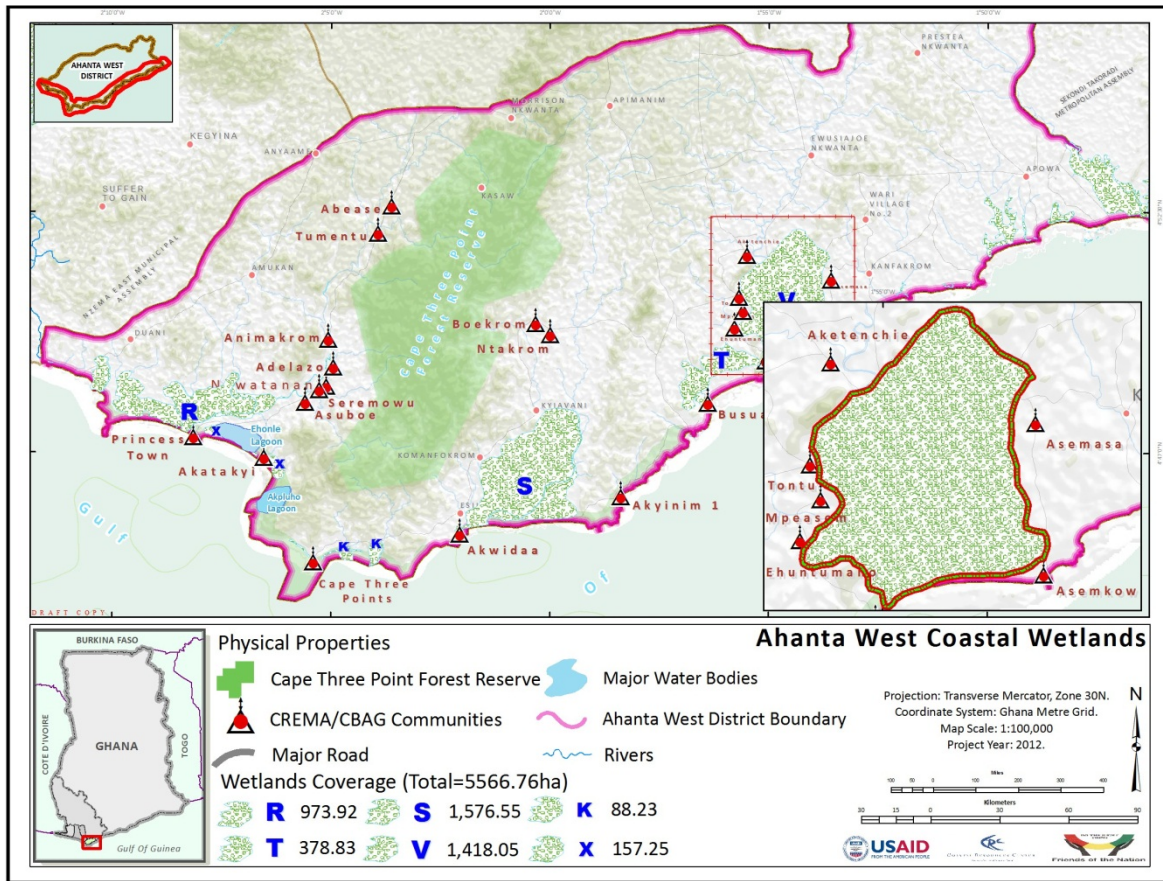




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Approved bylaws for wetland conservation in four critical areas in Ahanta West District: Butre, Busua, Akwidaa, and Princes Town



Hen Mpoano

THE UNIVERSITY OF RHODE ISLAND GRADUATE SCHOOL OF OCEANOGRAPHY



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Cover Photo: *Map of the critical wetland areas in Ahanta West District*

Cover Photo Credit: *Coastal Resources Center – Ghana*

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CAPE THREE POINT-PRINCESS CREMA CONSTITUTION and RESOURCE MANAGEMENT BYE-LAW

1. NAME

The name of the CREMA shall be known as Cape Three Point Community Resource Management Area (CREMA).

