

# REGIONAL INSTITUTE FOR POPULATION STUDIES UNIVERSITY OF GHANA, LEGON

## DECCMA NATIONAL STAKEHOLDERS' AND VALIDATION WORKSHOP

Ghana-India Kofi Annan Centre of Excellence in ICT, Ridge-Accra

DATE: THURSDAY, 20<sup>TH</sup> OCTOBER, 2016 TIME: 8.30 A.M.

### **SUMMARY**

The DECCMA project engaged stakeholders from the state-level in discussions on governance issues related to Climate Change vulnerability and adaptation. On 20<sup>th</sup> October, 2016 national-level representatives of government agencies, environment-related non-governmental organisations, development partners and research converged at the Kofi-Annan Centre for ICT and Excellence to participate in the stakeholder workshop organized by the DECCMA Project.

#### AIMS AND OBJECTIVES

The objective of the meeting was to bring together national level stakeholders for the purpose of assessing legal instruments and policies bordering on governance of climate related issues and initiatives toward successful adaptation. The meeting was also meant to give prominence to the DECCMA project introducing it to relevant state-level stakeholders and to solicit their support and collaboration.

### KEY OUTCOMES OF THE MEETINGS

To facilitate optimum participation and contribution by relevant stakeholders as stated in the aims and objectives participants were put into four main thematic groups. The themes for the various groups included: Natural Resource Management and Ecosystem Protection, Climate Change Adaptation, Disaster Management, and Migration, Resettlement and Human Rights. The issues discussed related to the existence and implantation of laws and policies for regulating the human-environment interaction.

### NUMBER OF INVITEES AND ATTENDEES

The workshop was attended by thirty-four (34) invited participants comprising twenty-four (24) males and ten (10) females drawn from academia, ministries, government agencies and non-governmental organisations.

### **AGENDA**

The main highlights of the agenda focused on, the Barriers to Policy Implementation and Successful Adaptation Surveys and also discussions to validate the document produced by the DECCMA Project on Governance in Ghana. There was a also video show on each day on the use

of Unmanned Aerial Vehicle (UAV) to monitor population vulnerability to environmental and its implication for creating community awareness towards adaptation.

### **EVALUATION & CONCLUSION**

Participants assessed the workshop for organization and utility. In all, participants were pleased with the levels of interaction.

### 1. INTRODUCTION

Large tracts of land at low elevation make deltas vulnerable to sea-level rise and other climate change effects. Deltas have some of the highest population densities in the world: in total with 500 million, often poor, residents. The adaptive strategies available to delta residents (e.g. disaster risk reduction, land use management or polders) may not be adequate to cope with pervasive, systematic, or changes associated with climate change. Hence large movements of deltaic people are often projected under climate change.

The Deltas, vulnerability and Climate Change: Migration and Adaptation (DECCMA) Project is a 5-year project, including applied research on the adaptation options, limits and potential in deltaic environments to current weather variability and extremes, as well as climate change. The DECCMA project will analyse the impacts of climate change and other environmental drivers across three contrasting deltas in Africa (Volta) and Asia (Ganges-Brahmaputra delta in Bangladesh/India and the Mahanadi in India). Processes of migration will be analysed using survey, participatory research and economic methods. Potential migration of men and women will be contrasted with other adaptation approaches using a stakeholder-driven and coproduced integrated assessment approach. The main aims of DECCMA are:

- i. To evaluate the effectiveness of adaptation options in deltas.
- ii. To assess migration as an adaptation in deltaic environments under a changing climate.
- iii. To deliver policy support to create the conditions for sustainable gender-sensitive adaptation.

### 2. BACKGROUND

As part of its efforts to engage stakeholders in research, DECCMA Ghana, led by the Regional Institute for Population Studies at the University of Ghana, has held district-level stakeholder workshops with the districts in the Volta Delta since May, 2015. There have been two rounds of district-level stakeholder engagements with groups of districts or individual districts in locations within the Volta Delta area. These meetings formed the first round of stakeholder meetings. The

DECCMA Project, to further stakeholder engagement in the year 2016, has held the national-level stakeholder meeting.

