

# The FLEGT

Forest Law Enforcement Governance and Trade  
*Newsletter*

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## Policy And Technical Issues Hindering FLEGT License

The Assistant System Verification Manager of the Timber Validation Department (TVD) of the Forestry Commission, Mr. Bright Owusu Sekyere, has disclosed that Ghana's delay in the issuance of the Forest Law Enforcement Governance and Trade (FLEGT) license is as a result of some policy and technical issues.

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## District Forest Managers Call for Inclusion of Chiefs in SRA Trainings

District Forest Managers (DFMs) have advised that, special training workshops on Social Responsibility Agreements (SRAs) should be conducted for paramount and local chiefs in Ghana.

This suggestion came up strongly at the Forestry Commission Training Center (FCTC) in Kumasi where the Nature and Development Foundation (NDF), collaborated with the Forestry Commission (FC) to convene all district forest managers in the country to deliberate on the processes of SRA negotiation and signing.

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## Large Illegal Farms Discovered in Krokosue Hills Forest Reserve

Verification exercises carried out by Forest Service Division (FSD), Civil Society Organisations (CSOs), with alerts from community members of Asepaneye, have led to the uncovering of a large farm, on the very steep hillside of the Krokosue Forest Reserve.

The team of FSD and CSOs discovered that over 10 acres of the reserve had been converted to cocoa farms interspersed with plantain.



## Policy And Technical Issues Hindering FLEGT License



Mr. Bright Owusu Sekyere, Assistant System Verification Manager, TVD-FC

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Mr. Owusu Sekyere said, the policy of converting leases into Timber Utilisation

Contracts (TUCs) is a requirement for timber companies to guarantee the legality of their wood and it's expected to be concluded by the end of the second quarter of 2019.

Again as part of the FLEGT requirements, there was the need to write and publish management plans for all production reserves. This he said is a legal requirement to permit harvesting in production reserves. Since the inception of the Ghana Legality Assurance System (GhLAS) implementation, sixty-two

forest reserve management plans have been prepared. A few more will have to be updated in order to enable timber sourced from those reserves to be fully compliant. "Doing that is

time consuming and capital intensive" he stated.

On technical grounds, Mr. Owusu Sekyere said, prior to the signing of the Voluntary Partnership Agreement (VPA), the Forestry Commission had been working manually in capturing stock enumeration data, harvesting and transportation of data as well as processing and export data. Transaction data from these activities are now captured electronically.

Also, there was the need to go electronic through the Chain of Custody in order to track wood from the forest to its final destination. These processes, he said, are contributory factors to the delay of the whole process. Currently majority of the tracking system has been put in place and has been deployed. The FC is at the final stage of fine-tuning and issuance of FLEGT licenses.

Additionally, "before the FLEGT/VPA programme came in, there was no unit called the Timber Validation Department, so that needed to be set up. The protocols and standards needed to be written and auditors needed to be recruited and trained to be able go out and audit the FC and timber companies and all these activities have taken time" Mr. Owusu Sekyere explained.

**Source: Communication Team**

## Mock Auditors Urged to be Circumspect

Mock auditors trained to check the documentation of Small-Medium Forest Enterprises (SMFEs) to meet requirement for FLEGT License, have been cautioned to execute their duty with circumspection.

The Assistant System Verification Manager of the Timber Validation Department of the Forestry Commission, Mr. Bright Owusu Sekyere, who trained the auditors, said, a good auditor must be open-minded, expect positive conformance until indication of non-conformance is found and must not draw conclusions until enough evidence is gathered to do so.

Mock auditors are second party auditors expected to give the SMFEs a fair idea and feel of what actual auditing is all about. This is expected to assist the companies to understand the processes needed to qualify for a Forest Law Enforcement Governance and Trade, FLEGT, license.

The resource person, Mr. Owusu Sekyere urged the trainee auditors to document any non-conformances recorded from any company and avoid memorization as that can be detrimental to their output. He reiterated the need for them to go strictly by the principles of their work in order to be effective.