2. SCOPE

The scope of Cape Three Point Community Resource Management Area shall include the following communities:

1. Akyinim
2. Akwidae
3. Ketakor
4. Cape Three Points
5. Animakrom
6. Adalazo
7. Seremewo
8. Nkwantanan
9. Asuboi
10. Akatekyi
11. Princess Town
12. Busua
13. Antseambua
14. Ehuntumano
15. Mpeasem
16. Butre
17. Anlo Town
18. Asemasa
19. Asemkow
20. Aketenchie

3. INCORPORATION

The constitution of the CREMA shall be legal in the by-laws of the Ahanta West District Assembly (L I 462).

4. AIMS/OBJECTIVES

The aims and objectives of the CREMA shall be

- To conserve wildlife for the future generation

- To conserve wetland areas for sustainable ecological, social and economic benefits
- To protect all natural resources in general
- To generate income for community development
- To improve the livelihood of people in the community
- To provide employment for people in the community
- To promote ecotourism

5. POWERS

The powers given to the CREMA and its authority limitations shall accordingly be observed. In exercise of the powers given, the CREMA shall:

5.1 Determine its own leaders as Community Resource Management Committees (CRMC) three Sub-CREMA Executive Committees (CEC) and CREMA Executive Committee. This shall be done at every community level for CRMCs and from all the communities for the three Sub-CECs and CEC.

1.2 Determine the roles and responsibilities of members.

1.3 Determine rules and regulations to protect the CREMA resources.

1.4 Determine how to generate income for CREMA

1.5 Determine how to control outsiders from CREMA resources

5.6 Determine how to deal with offenders of the CREMA rules and regulations.

6. MEMBERSHIP

Membership of the CREMA shall include all inhabitants within the enlisted communities in article (2) of the Cape Three Points CREMA. This specifically comprises:

6.1 Settlers of the land:

- Land owners
- settler farmers
- Women
- Men
- Traders
- The strong and the vulnerable and
- Future generations.

6.2 Honorary members:

The CREMA would always acknowledge members who have contributed to the community development in any form as honorary members. However these members are not entitled to any financial gains of the CREMA.

6.3 Ex-officio members:

These shall be outsiders of the institutions that would be part of the CREMA without ascribing any voting powers.

6.4 Representations:

Representations of CREMA members outside the area shall be possible. This only applies to members who own land/natural resources interest and leave without selling their interests. Such members can thus be represented by relatives, friends or farm hands as indicated by owner during sojourning.

6.5 Termination:

Termination of membership in the CREMA shall be possible only through death of a member or resettlement of a member outside the scope of the CREMA without any livelihood activities traceable to the CREMA area.

7. ORGANIZATION AND OFFICERS

The membership of CREMA shall organize itself effectively through selection of the CREMA leadership through elections. Election of the leaders shall be by hands following the nomination of potential leaders. Thus through the election the following CREMA leadership structure shall exist.

7.1 CREMA Executive Committee (CEC):

CREMA Executive Committee (CEC) members shall be the highest decision making body of the CREMA. There shall be two (2) CREMA Executive Committee members (CEC) from each of the Sub-CREMA Executive Committee to constitute the Cape Three Points CREMA. Thus with the current three Sub-CEC within the CREMA scope there shall be six (6) CREMA Executive Committee (CEC) members. The nominated CREMA Executive Committee (CEC) members will then select a last member to make the CEC seven in total. The CEC shall be responsible for:

- Settling disputes among the members,

- Monitor the CREMA activities at all levels,
- Establish network with District stakeholders and
- Ensure transparency/accountability in their stewardship.

7.1.1 Sub-CREMA Executive Committee (Sub-CEC):

There shall be three Sub-CREMA Executive Committees in the scope of the CREMA. Each Sub-CREMA Executive Committee shall consist of two CRMC members from each of the communities of the CREMA that are concerned.

The Sub-CEC shall be the link between the CRMC and the CEC. It shall co-ordinate all the CRMCs under its jurisdiction. It shall be responsible for:

- Settling disputes among the members
- Monitor the CRMCA activities at the community levels

7.2 Community Resources Management Committee (CRMC):

The Community Resources Management Committee (CRMC) is the second highest decision making body after CREMA Executive Committee (CEC) of the Cape Three Points/Princess CREMA but the first decision making structures at the community level. The selection of Community Resources Management Committee shall be done by the members of the community and the CRMCs shall then select their CREMA Executives Committee. The CRMC shall be responsible for organizing CREMA meeting, sensitizing CREMA members and initiating CREMA activities at community level.