The purpose of the stakeholder engagement was to assess national legal instruments and policies for governance relating to issues of interest to the work tasks of the DECCMA Project. The workshop was held at the Kofi Annan Centre for IT and Excellence in Accra on 20<sup>th</sup> October, 2016 to engage national level stakeholders. The one-day workshop brought together a total of thrity-four (34) invited stakeholders including representatives from ministries and government agencies, media, academia and non-governmental organisations (**Appendix 2**).

Participants were selected and invited to the program based on their knowledge and or practice in either one of the thematic areas to be considered at the meeting. We therefore had participants coming in from parliament, academia, civil society organizations, government ministries and agencies, private sector, INGOs, NGOs and the legal sector. We had a total of 34 participants at the meeting, out of which 24 were males and 10 were females.

### 3.0 ACTIVITIES

### 3.1 Welcome & Introductory Note

The workshop began with a drama skit by the School of Performing Arts of the University of Ghana. The skit highlighted the purpose of the meeting, the key objectives and expected outcomes of the DECCMA Project was a shift from the usual way of opening programmes. It involved a chat walk by actors which intrigued the participants as they could only tell whether it was an actual chat between fellow participants or an act at the anti-climax of the performance.

The skit was followed by an address by Prof. Samuel Codjoe, the Principal Investigator and leader of the DECCMA Ghana team who welcomed the participants and formally introduced the DECCMA Project to them. He further outlined the purpose and expected outcomes of the workshop and officially opened the workshop. He encouraged all stakeholders to bring their expertise to bare for a successful engagement with the DECCMA Project. He invited a message from the International Organisation for Migration (IOM), a body he considers worthy collaborators in implementing recommendations from the research in the future.

The Chief of Missions and Country Director of the IOM, Sylvia Gomez, expressed their delight at the efforts of the DECCMA Project. In her speech, she acknowledged the importance of migration to human society today in the wake of economic recessions, war and climate change. She expressed optimism about the usefulness of the research outcomes of the DECCMA Project and partnership for policy and IOM initiatives. She advised all present to make significant contributions to the program to ensure a fruitful event.

### 3.2 Survey on Barriers to Implementation

Dr Cynthia Addoquaye-Tagoe guided participants to complete the questionnaire on the barriers to implementation. They were given information on what is expected in filling out the evaluations, the criteria, what they mean and the need to include additional criteria if need be. Individual participants were provided with additional support/responses as they completed the questionnaires.

### **3.3** Governance Group Discussions

Participants broke out into sectoral groupings to discuss policies and laws related to climate change vulnerability and adaptation. There were four groups in total.

### Group 1. Natural Resources Management and Ecosystem Protection:

The discussions were based on subthemes including General Laws and Policies; Ecosystems Approach; Land use, tenure and agreement and water resources. The group identified specific institutions tasked to ensure natural resource management and ecosystem protections and the legislations available. They noted that where explicit legislations did not exist there were strategies to protect biodiversity. The group identified some challenges in the current system and suggestions were made regarding how to improve specific sub-categories under natural resources and ecosystem management.

### Group 2. Disaster Management

The group also agreed to the existence of the national disaster management Act of 1996(517). The group agreed to the existence of a national law guarantee to internally displaced persons to enjoy in full equality.

They recommended that the nation ratifies the Kampala Convention to help enforce provisions of humanitarian assistance and protection to internally displaced persons. Another key recommendation was for an amendment to the laws binding some government organisations like NADMO, hydrological services, meteorological department for timely dissemination of information to create awareness and curb magnitudes of disasters.

### Group 3. Climate Change Adaptation

The group was tasked with validating the governance analysis data that bordered on climate change adaptation. They were also to validate/indicate if a law or policy relevant to each topic area has been identified at the national and international levels. Under the directly relevant laws the group only disagreed with the statement on agriculture laws.

Agreeing with almost every provision, they added that there is a policy for human rights, civic code, flood management and fisheries as well as laws on right to information and right to work.

They however noted the absence of explicit policies and laws in the sports and tourism sectors and an absence of cultural and historical heritage policies or laws to support adaptation to climate change though they acknowledge certain initiatives do.