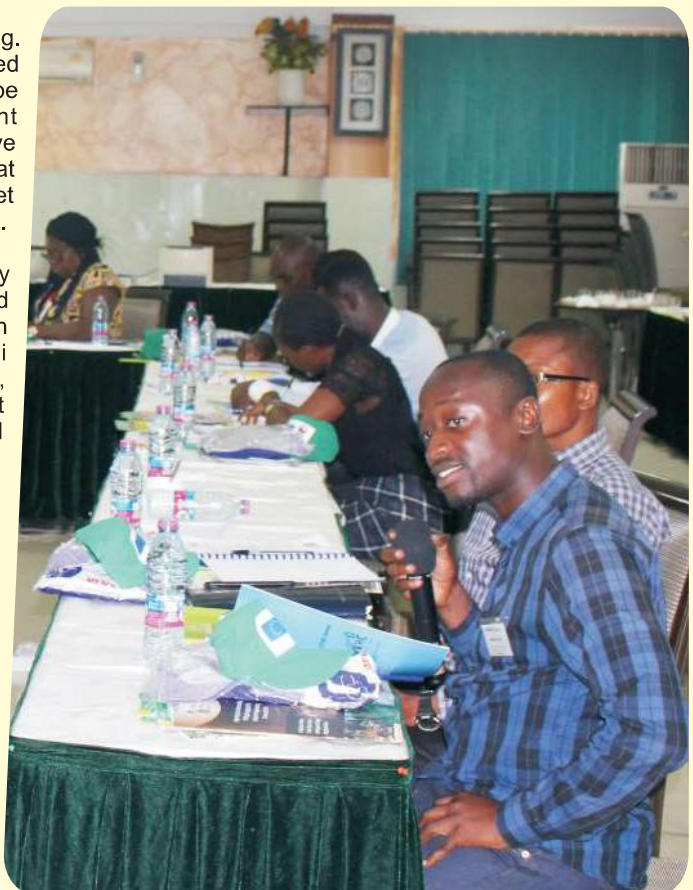
The participants expressed satisfaction at the

their knowledge in auditing. They, however, suggested that some SMFEs should be involved in subsequent trainings in order to give them fair knowledge of what is expected of them and get them ready for the exercise.

The training was jointly organized by Nature and Development Foundation (NDF) and the Kumasi Wood Cluster in Accra, under the Forest Governance Market and Climate Programme.

The Department for International Development (DfID) funded training was made possible under the project, "Building the Capacity of Small-Medium Forest Enterprises (SMFEs) in Ghana and Liberia to supply and trade in legal timber".

**Source:  
Nature & Development  
Foundation**



## Large Illegal Farms Discovered in Krokosue Hills Forest Reserve



©NDF Illegal farmland in Krokosue Hills Forest Reserve

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The discovery follows a European Commission (EC) funded project dubbed, **"Strengthening the capacity of Non-State Actors (NSAs) to improve FLEGT and REDD+ Process in West Africa"** aimed at building synergies to detect and combat infraction in the forestry sector.

Under the project, a 3-tier system is employed. On the first tier, community monitors are to raise alerts on possible infractions. These infractions will then be verified by some selected Community Based Organizations (CBOs) in the district as the second tier. The third tier is a control mission of civil societies and FSD staff on the verified alerts.

It was one of those control missions in the

Asempanaye area that led to the unveiling of this infraction in the Krokosue Hills.

This land use change was also spotted with remnants of illegal logging all pocketed within a section of the forest reserve. The pocketed nature of the illegal farm creates an impression of an existing and undisturbed forest from the outside making such illegalities hard to spot and report.

According to the United Nations University, more than 90% of the original 8.22 million hectares of natural forest has been lost in Ghana with illegal farms and logging in forest reserves identified as the most destructive to forest reserves in the country.

The Forestry Commission, with the sole mandate to protect and manage the forests of Ghana, has over the years employed a couple of strategies and procedures to arrest the destruction of the forests.

However, with all these measures put in place, illegal farms and activities of illegal loggers continue to plunder the forests of Ghana.

The next step along this system of forest monitoring is to organize a control mission with FSD staff on this alert.

