

REPORT OF A GENDER ANALYSES OF THE PALM OIL AND TIMBER VALUE CHAINS

Proforest's Africa Responsible Sourcing and Production (ARSP) Project
in Ghana

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LIST OF ACRONYMS

| | |
|---------|---|
| ARSP | Africa Responsible Sourcing and Production |
| BELA | Benchil Enchil Letsa and Ankoma |
| CSO | Civil Society Organisation |
| DCD | District Coordinating Director |
| DCE | District Chief Executive |
| ETI | Ethical Trading Initiative |
| EU | European Union |
| FAO | Food and Agricultural Organisation |
| FGD | Focused Group Discussion |
| FLEGT | Forest Law Enforcement, Governance and Trade |
| FSC | Forest Stewardship Council |
| FSC IGI | Forest Stewardship Council International Generic Indicators |
| FSC P&C | Forest Stewardship Council Principles and Criteria |
| GA | Gender Analysis |
| GAD | Gender and Development |
| GDHS | Ghana Demographic and Health Survey |
| GDL | Gender Division of Labour |
| GHNI | Ghana National Interpretation (of the RSPO) |
| GLSS | Ghana Living Standards Survey |
| IFPRI | International Food Policy Research Institute |
| KII | Key Informant Interviews |
| MEST | Ministry of Environment Science and Technology |
| RSPO | Roundtable on Sustainable Palm Oil |
| ToR | Terms of Reference |
| TUC | Timber Utilisation Contract |
| USAID | United States Agency for International Development |
| VPA | Voluntary Partnership Agreements |
| WEAI | Empowerment in Agricultural index |
| SS | Smallholder Strategy |

KEY GENDER TERMINOLOGIES¹

| Terminology | Definition |
|---|--|
| Gender | Refers to the socially constructed attributes and opportunities associated with being male and female and the relationships between women and men, girls and boys. |
| Gender equity: | Is the process of being fair to women and men in distribution of resources and benefits. This involves recognition of inequality and requires measures to work towards equality of women and men. Gender Analysis is necessary for gender equity. |
| Women's Triple Roles² | Refers to the Reproductive, Productive and Community Roles |
| Gender equality: | It is understood to mean that women and men enjoy the same status on political, social, economic and cultural levels. It exists when women and men have equal rights, opportunities and status. Sometimes gender equity is required to ensure gender equality |
| Gender Roles: | Socially learned roles and responsibilities assigned to women and men in a given culture and the societal structures that support these roles. |
| Gender Sensitive: | Being aware of differences between women's and men's needs, roles, responsibilities and constraints. |
| Gender Analysis: | Is an organised approach for considering gender issues through the entire process of programme or organisational development. The purpose of Gender Analysis is to ensure that development projects and programmes fully incorporate roles, needs and participation of women and men. Gender Analysis requires gender disaggregation of data |
| Gender Mainstreaming. | is the process of integrating gender issues into policies, programmes and institutions. The ultimate goal is to achieve gender equality |
| Gender Awareness | Recognition that women and men perform different roles in society and therefore have different needs which must be recognized |
| Gender Discrimination | A difference in treatment of people based entirely on their being male or female. This difference contributes to structural inequality in society |

¹ Definitions extracted from a mix of sources including UN Women, World Vision, Oxfam, etc

² Definitions by Caroline Moser

| | |
|-------------------------------|---|
| Practical Gender Needs | Practical Gender Needs are those needs that have been identified by women within their socially defined roles as a response to an immediate perceived necessity). They do not challenge gender divisions of labor and women's subordinate position in society |
| Strategic Gender Needs | Strategic Gender Needs vary by context and are identified by women as a result of their subordinate social status. They tend to challenge gender divisions of labor, power and control, as well as traditionally defined norms and roles |

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THE EXECUTIVE SUMMARY

Proforest is an International Non-Governmental Organisation providing support to “... people to manage and source natural resources sustainably [within the forestry and Agricultural Commodity value chains]”. They support the “... responsible production and sourcing of palm oil, soy, sugar, beef, timber and other agricultural and forest commodities”.

Proforest commissioned this Gender Analysis under the auspices of its Africa Responsible Sourcing and Production Project.