7.3 Duties of the Executive Officers:

The CRMC of the CREMA shall consist of the following:

Chairman, Vice chairman, Secretary, Vice Secretary, Treasurer, Organizing Secretary and two members of the community.

The Sub-CECs and CEC of the CREMA shall consist of the following:

Chairman, Vice chairman, Secretary, Vice Secretary, Treasurer, Organizing Secretary , Financial Secretary and all other members of the CRMC who are nominated.

The Chairperson

The chairperson shall:

- i. Convene all meetings of the CREMA in consultation with the other members of the executives.
- ii. have the power to convene emergency meetings
- iii. Preside at all meetings of CREMA but in his absence the vice chairperson shall chair the meeting.
- iv. execute or cause to be executed all decisions of the CREMA
- v. encourage the proper observation of the rules of the CREMA
- vi. perform any other duty that CREMA may assign him to do from time to time

The Vice Chairperson

The vice chairperson shall:

- i. preside at all meetings in the absence of the chairperson.
- ii. assist the chairperson in the performance of his or her duties.

The Secretary

The Secretary shall:

- i. Take minutes and keep records of the proceedings of the general and executive meeting.
- ii. Be generally responsible for correspondences of the CREMA.
- iii. In consultation with the chairperson prepare agenda for meetings and issue notice of meeting.
- iv. Be responsible for safe keeping of all documents and minutes books except treasurer's book.
- v. Perform any other duties that CREMA may assign him to do from time to time.

Vice secretary

The vice secretary shall act in the absence of the substantive secretary

The Treasurer

The treasurer shall:

- i. be responsible for financial records of the CREMA
- ii. keep the accounts of the CREMA

- iii. keep proper records of income and expenditure of CREMA
- iv. collect money and pay into CREMA account
- v. report to the Annual General Meeting on the financial position of the CREMA

Financial Secretary

The Financial Secretary shall be responsible for financial recordings of the Cape Three Points/Princess CREMA

The Organizing Secretary

The Organizing Secretary shall:

- i. be responsible for making arrangements relating to meetings, transportation, field trips/meetings etc.
- ii. act as the secretary in the absence of the substantive vice secretary.

Member

Members shall:

- i. serve as watchdogs in the CREMA
- ii. ensure transparency in the CREMA
- iii. ensure other members abide by the rules and regulations of the CREMA
- iv. ensure unity among members in the CREMA
- v. ensure people in the community have good understanding of the CREMA concept.

7.4 Elections and Tenure of Office:

Elections:

- i. Officers of the CREMA shall always be elected
- ii. Any CREMA member considered responsible by simple majority is eligible for election
- iii. Candidates for any position shall be nominated and seconded verbally
- iv. Elections shall be by showing hands

Tenure of Office:

- i. Officers shall hold office for a period of two years, but shall be eligible for re-election.
- ii. In the event of:

- Death of office holder the remaining executive committee shall continue in office for three months and afterwards election to replace vacant position shall be conducted.
- Removal, resignation, or incapacitation of office holder, the remaining executive committee shall continue in office for three months and afterwards election to replace vacant position shall be conducted.

8. FINANCIAL STRUCTURE OF THE CREMA:

8.1 Sources of CREMA income:

Money for the CREMA shall be generated from dues collection, fees of issuing hunting permits, penalties from offenders, sales of confiscated animals/ NTFPSs money from ecotourism and sales of produce from CREMA property/resources.

8.2 Account of the CREMA:

The money shall be saved in an accredited bank. There shall be a general account for the entire CREMA.

8.3 Expenditure decision on CREMA income:

Expenditure decision shall be first taken by CEC, Sub-CECs, CRMC and Traditional Authorities and finally with the community members. Authorization of expenditure shall be done by a member of CEC, Sub-CEC, CRMC and TA at each community level after the community members approved the expenditure.

8.4 Fees:

The CREMA shall pay the following dividends of its annual income generated to the following stakeholders:

- a. Ahanta West District Assembly (10%)
- b. Wildlife Division of the Forestry Commission (10%)
- c. Traditional authorities / land owners (10%)

8.5 Accountability of income:

Accountability of income generated per annum shall be done at a general meeting after the CEC and CRMCS have prepared the accounts.