**Source: Nature & Development Foundation**

## CSOs Updated on Accountability Framework Initiative (AFI)

A coalition of Civil Society Organizations representatives and supporters are collaborating to accelerate progress and improve accountability for ethical supply chain commitments in Agriculture and Forestry through the Accountability Framework Initiative (AFI).

According to Mr. Joseph William Osei, who was speaking at a Legal Working Group meeting in Accra, the AFI provides a globally applicable approach for establishing and implementing commitments on deforestation, ecosystem conversion, and human rights in agricultural and forestry supply chains.

He indicated that, "The framework is not a certification programme or meant to replace or duplicate existing initiatives, standards among others but rather references and builds upon international law and existing good practices on the environment and human rights."

He said companies, through the framework can commit themselves to and demonstrate respecting human rights, halting deforestation and protecting natural ecosystems.

The framework was borne out of a realization that, in spite of the numerous deforestation-free and human rights commitments made by companies, there has been little progress on the ground due to lack of clarity on

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## Women in the Forestry Sector Challenged to Take Up Lead Positions

A challenge has been thrown to women in the Forestry sector to endeavour to occupy top positions in the sector as such seats are not only the preserve of men.

According to the resource person for the training, Mrs Doreen Asumang-Yeboah, women must upgrade to match up with the requirements needed to occupy lead positions in the forestry sector to avoid being relegated to the background'.

At a training workshop to build the capacity of active women in the forestry sector, Mrs Asumang-Yeboah, reiterated the need to mainstream gender in planning and implementation of projects and programmes regarding forestry.

She believes this would empower women to be more active in the sector and make meaningful

ecological development of the forestry industry.

The training which attracted representatives from civil society, industry, government and the media, was organized by Client Earth in collaboration with the National Forestry Forum-Ghana, under the auspices of the Forest Governance Market and Climate (FGMC) programme.

The UKaid funded training discussed topics including occupational health and safety, gender segregation along the timber value chain and the legal regimes for the management of forest resources.



©CE Women in the Forestry sector at a training workshop in Kumasi

legal issues like the provisions in a Legislative Instrument, how to grant inventory for small timber rights and what makes a valid permit.

# FLEGT License Can Begin with Few Companies Complying — CSOs



©NDF

Civil Society Organisations (CSOs) in the forestry sector are suggesting that, the issuance of the Forest Law Enforcement Governance and Trade, FLEGT, license certificates, can begin with a small number of companies complying, if Ghana's Legality Assurance System (GHLAS) is ready.

They believe that, waiting for a large number of companies to comply before starting to issue the license will keep delaying the whole process.

CSOs made this comment when they met with the Joint Assessment Team of the Voluntary Partnership Agreement, VPA, in Accra, to share views on matters arising with regards to the implementation of the VPA and suggest practical solutions to them.

The assessment team is expected to evaluate the GHLAS, which is to ensure legality of timber in the country. This, in turn, is to inform the decision of Ghana and the European Union (EU) on whether or not the country is ready to issue the FLEGT license.

### **Conversion of leases and permits**

One of the issues that dominated discussions between the joint assessment team and CSOs was on permits and progresses made on conversion processes.

CSOs said, though internal processes have started through the development of forms to assist in the conversion of leases into Timber Utilisation Contracts (TUCs), they are not sure if the forms will be paid for or given to the companies for free. They suggested that more education be done

forms will be online, free or paid for. CSOs also advised that the Forestry Commission (FC) should make the forms available and easily accessible for industry.

The two parties believe that to be able to get companies on the legality terrain, the FC should write to all companies whether individually or publicly to convert their leases into TUCs with stipulated deadlines.

After conversion of the leases, the issue of ratification is next and civil society say, the Ministry of Lands and Natural resources must be looking for ways to deal with ratification of the permits.

Still on permits, the assessment team wanted to know if there is the need for the issuance of permits for restrictive species. But CSOs' response was in the affirmative. They believe, once the law allows for the application of permit for such species and due processes are followed, it should be granted.

### **Social Responsibility Agreements**

Another agenda was on the negotiation and implementation of Social Responsibility Agreements (SRAs). There are reports of scuffles between community members and chiefs over the main beneficiaries of proceeds from SRAs. The chiefs believe that community members are mere settlers and therefore must not benefit from the forest.