The Gender Analysis is positioned within the Palm Oil and Timber Value Chains with theoretical and conceptual underpinnings within the Smallholder, Gender and Development, Sustainability, Certification / Licensing and Legality frameworks. It provided insights into the impacts of the local and International Legal framework, licensing and Certification Schemes on men and women within these two industries. It also unpacked women and men’s gender roles within the industries, the gendered differentials in access and control over resources, benefits emanating from these resources, the gendered power relations, vulnerabilities, women’s practical and strategic needs within the two sectors.

The Analysis found as follows:

- Compliance with both the FSC and RSPO and their local equivalents differentially affect smallholders as against established medium to large scale companies and operators within the forestry (timber) and palm oil value chains. Evidence from the 2 platforms and a review of the certification standards themselves point to this. Perhaps it is for this reason that both have either completely developed (RSPO) or are now evolving (FSC) smallholder-specific certification / licensing schemes. A careful reading of the FSC and RSPO P&C as well as their Indicators and Local Equivalents revealed that the language and the requirements for certification appear to target medium to large scale operations. Most of the requirements for certification are beyond the scope of smallholding operations. Again, compliance with the requirements for certification likely have cost implications which the smallholders especially women smallholders are not likely to meet. In this sense, the certification standards can be said to be exclusionary to smallholders.
- Again within the smallholding sector, gender differentials regarding compliance of these frameworks are highly likely. The nature of smallholding in Ghana especially at the data collection sites where most of the individuals involved are Independent Smallholders with women as major stakeholders, and given the peculiar position of women in Ghanaian society, the requirements / obligations for compliance of these frameworks may just be too

much for women to be able to comply with. This assertion is confirmed by the field data and the review of the literature carried out.

The Analyses of other Gender Variables within the Timber and Palm Oil Value Chains reveal as follows:

- Whereas there are clear-cut gender divisions of labour observed in the palm oil value chain in the communities surveyed, the timber industry is considered by many as the preserve of men.
- As expected women perform more 'tangible', 'tedious', repetitive and mostly manually performed reproductive and care work compared with the 'supervisory' reproductive roles performed by men. This is reflected in the performance of their productive (*in this case work within the timber and palm oil value chains*) and community roles. The excessive amount of time women spend performing their reproductive roles results in time poverty in relation to the performance of their productive roles within the 2 sectors. This also spills over to the performance of their community roles especially as relates to their participation in community decision making structures and processes.

As to whether or not the gender roles are shifting, the analyses revealed that although there are strong and quite entrenched views regarding the performance of traditional gender roles, these roles appear to be interchangeable. However, women are the ones who have shown more flexibility in supporting the men or completely assuming male gender roles in some cases.

- The Analyses also found gendered access and control over resources and benefits emanating from the resources within the 2 sectors. Whereas men have unfettered access and control over resources, women on the other hand have nuanced access and little control over the resources.
- The study also found out that the main factors influencing the gender differences within the 2 sectors are economic, entrenched gender roles, perceptions and stereotypes.
- It also emerged that ultimate household decisions lie with men even though women are consulted on certain matters. Community decisions are mostly taken by the male decision making structures such as the chiefs and elders, imams and pastors etc. The queenmother and the proverbial "abrewa"³ are consulted on occasion when deciding some of the cases during dispute resolutions. Sometime also, women-only cases are referred to the queenmothers for resolution. The processes used to arrive at the final decision depend on the dispute resolution method used.
- The analyses also revealed that power resides mainly with men within the 2 sectors. The powerful people are traditional leaders, religious leaders, local government personnel,

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landowners and people with smallholder plantations. The sources of their power are positional, from their status and from their sex.

- The analysis also unearthed gendered vulnerabilities regarding challenges and risks especially within the palm oil sector.

The analysis recommends as follows:

- **The need to equip Smallholders to develop capacity to comply with both the FSC and RSPO Certification Standards and the Ghana legal framework regulating the two industries.**

As identified in the analysis and the findings, there are many structural and gender issues causing the lack of capacity on the part of Smallholders to meet the compliance requirements even where the Certification platform has evolved separate sets of certification requirements for smallholders (as is the case with the RSPO).