### Group 4. Migration, Resetttlement and Human Rights

This group deliberated on the relevance of available policies and laws to regulate migration and resettlement in Ghana.

Details of the various group discussions and outcomes are available in Appendices 3-6 below.

### 3.4 Drone video (UAV technology):

Mr Jayson Philip-Quashigah gave a general overview of the Unmanned Aerial Vehicle (UAV) technology and how the DECCMA Project, as part of its DECCMA activities, is using the UAV to monitor the trends and extent of erosion in Fuverme, a coastal community in the Keta Municipality. He made a presentation and displayed a footage detailing the damages caused by inundation and erosion and the implications for continued settlement and adaptation in the area.

### Discussions on the video

o Generally, participants found the drone technology very innovative and useful for disaster monitoring and management.

### 3.5 Successful Adaptation Survey

A second questionnaire was required to be completed by participants. Dr Adelina Mensah led the discussions on the highlights of the evaluation process including the definitions of maladaptation and other terminologies. She guided participants through a short paper survey to evaluate the criteria and processes of successful adaptation.

### **Questionnaire Editing**

To ensure effective and accurate completion, the questionnaires on the barriers to implementation survey and successful adaptation were edited by Dr Addoquaye-Tagoe. Where there were errors or incomplete questionnaires she indicated them for participants to effect the necessary changes with the assistance of some PhD students on the DECCMA Project.

### 3.6 Conclusion

The meeting came to a successful end at 1.55pm when all survey questionnaires had been returned by participants and discussions were exhausted.

## **Appendix 1: WORKSHOP AGENDA**

## **PROGRAMME**

TIME		ACTIVITY	LEAD(S)
8:30	A	rrival and Registration	Registration Desk
9:00	Welcome & Introduction (Skit)	<ul> <li>Introduction to the DECCMA         Project     </li> <li>Objectives of the workshop</li> <li>Expected outcomes</li> </ul>	Prof. Samuel N. A. Codjoe
9:30	Barriers to Implementation Survey	Highlights and responses to Questionnaire	Dr. Cynthia Addoquaye Tagoe
10.40		Snack Break	
11:00	Governance Group Discussion	Break out into sectoral groupings and discussing policies and laws in relation to climate change	Facilitators
12:00	Plenary Session	Highlights on cross-cutting legal and policy issues	Facilitators
1:00	Drone Footage	<ul><li>Viewing of the drone footage of Tidal waves at Fuveme</li><li>Discussion</li></ul>	Mr. Philip-Neri Jayson-Quashigah
1:15	Successful Adaptation	<ul><li>Highlights of Evaluation Process</li><li>Short Paper Survey</li><li>Discussions</li></ul>	Dr. Adelina Mensah
1:45	Evaluation	Verbal and Written feedback from participants	Facilitators
2:00		Closing, Lunch and Departure	

## AppendiX 2: PARTICIPANTS' LIST

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## Appendix 3. <u>NATURAL RESOURCES MANAGEMENT AND</u> <u>ECOSYSTEM PROTECTION</u>

### **General Laws and Policies**

- a) Agree
  - Uncertain relevant
  - An act to establish institution
  - Other institutions as well as the ministries are already undertaking capacity building
     National laws exist to establish institutions for capacity building e.g. EPA training school
- b) Agree
- c) It was agreed to categorize protected areas to aid the discussion on the responses given. Categorization includes;
  - Resources Reserves
  - Strict nature reserves e.g. Bia
  - National Parks
- d) Group agreed that CITIS convention should be added to the list

### **Ecosystem approach**

- e) Group agreed and suggested the following to be added to the direct relevant
  - Fisheries Act/ Fisheries amendment Acts / Fisheries regulation
  - Plant protection Acts
  - Convention of Biological Diversity (CBD) (advised to confirm whether CBD have been passed to law in the country)
  - Plant Breeder Bill

NB: We do not have a policy on biodiversity yet but we have strategies in place to protect biological diversity

### Indirect

Group noted that the following were not included in the indirect responses and advised for them to be added.