Briefing the meeting, Mrs. Doreen Asuman-Yeboah of Tropenbos, narrated a case in the Brong Ahafo region where community members had to return an amount paid as SRA to the FC to be given to the chief for fear of being sacked from the community.

Mrs. Asuman- Yeboah said, compliance with regards to the code of conduct and guidelines stipulated in the SRA guidelines is absent.

The Nature and Development Foundation (NDF) and the Kumasi Wood Cluster (KWC) are currently working on the FGMC project to train and

compliant.

Mrs. Asuman- Yeboah explained that, "we will link up with KWC and NDF for the red flags that will be raised from their auditing and training processes, after which CSOs will go in to support the process at the community level, for negotiations to be done rightly".

For his part, Mr. Clement Akapame of Client Earth said, one of the requirements for the conversion of leases is the negotiation of SRAs and CSOs have planned to support ten companies with permits that will be able to go through conversions, with their SRA negotiations.

### **Other Issues**

The discussions also looked at areas like Forest Management Plans, access to information, health and safety and environmental issues.

On access to information, CSOs complained that the format, with which information is put on the timber transparency portal, makes it difficult to access. They said though they have given a list of information needed on the portal to the FC, there are still outstanding ones. They said they wouldn't relent on their request at getting those information published.

Meanwhile, civil society was hopeful that some environmental and health and safety issues affecting the forest sector will gradually change with time.

The Joint Assessment Team said, since the inception of VPA process in Ghana, CSOs have been instrumental in its implementation process till date and therefore their engagement with them was prudent and hope to yield the desired results.

**Source: Communication Team**



# Woman Leads SRA Committee in Bedii – Krofofrum



©NDF *The Comfort Awuku-led SRA committee*

With some selected community monitors, Bedii-Krofofrum, a farming community in Sefwi Wiawso Forest District that borders compartment 277 & 278 in Suhuma Forest Reserve has been sensitised on Community Forest Monitoring,

As a result of the new knowledge on women empowerment, during the sensitisation session, the only female on the Social Responsibility Committee (SRC) has taken up the mantle of leadership of the Committee.

Madam Comfort Awuku, one of the beneficiaries of the EC-NSA project titled: "Strengthening the capacity of Non-State Actors (NSAs) to improve FLEGT and REDD+ Process in West Africa." is expected to lead the Committee to negotiate for the community's benefits and help with the appropriate and equitable distribution of what the community would receive from the forests.

Formerly, with no existing knowledge and capacity, previous SRA funds were utilized by Aboboyaa community on behalf of Bedii. The only project that was undertaken during those times was a streetlighting facility in the community.

Compartments 277 & 278 in Suhuma Forest Reserve forms part of compartments in the forest reserve that are due for harvesting between 2019 and 2021 by John Bitar Company Limited (JCM).

The Comfort Awuku-led committee has, therefore, approached and formally introduced itself to JCM, the timber firm that would be

Through this, the committee has established a formal presence for all SRA related issues, conveying same courtesy to the district forest office through a formal introduction to the District Forest Manager and his Assistants.

Social Responsibility Agreement (SRA) has and still remains a challenge in the Ghanaian Forest Landscape with some timber companies failing to enter into SRAs with communities.

Where SRAs are paid, Forestry Commission, which is to serve as a negotiating element between the communities and the timber firms, is usually missing.

Even when the due process of SRA has been followed, there are instances where the monetary element has been given to some unknown people in the community.

Some SRA beneficiary communities that dully received SRA through the right processes and channels, have undertaken developmental projects such as a 6-unit classroom block in Aboagyekrom, and another 3-unit classroom block in Asemanaye, and a water facility and police depot in Bopa.

The influence of Policy and Advocacy on Social Responsibility Agreement (SRA) and support to community monitors to raise alerts as forest fringe communities through training workshops, community durbars and monitoring visits have changed the

communities' attitude towards SRAs. Armed with this new knowledge, that the people of Bedii formed a Local Social Responsibility Agreement Committee (LSRAC).

The five member SRA Committee of Bedii-krofofrum seeks to access the SRA due the community to undertake much-needed developmental projects in the community.