The lack of operational capacity by smallholders to produce the compliance documents, poverty and the low economic status stemming from socio-cultural norms and de facto discrimination rooted in entrenched gender roles within the two industries and powerlessness are some of the causes and drivers of the inability to comply with the standards. Also, unearthed by the analysis is the stark ignorance of the smallholders about the local legal framework and the International certification standards. Compliance of the laws and the standards will require some knowledge of the provisions contained in them.

Therefore, a concerted and consistent certification and legal literacy outreach to smallholders especially Independent smallholders and women to be facilitated by an intermediary organisation with the required knowledge and skills set will be helpful.

Some of the outreach tools could include;

- simplification of the both the local legal framework and the International Certification Standards into easy to read everyday English or a possible translation into a widely spoken local language
- wide dissemination of the frameworks using a number of tools notably IE&C materials such as flip charts, posters etc
- For the smallholders who are operating as legal entities, some form or Organisational Development (OD) to enhance their skills set to either produce the required documents in-house or supervise outside experts to help
- Financial support - for financing the certification process. Either helping them to meet the requirement for accessing financial support from the certification platform where available (such as the RSPO Smallholder Support Fund) or connecting them to local funding initiatives.

- **Advocacy for Law Reform especially regarding the formal requirements for obtaining a Timber Utilization Contract**

It has been established that the current formal requirements for obtaining a TUC is exclusionary to smallholders and especially to women smallholders. A smallholder-led advocacy to make the grant of the TUC more inclusive will be helpful. Smallholders should be supported to organize for amplified voice in this regard.

- **Develop and implement the following:**
 - *For the RSPO: a Gender Policy and implementation strategy to support the Smallholder Strategy for a more systematic mainstreaming of gender into its compliance*
 - *For the FSC: the FSC requires the development of a Smallholder Strategy and a Gender Policy*

The limited Gender Provisions in the FSC, RSPO and their local Ghanaian counterparts provide a good starting / entry point for discourse on gender. However, given that the experience of men and women within the smallholding set up is different, a more comprehensive gender policy and implementation strategy is required for gender to be properly mainstreamed into the compliance requirements for both the FSC and the RSPO. Thus for the FSC, the Gender Policy and Implementation Strategy as well as a Smallholder Strategy are required. For the RSPO, a gender policy is required to support the implementation of the Smallholder Strategy.

- **A social norms campaign to change/modify beliefs that put fetters on women's access and control over resources and to promote the shifting of entrenched gender roles within the two sectors**

It emerged that a few norms underpin the fetters to the access and control over resources for women within the two sectors. It also emerged that entrenched gender roles affect the effective and efficient participation of women in the two industries. Therefore a social norms campaign targeting men, women and the decision making structures within communities where palm oil and timber are produced and or sourced would be helpful.

- **The need to take forward and address the identified Practical and Strategic Gender needs and priorities revealed by the Gender Analysis.**

Until such times that gender roles become fluid it is important that solutions be found to make women more effective in the roles that they are already performing. Solutions need to be found to make their work easier, less tedious, and reduce the amount of time they spend on the performance of care and reproductive work so they can rather make more time for the performance of their productive roles to improve their economic situation. In the same vein, some interventions have to be put in place to address the long term strategic needs that will give women more agency, autonomy and voice to participate in the two industries on the same

level as men.

For both men and women though, someone needs to look at what they say are their priorities and these must be born in mind when planning interventions for them.

- **The need to embark on occupational health and safety initiatives**

As the analysis revealed that smallholders including women smallholders are susceptible to many occupational health and safety issues, it is important that some sort of initiatives to make their work environment safer and reduce the risks of injury and illness would be welcomed by them. A case in point is their request for a special Health Insurance Scheme to address their peculiar needs.

- **Decentralize and make more accessible the operations of standard developers /facilitators and implementers such as Proforest to Independent Smallholders**

1. INTRODUCTION

1.1 The contents of this Report

This document presents the report of a Gender Analysis (GA) commissioned by Proforest under its Africa Responsible Sourcing and Production (ARSP) project in Ghana for the Palm oil and Timber value chains. The Gender Analysis was situated within the Smallholder Palm Oil and Timber Value Chains and it unpacked the differential impacts of the local and International Legal framework, licensing and Certification Schemes on men and women within these two industries. It also unpacked women and men's gender roles within the industries, the gendered differentials in access and control over resources, benefits emanating from these resources, the gendered power relations, vulnerabilities, women's practical and strategic needs within the two sectors.