9. MEETINGS

9.1 Ordinary Meetings:

9.1.1 Frequency of Meetings:

The members of each community of the CREMA shall determine how often to meet. An annual general meeting of each of the CREMA shall be held towards the end of the year at which every member shall be entitled to attend. The chairmen of the CRMCs shall present a report for the year and the activities of the CREMA assessed.

9.1.2 Quorum for Meetings:

Two -third of the total membership shall constitute quorum for all general meetings.

Five (5) members of the CREMA Executive Committee (CEC) including either the chairman or the vice president shall constitute quorum.

9.1.3 Procedure at meetings:

At every general meeting, the secretary shall;

- i. Read the minutes of previous meeting, Provided that when reproduction of such minutes have been circulated to and received by each member of the committee. Prior to the meeting, the executive may resolve to dispense with this requirement.
- ii. Submit the agenda prepared for the meeting for considerations and for the inclusion of items not captured if necessarily deem by members.

At annual general meeting, there shall also be confirmation of previous minutes of the annual general meeting and any intervening meetings conducted during the year.

9.2 Emergency meeting:

An emergency meeting may be called at any time when deem necessary by the CEC chairman.

10. GENERAL REGULATIONS

10.1 Protection of Amenities in the CREMA:

No person shall at any time

- I. Hunt, capture or destroy any wild animal by using chemicals, any artificial light or fire within the CREMA

- II. Pollute any water body within the CREMA
- III. Use chemicals, poisons or explosives for fishing
- IV. Farm within a minimum distance of twenty (20) meters from any water body
- V. Use dogs, clubs and sticks for hunting within the CREMA
- VI. Fell trees to hunt or catch canopy wildlife animals within the CREMA
- VII. Set traps especially the type called 'JACK' within the CREMA
- VIII. Use fire as tool of hunting rats and other land wildlife within the CREMA
- IX. Pick snails during the incubation periods within the CREMA
- X. Allow caretakers to kill existing trees in farms within the CREMA unless such trees are life threatening or generally known to be unsuitable for cultivated crops within the location of the farmer.
- XI. Destroy farms via timber extractions by timber concessionaires with the CREMA
- XII. Illegally fell timber/ NTFPS using chainsaw within the CREMA
- XIII. Block water flow in rivers to fish and thus causing siltation within the CREMA
- XIV. Hunt during close seasons within the CREMA (1st August-1st December of every year)
- XV. Pollute drinking water bodies with effluent (waste) of alcohol distillation within the CREMA

10.2 Wetland management plan

- I. Coastal wetlands in the CREMA area (indicated on the map annexed to this constitution and bye-law), covering an estimated size of 5,566.76 hectares shall be conserved to maintain their contribution to building fish stocks, food security and other ecosystem services and functions they provide within the CREMA communities and beyond.
- II. In the face of imminent threats of development, the CEC shall recommend the formulation of a comprehensive management plan to ensure sustainable management of all coastal wetlands in the CREMA area as a functional unit.
- III. Technical and funding support for the formulation of the coastal wetlands management plan shall be solicited from both national and international sources.
- IV. The process of formulating the wetland management plan shall involve stakeholders at all levels - local, district, regional and national.
- V. The management plan shall specify roles and responsibilities of stakeholders at all levels in the implementation as well as monitoring and enforcement actions consistent with the plan.

- VI. Approval of the wetland management plan and authority for implementation shall be provided by the district assembly and other authorities at the regional level as appropriate.

10.2 Right of access to the Resources:

No person shall at any time

- I. Hunt, capture or destroy any wild animal within the CREMA except with the consent of the CREMA executive Committee (CEC) and subject to conditions that the committee may determine
- II. Collect any NTFPS from the CREMA except with the consent of the CREMA Executive Committee (CEC) and subject to conditions that the committee may determine
- III. Hunt, capture, destroy or be in possession of any wild animal wholly protected by the by-laws of the national law or the national law as prescribed in L.I 685 and its amendments
- IV. Harvest any tree/mangrove from the wetland without the consent of the CRMC
- V. Make any development in the wetland area that will lead to the elimination of the wetland environment and the natural resources contained thereof.
- VI. Introduce new species of wetland vegetation to replace the original vegetation.
- VII. Harvesting of trees/mangrove has been suspended until the community led by the CRMC monitors and deems it necessary.
- VIII. The community, led by the CRMC shall protect the wetland environment from human and/or physical activities that will result in the degradation of the wetland. This include and not limited to:
 - a. Uncontrolled harvesting
 - b. Erosion/Sedimentation
- IX. The community led by the CRMC shall preserve all wetland vegetation species in their natural area of occurrence.
- X. The community shall re-plant all degraded mangrove sites
 - a. Any tree/mangrove that is deemed appropriate by the CRMC for harvesting, when harvested must be replaced within two weeks.
- XI. Access to and harvesting of tress/mangroves will be regulated by the CRMC based on availability in line with the management plan
- XII. The community led by the CRMC shall agree on rates to be paid by persons who are given access to harvest resources from the wetland.
 - a. Such money collected should be paid into the CRMC account immediately.