**Source: Nature & Development Foundation**

## CSOs Updated on Accountability Framework Initiative (AFI)



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definitions and common metrics for assessing outcomes.

The AFI mechanism, though not enforceable or legally-binding, helps companies adopting the framework to demonstrate and communicate themselves as responsible in the eyes of the various regulatory bodies and the international community, as well as other CSOs that might be scrutinizing their activities.

Mr. Osei revealed that the framework also serves as a one-stop shop for using the various initiatives, certification standards and requirements such as the European Union the Forest Law Enforcement, Governance and Trade (FLEGT) scheme for demonstrating and communicating progress in ethical supply chain commitments.

The Accountability Framework Initiative (AFI) is expected to soon roll out for adoption by timber companies.

The draft framework documents are currently online at <https://accountability-framework.org/framework/>

## Timber Validation Committee to Create Performance Reporting Template on TVD

The Timber Validation Committee (TVC) is developing a performance reporting template to enable the Committee to report to the sector Minister every six months on the activities of the Timber Validation Department (TVD) of the Forestry Commission (FC).

The template, according to Mr. Kofi Afreh Boakye, the Representative of Civil Society Organizations (CSOs) on the TVC, is to give the committee proper guidelines on reporting on its mandate of ensuring the TVD works in a transparent and un-interfered manner.

Mr. Afreh Boakye, who made the comments on the sidelines of a meeting of the Legal Working Group in the Forestry sector, explained that, the TVC has set up a sub-committee mandated to develop a template to properly report on that aspect of their mandate.

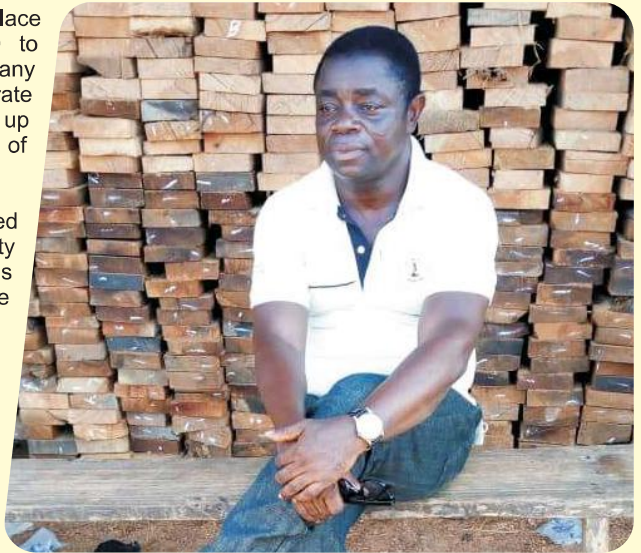
The TVC, a Committee set up by the Minister of Lands and Natural resources, is made up of representatives from the Judiciary, Forestry Commission, Civil Society Organizations (CSOs), among others, to monitor and ensure that the TVD, a department under the Forestry Commission, works in an independent, credible and transparent manner.

It is also authorized to put in place measures to enable the TVD to deliver on its mandate without any interference. It can also arbitrate complaints that are brought up against TVD in the issuance of FLEGT license.

Mr. Afreh Boakye further disclosed that “we also have a responsibility to report to the Minister (of Lands and Natural Resources) and in the report, make recommendations.”

“Whereas the complaint and investigation part is very easy to report on, the monitoring and establishing measures of ensuring that TVD works in an un-interfered manner, is very difficult,” Mr. Afreh noted.

In achieving our objectives, “We intend to do some kind of walk-through, be it at their office to look at the way they work in an atmosphere of freedom without any interference and may be glance through their audit or we have to develop some indicators that we would be ticking or build the two together.” He explained.



**Mr. Kofi Afreh Boakye, CSOs Rep. on TVC/CEO of DOLTA**

He was very optimistic the Committee would achieve greater success in its work with completion of the performance reporting template.

**Source: Communication Team**

## Wildlife Society Launches Legislation Review Report



The Ghana Wildlife Society (GWS) has launched a report on the review of Ghana's legislation in Protected Areas, Agriculture and Environmental Assessment.