1.2 Structure of the Report

The Report has five (6) Chapters as follows:

Chapter 1: deals with the preliminary and background issues leading to the award of the consultancy.

Chapter 2: discusses the conceptual framework for the assignment as well as the context.

Chapter 3: provides information on the approach, methodology adopted and or adapted for the task.

Chapter 4: presents the findings of the gender variables such as the gender division of labour generally and within the smallholder palm oil and timber value chains in the two districts surveyed

Chapter 5: discusses the differential impacts of the local legal framework, the RSPO and FSC on women and men within the two industries

Chapter 6: makes recommendations in line with the deliverables in the term of reference for the assignment.

1.3 Proforest's Africa Responsible Sourcing and Production (ARSP) project

Proforest's "Africa Responsible Production and Sourcing Project (ARSP)" intended to among others, leverage legal compliance to promote sustainability within the Timber and Palm Oil supply chains in Ghana. The project also intended to among other deliverables, develop Industry guidelines/protocols to guide the conduct of the industry players.

To facilitate the development of the industry guidelines, which, the project hope will contribute to promoting legal compliance and for that matter sustainability within the two (2) industries

required the assessment and understanding of certain variables. These variables include the

- Legal Regime/environment within which the industries operate,
- The issue of smallholders and whether or not they are “differentially” impacted by the legal compliance, as well as
- The Gender dynamics within the industry.

In the light of these, Proforest commissioned a review of the Statutory and Customary Laws applicable to the above named industries, and also benchmarked some Ghanaian laws against some International Forestry and Palm Oil Industry Regulations⁴. The review of the customary laws in particular, interrogated the issues of land tenure systems, marriage and inheritance and revealed some rather interesting findings⁵.

1.3 Consultancy to conduct a Gender Analysis to support the delivery of the ARSP project

A review of Proforest’s Terms of Reference document for the assignment as well the ARSP proposal revealed that Proforest considers gender as an important aspect of the project as it believes that the “management [and use of] natural resources are gendered”. Women and men have different experiences in relation to the sourcing, production, management and use of natural resources such as forestry products and also agricultural commodities. It therefore stands to reason that their perspectives be considered when interventions in relation to resources are being planned and or being executed.

In the light of this, the data collection instruments used for the Customary Law Review included a few questions on gender. However, these were limited in scope and did not provide enough information to ensure effective analysis of the gender dynamics prevailing within the locations visited.

To address this shortcoming, Proforest has set out to conduct a full gender analysis to identify and unearth the specific gender dynamics and inequalities present within the smallholder timber and palm oil industries in Ghana. Specifically, the gender analysis, will build on the legal benchmarking and the customary law review work already carried out, but also collect and analyse data in order to ascertain the “gendered differences in participation [and] or utilization of the resources under consideration” within the project.

1.3.1 Purpose of the Consultancy to conduct the Gender Analysis

The purpose and scope of the assignment as gathered from the Proforest’s *“Request for Proposal and Terms of Reference (ToR)”* document are:

⁴ FSC International Generic Indicators (FSC-STD-60-004 V1-0 EN) and the Ghana National Interpretation (Ghana Forest Stewardship Standard FSC-STD-GHA-01-2012), RSPO, RSPO Next

⁵ See Customary Law Review to The Proforest Initiative: The Africa Responsible Production and Sourcing Project (ARPS)

- to provide some insights into the differential effects of the Ghanaian legal / normative framework on smallholders, especially women within the Palm Oil and Timber Industries, with the RSPO providing a backdrop for the Palm Oil industry and FSC for the Timber industry.
- to identify and analyse the challenges and opportunities relating to access, ownership, use and control of resources for women within the oil palm and Timber industries
- to make recommendations on how to close the identified gaps, , and also
- Make a presentation of the findings of the Gender Analysis at a public consultation.