• Fisheries Act was left out and should be added to the list

- The traditional system is missing
- CREMA has not been captured
- f) Agree

### Land use, tenure and management

- g) Agree, however at the comment, the following were recommended
  - Add Forest Act
  - Add Fisheries Act
  - Add Wildlife
- h) Agreed and recommended the following;
  - Stool lands
  - Family lands
  - Corporate lands
  - Individual lands
  - State lands
  - Vested lands

The above are backed by the constitution, State Land Act, Land Title and Registration Act

- i) Group raised concerns as to how many of these policies were subjected to SEAs
  - EIA and SEA are embedded
  - ❖ There was a concern to review the question and the response given. (The questions and response do not match thus EIA and SEA). SEA mostly applies to the district plan hence question needs to be clarified.
  - ❖ Correct the comment section, group disagree. (Social impact is there and not "must be there")
  - ❖ Group recommended that LI 16/30 needs to be captured at the comment section.
- j) The group disagrees with the response

Direct relevant

We have a legislation but we do not have a code for quality. The code is in a draft stage

- ❖ The country allows for the importation of many things into its territories. However, the country's the laws lack codes for specification
- k) The group disagree with the response
  - ❖ We have a law in place, 'land use and Spatial planning Act 925 passed in 2016.
- 1) Group agrees with the response

NB: There are overlaps that makes it difficult for implementation. The following were recommendations.

- The overlaps need to be streamlined
- There should be coordination between the institutions to address the issue of overlap
- m) General laws. Group referred document to LAP (Land Administration Project).
- n) Group raised concerns about the issues regarding gender and made the following suggestions;
  - The law does not discriminate against women but it is the social structure which prevents women's participation.
  - The document should adopt gender rather than women

### Water resources management

- o) Agree
- p) Agree
- q) Agree
- r) Group disagreed and made the following recommendations
  - Current policies take into consideration international agreement
  - Refer to the Dublin agreement
  - Policy and Legislation are used interchangeably making it difficult to interpret the questions.
  - Policies are drawn from international agreement, protocols and conventions.
- s) Agree
- t) Group agreed and raised concerns such as Water resource management is under the Ministry of Works and Housing and hence treated as a commodity.

### u) Group agree

### **Water Charter**

- v) Document referred to African Water/ Human Rights Charter
- w) Group disagree
  - Document referred to FAO Aquasats Database
  - Cadaster "NO"
- x) Agree

## **Natural Resources Management and Ecosystem Protection Group Members**

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## (GROUP NOTE BY Jennifer)

### APPENDIX 4. DISASTER MANAGEMENT DISCUSSION GROUP

### **Minutes**

- The group agreed to the existence of a national law guarantee to internally displaced persons to enjoy in full equality under
- The group also agreed to the existence of the national disaster management Act of 1996(517) but recommended that the nation ratifies the Kampala Convention to help enforce provisions of humanitarian assistance and protection to internally displaced persons.
- The group also recommends that there should be amendment to the laws binding some government organisations like NADMO, hydrological services, meteorological department to disseminate information to help create awareness to curb disaster. This will help the government to adequately resource these organisations.
  - O An example was given of the hydrological services who has the mandate to collect and published hydrological information to the public but this was currently not ongoing because of broken down gauges and other equipment's, the lack the resources to keep up this mandate
  - O At this point the group has an extensive discussion on whether there is the need for new laws to clearly binding government to resource such services or make sure existing laws are enforced. There was also the point that international guidelines may not be sufficient.
- On the point whether there were obligations imposed on appropriate government authorities to provide food and medical supplies, the chair raised the question whether NADMO was expected to provide food and medical supplies during times of disaster. The answer was yes but the challenge is NADMO is under resourced. Hence the emphasis on the need for clear laws binding on government to resource such organisations (e.g hydrological services)
  - o The NADMO representative emphasized the need for the current bill before parliament to be quickly passed to help NADMO mange disasters more efficiently.