The report offers a synthesis of a list of domestic legislation, regulations, international legislation signed and ratified by Ghana, and relevant policies across the three themes. It also provides an assessment of government institutions.

Launching the report in Accra, the Deputy Minister for Lands and Natural Resources, Mr. Benito Owusu-Bio, said “as a Ministry, we consider the report we are launching today as timely because, it unravels the relevant

relate to our work in all the thematic areas analysed.”

The Executive Director of the Ghana Wildlife Society, Mr. Eric Larrey, in a welcome address, stressed the need to sanitize the legislative framework governing wildlife to legitimize the role of resource-dependent communities and provide incentives for natural resource management.

The event was chaired by Professor Erasmus H. Owusu, the Director of the Centre of Climate Change and Sustainability Studies of the University of Ghana.

For the abridged or full report, one may visit

<https://www.ghanawildlifesociety.org/GWS%20Abridged%20Legislative%20Report.pdf>

<https://www.ghanawildlifesociety.org/GWS%20RSPB%20Final%20Legislative%20Report%20from%20TC.pdf>

Source: Ghana Wildlife Society

## Ghana and Liberia share timber legality lessons with Laos and the Republic of the Congo



© Delegations from Laos and the Republic of the Congo at a logging concession in Ghana's Sefwi Wiawso District.

In November 2018, a group of visitors from Laos found themselves in a forest in Liberia, learning how the country's forestry officials track timber through the supply chain.

The Lao delegation then travelled to Ghana, which is at an advanced stage of VPA implementation ahead of FLEGT licensing. There, they joined a team from the Republic of the Congo, which has been implementing a VPA since 2013. At a two-day conference hosted by Ghana's Forestry Commission, participants from the three countries shared progress from their respective VPA processes.

The visitors from Laos and the Republic of the Congo then travelled to Sefwi Wiawso District, where they learned about the Forestry Commission's district level operations. They then visited a logging concession and a sawmill to observe how Ghana's wood tracking system applies at harvesting and processing sites. They also visited another sawmill to see

the challenges small and medium enterprises face in demonstrating legal compliance.

Khamfeua Sirivongs, the head of the Lao FLEGT Standing Office, which coordinates the country's VPA negotiations with the EU, says he was impressed with the electronic systems Ghana has developed for tracking wood and verifying its legality throughout the supply chain. 'That's a big lesson learned for us,' he said. 'We have to go back to Laos and then maybe start thinking of the system, [of] what we want to put in place.'

He said another important message that he

would take back home was that it will be necessary to set up new institutions to implement the Laos-EU VPA once it has been agreed and signed. 'Because we don't have that yet in Laos,' he says. 'So, in order to be prepared for that, we have to think ahead.'

Okina Elenga-Ngaporo, the FLEGT-VPA focal point at the Ministry of Finance and Budget of the Republic of the Congo, says the trip highlighted differences between his country and Ghana, and their approaches to VPA implementation. 'Ghana's experience is very different,' he says. 'For us, it was a real surprise to see the involvement of the chiefdoms in forest management. It is inscribed in the framework of good governance, best practices. We will see how to adapt that.'

'I would like to thank them for this opportunity, for being able to see the Ghanaian reality, which is different to ours, how it works on the ground.'

'We need to make this reality ours,' he says. 'We need to look at the VPA under a different angle, look at gaps and weaknesses in our country, in order to have a Congo VPA that is very strong.'

Source: Capture Ghana, EU FLEGT Facility

## Final Joint Assessment of Ghana VPA to Start in May

Ghana and the European Union are currently bringing final steps underway for completing VPA implementation in the country.

The latest meeting of the Joint Monitoring and Review Mechanism (JMRR) at the end of February decided the tender process for the Final Joint Assessment of Ghana's Legality Assurance System (GhLAS) should be completed no later than 1 May; at that time, consultants should begin evaluating the system.

The Final Joint Assessment is the last hurdle the Ghana VPA will have to pass before licensing begins. As such, the process will only close once Ghana has achieved readiness for FLEGT licensing and it may therefore be carried out in several stages.