10.3 Trade in bush meat/NTFPS

- I. No person shall be allowed to buy bush meat/NTFPS from the CREMA unless he/she is in possession of license granted him/her for that purpose by the CREMA Executive Committee (CEC)
- II. Non-CREMA traders in bush meat/NTFPS shall only buy from recognized licensed traders within the CREMA
- III. CREMA traders in bush meat/NTFPS who also obtain their stock from external sources shall use tax levies receipt issued by the respective revenue collection unit for justifications.
- IV. Application for a license to buy bush meat/NTFPS in the CREMA shall be made to the CEC accompanied by an appropriate fee determined y the CEC.

10.4 Benefit Sharing :

- I. Fees of hunting or bush meat trade permits and sales of confiscated wild animals shall be paid into the CREMA account and this money shall be used for community development
- II. 10 % of the CREMA annual income generated shall be paid to traditional authority (land owners)
- III. 10 % of the CREMA annual income generated shall be paid to shall be paid to wildlife division of the forestry commission
- IV. 10% of the CREMA annual income generated shall be paid to shall be paid to the Ahanta West District Assembly

70% of the CREMA annual income generated shall be used for community development in the CREMA.

10.5 Offences and Sanctions:

- I. Offenders of section 10.1 of the CREMA constitution above shall be sanctioned by the CREMA Executive Committee (CEC)
- II. Any person who contravenes any provisions made in section (10.2, 10.3 and 10.4) of the CREMA constitution for the first time shall be brought to the CREMA Executive Committee (CEC) and fined appropriately
- III. Subsequent contraventions of the provisions made in section (10.2,10.3 and 10.4) of the CREMA constitution shall illicit prosecution in a law court and shall be liable to a summary conviction to a fine not less than:
 - GH 50.00 or to a term of 6 Months imprisonment for offenders of hunting / bush meat trade.

- GH 200.00 or to a term of 2 years imprisonment for offenders of poisons as baits for fishing or wildlife animals
- GH 100.00 or to a term of 1 year imprisonment for offenders of illegal harvesting or felling of NTFPS

IV. Any bush meat or NFTP of wholly protected kind or in closed season shall be confiscated and sold to public and money paid into the CREMA account

V. Any person who contravenes the national law that protects endangered species shall be prosecuted in the court of law by the WD in accordance to the provisions made in the Wildlife regulations 1971 L.I 85.

11. EXPANSION OF THE CREMA

As a result of the mobile nature of the wildlife resources, in the future there shall be expansion of the CREMA to nearby communities or area outside the scope of the CREMA where the evidence shows that wildlife from the CREMA crosses to such areas.

However, this shall be done with the appropriate authorities of concerned areas or lands and the district assembly stakeholders (DA, WD, and MOFA &FSD). This shall be followed by sensitization of the target group on the need and merits of wildlife conservation especially in the arena of cultural heritage and environmental stewardship.

Critical aspects of the constitution shall be amended to legally recognize the expansion. Areas of the constitution that may be considered for amendment are:

- Name of the CREMA
- Benefit sharing guidelines
- Re-delineation of the CREMA boundary
- A new CREMA structure

The CREMA Executive Committee and Traditional Authority of the CREMA shall carry out all consultations with Ahanta West District stakeholders and update the CREMA members on progress or otherwise of the expansion exercise.