### **Members:**

1. Sam Nii Ardey Codjoe RIPS (Chair)

2. Charlotte Norman NADMO

3. Edmond Osei Barimah Hydrological Services Dep't

4. Philip-Neri Jayson-Quashigah Marine Science, UG

### APPENDIX 5: CLIMATE CHANGE ADAPTATION (CCA) GROUP REPORT

The Climate Change and Adaptation group had some primary responsibilities of;

- a. validating the governance analysis data that bordered on climate change adaptation as indicated in Annex 1.
- b. Validating/indicating if a law or policy relevant to each topic area has been identified at the national and international levels as shown in Annex 2.

The groups responses to the various cells as shown in Annex 1, is as follows;

### **Directly Relevant**

- 1. Specific legal systems in the context of the National Climate Policy Yes, we agree with the response indicated in Annex 1. We however wish to note that there are certain national instruments (legal) that support climate change adaptation such as the National bush burning law.
- 2. Water laws Yes, we agree with the above statement. No explicit mention of climate change adaptation. So. In spite of this, there are several climate change adaptation strategies/policies that can be found within the water sector laws/policies. E.g. Policy/law on water abstraction and Integrated land/water policy.
- 3. Agriculture Laws No; we disagree with the statement above, because the various (6) thematic areas of the FASDEP II provide solid entry points for climate change. The mention of page 30 itself should be seen as interface.
- 4. Environmental laws **Yes**; we agree with the comment above. We think that the National Environment Policy document could be synergized with the national climate policy.
- 5. Transport and Shipping Laws & Policy Adaptation **Yes**; we agree with the response above. However, we suggest we do a broader analysis by including the road sector in Ghana to see what they have for CC adaptation and mitigation.

- 6. Forest laws and policies: There are policies within the forest sector that support climate change. E.g. Ghana Forest and wildlife Policy (Page 2) talks about climate change. Example, the CREMA concepts in the policy above and the REDDT Programme
- 7. Local authorities (rural and urban) obliged under law to make provision for climate change adaptation The group therefore do not agree with No response indicated in the data sheet in Annex 1. The Revised Medium Term Development Planning Guidelines supports climate change at the local level. There could however, be a challenge of implementation.

### INDIRECTLY RELEVANT

- 1. There seem to be no explicit policies and laws within the Sports and Tourism sectors. We therefore agree with the No Response indicated in the data sheet in Annex 1. However, there are certain initiatives/interventions that support climate change adaptation and resilience. E.g. is the eco-tourism initiative.
- 2. There are no cultural and historical heritage policies or laws that support climate change adaptation, there are certain initiatives that do.

The climate change and adaptation group in response to the validation for Annex 2, duly completed the data sheet as per Annex 2 attached.

### NOTE:

The group started by selecting Messrs Delali Kofi Nutsukpo and Antwi-Boasiako Amoah as the Chairman and Secretary respectively after which they discussed amongst themselves what the task giving them is seeking them to do. To start the discussion, the group sought from Mr. Godwin Djokoto, a legal practitioner and a law lecturer from the University of Ghana what 'Legal System' as has been captured in the questionnaire responses to which they were to validate meant. Mr Djokoto gave an explanation to mean any policy or law that had gone through parliament and bound by a legislative instrument. He also added that, it is the policy that graduates to become a law.

With this explanation in mind, the group then set out to respond to the issues in Annex 1 as follows;

1. The group agreed with the No answer indicated for the question on whether there is a National Climate Change Policy or law. The group however noted that there are certain laws even though

not directly stated as a climate change law, they equally support the issues envisaged in the climate change policy such as the national bush burning laws.

- 2. Do any national water laws and policies below provide explicit reference to climate adaptation measures, such as with respect to risk appointment? The group on the issue agreed with the answer indicated as a response that climate change adaptation has not been explicitly stated in the water policy. However, there are other laws like the Abstraction law and the integrated resource management plan which tackle issues envisaged in climate change adaptation.
- 3. Do any national agricultural laws provide explicit reference. Climate adaptation measures, such as high yield, salt or heat tolerant, crop varieties or diversification? The group here disagreed with the No Response indicated on the questionnaire and argued that, FASDEP II which is still running has a food security objective makes reference to high yield. According to the group, the mention in page 30 is not a mere mention but rather using sustaining law management as a driver to climate change adaptation. They concluded that, all about FASDEP II is for food security, land and environment management and science.
- 4. Do any national Environmental/ ecosystem laws and policies provide explicit reference to climate adaptation measure, for instance with respect to baseline biophysical indicators? The group agrees with the selection.
- 5. Transport and shipping laws? The group here again agreed with the No response. The group was however quick to add that had it been Roads and Highways policy, then there would have been some laws that would suffice for the question on hand. They therefore suggested the need to do a policy analysis on the road and highways policy.

