

CREMA/Sub HIA/ HIA Community Rules & Regulations—Informing By-laws Gazettement

It is essential to the successful implementation of a CREMA, Sub-HIA, HIA landscape that the communities included in the area agree to a set of self-governing rules/regulations covering what human activities are restricted or proscribed in the area. Such rules/regulations must be agreed by the community members through an open process of debate and discussion resulting in consensus on the set of rules. With time these rules should be codified by the District Assembly into bye-laws which can be enforced under local law and not only by community sanctions.

There are many CREMA-type institutions operating across Ghana with different local level rules. There is not a single set of rules which can be copied and applied to another location. As each landscape will have unique local issues/customs/taboos which need to be incorporated into the specifics of that given CREMA/Sub-HIA.

But there are a wide set of topics which need to be covered during such community level discussions and addressed with appropriate agreed strictures. From experience to date in Ghana these include the following issues.

No.	Issue	Rationale
1.	Cocoa farming within the gazetted boundaries of national parks and forest reserves	<p>Cocoa farms located within parks/reserves are illegal and play a significant role in the rate of deforestation and forest degradation. This poses a significant issue for all the LBCs and end user companies as they have made strong global commitments not to source cocoa beans which originate from farms illegally located inside parks/reserves.</p> <p>It is essential that the establishment of new farms inside parks/reserves is halted. The removal of farms already existing inside parks/reserves must be addressed in negotiated grandfathering agreements.</p>
2.	Illegal felling of trees both on and off reserve and encouraging appropriate shade management on cocoa farms	<p>The felling of native trees without appropriate permit from the FC is illegal but the practice is rampant throughout cocoa growing areas. Farmers have must to gain from maintaining an appropriate number of shade trees in their farms as shade trees are key to managing on-farm temperatures, soil moisture, biodiversity, etc. Measures need to be in place in a CREMA to promote management of shade trees on farms and also reduce the operations of chainsaw operators in the wider landscape.</p>
3.	Mining in cocoa growing areas	<p>Uncontrolled mining activities (galamsey) are illegal and are causing massive damage to cocoa farms, soils and water sources throughout the cocoa growing areas of the country. Galamsey must be stopped in a CSC landscape as the threat is existential for cocoa farming.</p>
4.	Use of fire	<p>Fire is part of the natural ecosystem and an important tool for farmers in various ways. Fire must be used</p>

		<p>carefully in a controlled manner so as to avoid uncontrolled bushfires. Bushfires cause enormous damage to forests and cocoa farms every year in Ghana.</p> <p>The timing of the use of fire and the correct measures to prepare for using fire must be ensured in the landscape.</p>
5.	Hunting activities	<p>Hunting and trapping of wildlife are common practices in cocoa landscapes. It is also necessary to control certain wildlife in cocoa farms to reduce the amount of damage to cocoa pods.</p> <p>Hunting of endangered animals in parks/reserves is illegal and needs to be stopped. Hunting of common animals such as grasscutter, squirrel and other rodents and small antelopes needs to be managed at appropriate levels.</p>
6.	Implementation of climate-smart cocoa farming best practices	Cocoa farms located within a CREMA/Sub-HIA need to be moving towards full implementation of the suite of climate-smart farming best practices outlined in the Cocoa Board/CRIG/NCRC materials. Incentives need to be in place to encourage farmers to implement these practices.
7	Protection of water bodies and courses	Rivers and streams are key to the well-being of every landscape and must be protected. This includes not encroaching on the riverine habitat with human activities, preventing use of chemicals in or near the water and keeping all galamsey activities far away from any water course due to the heavy metals (mercury and cyanide) which is used in that mining.
8.	Grazing of domestic animals	Grazing of domestic animals (cows/goats/sheep) is becoming a growing concern in cocoa areas. Grazing and browsing activities has a massive negative impact on growing trees and shrubs. They can also cause significant damage to water bodies and footpaths if there is uncontrolled uses.
9.	Traditional norms and practices	Each CREMA/Sub-HIA will identify a number of traditional norms and practices which are to be observed in that area. Such practices are generally pro-environment and wise use and can thus be formalized.

It is worth stressing that CREMA and Sub-HIA rules and regulations need to be developed in a lengthy consultative process that results in broad consensus given that they are to be self-governed. As the process advances, these rules and regulations can be passed into local government by-laws to make them enforceable by the police in extreme situations.

Options for moving from local rules and regulations to by-laws will depend on the unique structure and situation each HIA. However, it is possible to envision that groups of CREMAs establish rules and regulations and then the common rules are gazetted by the District Assembly for a Sub-HIA (a cluster of CREMAs). An HIA could then simply co-opt the range of by-laws by the different Sub-HIAs and stand to support their enforcement across the landscape.