Duration of the assessment process will depend on the kind of issues potentially highlighted by the assessment team and Ghana's ability to address them.

Against this background, while Ghana is obviously in the final stages of VPA implementation, it remains difficult to



determine a definite date for the start of licensing.

In November 2017, Ghanaian Parliament passed new Timber Resource Management and Legality Licensing (LI 2254) legislation, which regulates the conversion of timber harvesting concessions to Timber Utilisation Contracts (TUC). Conversion entails longer

lease periods and payment of a fee by concession/TUC holders.

The FC is currently consulting with the private sector about the process of application for and managing of conversion and a formula for calculating fees.

Source: FLEGT Independent Market Monitor

## District Forest Managers Call for Inclusion of Chiefs in SRA Trainings

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According to the District Forest Managers, the attitudes of some of the chiefs impede the SRA processes. They explained that, even though SRA proceeds are supposed to be used for developmental projects to benefit the entire local community, some paramount and local chiefs' bypass the communities to pursue their personal share of the proceeds.

The managers confirmed that, they have had to battle such challenges on timeless occasions. They therefore urged that, future engagements on SRAs trainings should involve Chiefs or a special session be organized solely to educate them on the subject matter.

The training forms part of a project dubbed "building the capacities of Small-Medium Forest Enterprises (SMFEs) in Ghana and Liberia to Supply and Trade in Legal Timber". It aims at getting about 50% of the 120 SMFEs engaged in Ghana, to sign and implement SRAs.

The project is being supported by the UK government under the Forest Governance Market and Climate Programme (FGMC) and implemented by the Kumasi Wood Cluster and the Nature and Development Foundation (NDF) here in Ghana.



© NDF District Forest Managers in a group discussion on SRA

### Rationale for the workshop

Explaining the rationale for the workshop, organizers of the training, the Nature and Development Foundation (NDF) said, though the knowledge of communities on the signing of SRA is high, there are still instances where, some logging firms sometimes do not respect the SRA agreement if even they sign any.

According to NDF, reports from the field have also indicated cases where some leaders in communities have evaded the proceeds of SRA, due to the failure to follow appropriate procedures to the development and signing of the agreement.

As part of preparations to issue FLEGT license timber; the Forestry Commission has developed and integrated into the audit manual for the Ghana Legality Assurance System (GhLAS), a checklist for validating compliance with SRA.

This, the NDF believes, will help equip the District Forest Managers to effectively play their role as moderators in the negotiation of SRA as well as witness the signing to enhance its implementation.

As part of the workshop, the DFMs were grouped to mock the processes of SRA negotiation, signing and implementation.

A representative from ClientEarth, Mr. Clement Akapame, said, it would be necessary for the District Managers to be able to quote the regulations which mandate the signing and implementation of SRA whenever necessary.

He urged them not to take lightly the agreement documents as it becomes binding on the parties involved (Loggers and Community) once appropriate signatures have been appended.

**Source: Nature & Development Foundation**

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**Compiled and Produced by Salomey Tetteh-Viwotor**

### ABOUT NDF



The Nature & Development Foundation (NDF) was legally established in November 2013 in Ghana. It was born out of the long presence of WWF in Ghana and across the West African region as a non-profit organization, limited by guarantee.

The foundation has a mission to help build a society in which human development and nature conservation complement each other. It also believes that, ways exist to balance the needs of development with sustainable land uses that do not threaten forest biodiversity and forest dependent livelihoods of the region.

NDF understands that it must not limit itself to working only with those in the forest industries itself, but must engage more widely in multiple sectors and processes if it is to achieve its mission.

Though currently active in Ghana, it aims to increase its activities in Cote d'Ivoire and Liberia in the future. For more information visit [www.ndfwestafrica.org](http://www.ndfwestafrica.org) Or call TEL: +233-302-518-710

### ABOUT Ukaid



The Department for International Development (DFID) was set up in 1997 and leads the UK's work to end extreme poverty. DFID tackles global challenges including poverty and disease, mass migration, insecurity and conflict. It works to building a safer, healthier, more prosperous world for people in developing countries and in the UK too. It employs around 2,700 staff who work in offices in London, East Kilbride and globally.

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