Regarding validation for Annex 2 or providing a response where there is none to validate, the group almost agreed with everything they were provided with in the data sheet. They also added that there is a policy for human rights, civic code, flood management and fisheries whilst there equally exist laws right to information (at parliament) and right to work which is the constitution.

### Annex 1

	CLIMATE CHANGE ADAPTATION				
<u>No</u>	<b>Directly relevant?</b>	<b>Indirectly relevant?</b>	Uncertain relevance	Comments	
1.	Have any specific national laws and policies related to climate change adaptation been adopted within the national legal system?	Do any national laws and policies relating to sports, tourism and recreation provide explicit reference to climate adaptation measures?		The new National Climate Change Policy 2014 does recognised the importance of adaptation (e.g. 12-13),	
2.	Do any national water laws and policies below provide explicit reference to climate adaptation measures, such as with respect to risk apportionment?  Not explicit but on page 31 of the National Water Policy 2007 there are references to climate changes	No  Do any national laws and policies relating to cultural and historical heritage provide explicit reference to climate adaptation measures?  NO		The new National Climate Change Policy 2014 does recognise the importance of adaptation (e.g. 12-13). though firm commitments on adaptation do not appear in the policy	
3.	Do any national agriculture laws and policies provide explicit reference to climate adaptation measures, such as high-yield, salt or heat-tolerant crop varieties, or diversification of crops?  No. However, the Food and Agriculture Development Programme (FASDEP II) makes brief mention on climate Change under section 4.5 page 30.			The new National Climate Change Policy 2014 does recognise the importance of adaptation (e.g. 12-13), though firm commitments on adaptation do not appear in the policy	
4.	Do any national environmental/ecosystem laws and policies provide explicit reference to climate adaptation measures, for instance with respect to baseline biophysical indicators?  There are mentions of climate change in the National Environment Policy but adaptation not explicit.  Do any national transport and				

	shipping laws and policies provide explicit reference to climate adaptation measures?  No		
6.	Do any national forest laws and policies provide explicit reference to climate adaptation measures?		The new National Climate Change Policy 2014 does recognise the importance of adaptation (e.g. 12-13), though firm commitments on adaptation do not appear in the policy
7.	Are local authorities (rural and urban) obliged under law to make provision for climate change adaptation with respect to economic and social development?  No.		

### Annex 2

# PLEASE INDICATE IF LAW OR POLICY RELEVANT TO EACH TOPIC AREA HAS BEEN IDENTIFIED AT THE NATIONAL AND INTERNATIONAL LEVELS.

## IF NONE EXISTS, PLEASE SAY SO

	Volta	
	Law	Policy
Migration / refugees	Yes	
Land tenure and property rights	Yes	Yes
Water (water use rights; pollution and quality management; groundwater and surface water)	Yes	Yes
Environment	Yes	Yes
Protected areas	Yes	Yes
Forest	Yes	Yes
Human rights (universal rights; economic and social rights)	Yes Constitution	Yes
Gender Balance	No, but found in bits and pieces of laws	Yes
Local development	Yes	Yes
Constitution	Yes	
Civil code	No, but civil service code of conduct	Yes
Land code	Not sure what is meant here	Yes
Flood management	Not sure	
Resettlement / rehabilitation	Yes	

Compulsory purchase / eminent domain	Not sure	
Climate change	No	Yes
Courts	Not Sure	
Rights to information	None (Parliament)	
Environmental impact assessment	Yes	
Fisheries	Yes	Yes
Rights to work / employment	No (Yes) - Constitution	
Other relevant areas?		

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