.5.a.6 Group hunting shall not be allowed in any part of the Sub-HIA.

2.5.b Permissions

2.5.b.1 Only Wildlife Staff or Guards may carry weapons (guns) in forest reserve or protected areas during closed hunting season.

2.5.b.2 HIA patrol teams (CRMCS, CEC, SHEC) shall only carry simple tools (cutlass) to ease their movement during routine monitoring but with prior knowledge of FC-WD.

2.5.b.3 Only persons who have obtained permit from the FC-WD will be allowed to hunt within the Sub HIA in the open hunting season.

2.5.c Offences/Sanctions

2.5.c.1 Offenders of section 2.5.a shall be reported by the SHEC to the respective traditional authority and the FC-WD for appropriate sanctions to apply.

- o SHEC acting solely or jointly with the respective traditional authority, FC-WD shall cease offenders' equipment and game, and the disposal of ceased items determined thereof.

2.6 Bush Fires -Use and Prevention

2.6.a Prohibitions

2.6.a.1 No individual or groups of individuals shall set fire in forest or protected areas within the Sub-HIA.

2.6.a.2 Use of fire for farm preparation shall not be permitted in the dry season.

2.6.b Permissions

2.6.b.1 A person or farmer who uses fire for farm preparation within the Sub HIA must ensure that the fire does not extend to other farms or areas.

2.6.b.2 Use of fire for farm preparation must be done under the guidance or supervision of community fire volunteer or an officer of GNFS

2.6.b.3 In case of fire outbreak(s), the community and fire volunteers may initiate action to contain and/or quench the fire.

2.6.c Offences/Sanctions

2.6.c.1 Offenders of section 2.6.a.1 shall be reported to the FC-WD, FSD, or GNFS or GPS for appropriate sanctions to apply.

2.6.c.2 Offenders of section 2.6.a.2 shall be reported to the appropriate traditional authority for appropriate sanctions to apply.

2.6.c.3 Where violation of 2.6.a.1 and 2.6.a.2 results in destruction of farms or properties of another person, the offender shall compensate the property owner on agreed settlement by the respective traditional authority in collaboration with the SHEC.

2.7 Related Customary Laws

2.7.a Prohibitions

2.7.a.1 Farming activities is not allowed Thursdays.

2.7.a.2 Women in their menstruation period are not to visit or enter into the following water bodies; Mmrakuro at Eteso, Dwemehwe at Komeamaa and Ahomasee at Kantankrubo.

2.7.b Offenses/Sanctions

2.7.b.1 Offenders shall be reported to the respective traditional authority for appropriate sanctions to be applied including fines for pacification of gods where necessary.

Part 3. Indemnity

No person shall bring an action against any Sub-HIA constituent member or the Juaboso District Assembly in respect of any proven act in good faith, in the

performance of duties/activities in the interest of the Sub-HIA, its Lower and Upper tier structures.

Part 4. Amendment of Bye-Laws

These Bye-Laws are subject to amendment from time to time by the Juaboso District Assembly at a session where two-thirds majority of SHEC members within the Sub-HIA call for amendment of the Bye-laws

Part 5. Interpretation

In this Bye-Law, unless the context otherwise requires;

5.1 **SHEC** means executive committee of the Sub HIA with representation from constituent communities and it is the highest decision-making body of the Krokosue Sub-HIA.

5.2 **Group Hunting** means more than two persons joining or combining efforts to undertake hunting activity.

5.3 **Prohibitions** are practices or undertakings that are completely not permitted in the Sub HIA.

5.4 **Permissions** are practices or undertakings that may be allowed but under strict regulations.

5.5 **Offences/Sanctions** are punishments in violation of stipulated regulations in the Sub HIA.

Acronyms

CEC	Community Resource Management Area Executive Committee
COCOBOD	Ghana Cocoa Board
CREMA	Community Resource Management Area
CRMC	Community Resource Management Committee
DA	District Assembly
EPA	Environmental Protection Agency
FC	Forestry Commission
FSD	Forestry Service Division
GCFRP	Ghana Cocoa Forest REDD+ Programme
GNFS	Ghana National Fire Service
GPS	Ghana Police Service
HIA	Hotspot Intervention Area
LBC	Licensed Buying Companies
MTS	Modified Taungya System
NTFP	Non-Timber Forest Products

SHEC
Sub-HIA
WD

Sub Hotspot Intervention Area Committee
Sub-Hotspot Intervention Area
Wildlife Division

Annexes
Annex I: List of Communities in Krokosue Sub HIA

Annex II Map of Krokosue Sub HIA