12. CONSTITUTIONAL AMENDMENTS

Every member of the CREMA shall be qualified to propose an amendment of any part(s) of the constitution. The CREMA Executive Committee (CEC) shall have the sole responsibility for amending

the constitution. All proposals from members for amendments to the constitution shall in all cases be communicated to the District Assembly stakeholders and the issues shall be discussed at the meeting of CREMA Executive Committee (CEC) where recommendations shall be made to effect amendment or otherwise.

13. RELATIONSHIPS TO TRADITIONAL AUTHORITIES, DISTRICT STAKEHOLDERS AND OTHER ORGANISATIONS

The CREMA shall work closely with the District stakeholders and other organizations for enforcement and capacity building in areas that shall require the attention of which ever stakeholders present.

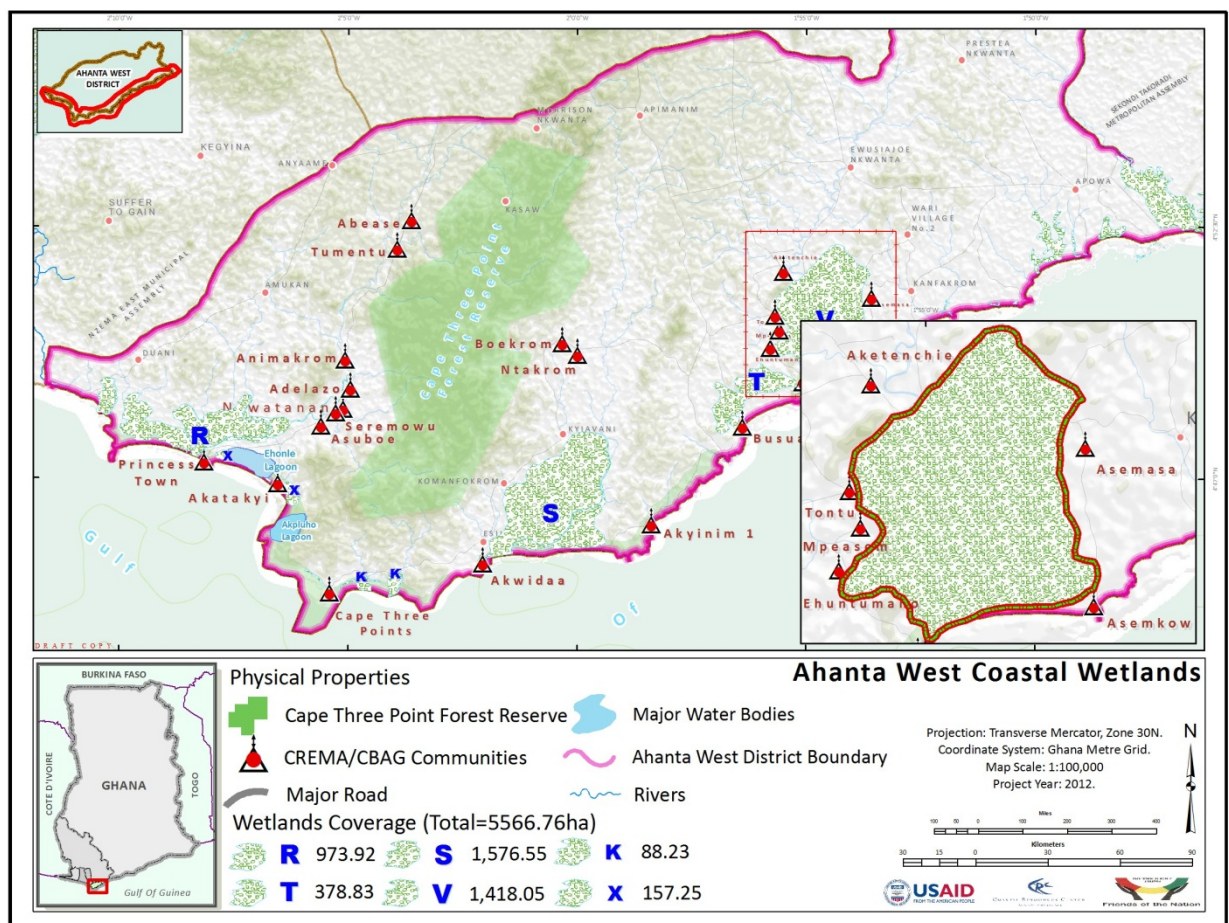


Fig 1: Cape Three Points CREMA Communities and Respective Wetland Areas.