Development initiatives have differential effects on men and women because of gender differences and inequalities. Therefore development initiatives require deliberate /well thought out considerations of the gender dynamics in order to ensure equitable benefits to women and men. A Gender Analysis provides one of the means to understanding the gender issues prevailing in a particular area and it is an essential component of programme/project conception, design, implementation and evaluation. It involves collecting and analysing sex disaggregated information to facilitate the understanding of the gendered differences so that the differing needs of women and men can be addressed in Institutions, Policies, Programmes and Projects. This way, existing and anticipated gender gaps can be closed to ensure a more institutional, policy, programme and project effectiveness.

The Gender Analysis (GA) commissioned by Proforest will among others interrogate and provide some understanding of the roles of women and men within the smallholder Palm oil and Timber industries in Ghana. It is also expected to evaluate these roles to be able to ascertain their 'value' and the existing power relations within the two (2) industries. The GA will also examine access and control over resources and assets within the timber and palm oil sectors, the sharing the benefits that emanate from the assets, factors that influence the roles, access and control over resources, identification of the practical and strategic Needs of women, analysis of the power relations within the two sectors, among others. It is also expected to assess whether or not compliance with industry related laws, certification and licensing schemes ⁶is gendered. Essentially though the analysis will be carried out within the scope of the assignment as outlined in paragraph one (1) above.

Although it will build on the legal benchmarking and the review of the customary law already carried out, primary field data will also be collected for a more in-depth and effective analysis.

1.2.2 The Consultancy Terms of Reference

See as annexed at appendix 1.

⁶ See the FSC, RSPO, RSPO Next and their local equivalents.

1.2.3 Deliverables / Outputs

The following are the expected deliverables:

- An inception Report detailing the methodology, timelines and Reporting for the assignment
- A comprehensive gender analysis report that broadly outlines the differential effects of the Ghanaian legal and regulatory framework on smallholders, especially women within the Oil Palm and Timber Industries, with the RSPO providing a backdrop. Specifically, the report will detail;
 - The degree of application and the effects of the existing legal and regulatory framework on smallholders within the Timber and oil palm industries as measured against the RSPO for the Palm Oil industry and FSC for the Timber industry
 - The challenges and opportunities relating to access, ownership, use and control for women within the oil palm and Timber industries
 - Recommendations on how to close the identified gaps
- Power-point presentation summarising findings of the gender analysis
- Sharing of findings with relevant stakeholders at public consultation workshop.

2. CONCEPTUAL FRAMEWORK AND CONTEXT

The Gender Analysis is anchored within the concepts of Gender and Development (GAD) framework⁷, Smallholder Forestry and Agricultural Commodity supply chains as well as Legality and Sustainability. This chapter therefore attempts to define these concepts and highlight the theoretical intersections / nexus among them within the Ghanaian timber and palm oil context.

2.1 The Conceptual and Theoretical Framework

This section provides some understanding of the concepts outlined above for a better unpacking and synthesis of the findings

2.1.1 The Concept of Gender, Gender Roles/Gender Division of Labour, Access and Control Over Resources, Power Relations, Gender Needs and Vulnerabilities

Gender is variously defined as the “socially constructed” definition of women and men⁸. It is the “socially constructed” perceptions of “man-ness” and “woman-ess”. Other definitions say that it is a classification that societies constructs to exaggerate the differences between females and males.

On the basis of this “socially constructed” definition, differentiated roles are assigned to men and women and to which they are expected to conform. These “acceptable” roles and attitudes or learned behaviours are acquired through the process of socialisation. They change over time and are influenced by culture, ethnicity, and religion among others. They are also considered to be dynamic and therefore can change.

Some gender experts such as Caroline Moser have identified three (3) categories of gender roles (the so called triple roles) as follows:

- i) Productive Gender roles: this involves the production of goods and services for consumption and trade. When people are asked about what they do, their response will most likely relate to their productive work, especially work for which they are paid or that which generates income. Most of the time, both women and men engage in productive activities, however, their functions and tasks usually differ according to the gender division of labour. Women’s productive work is often less visible and less valued than that of men.
- ii) Reproductive Gender Roles: this involves the care and maintenance of the household and its members including bearing and caring for children, food preparation, water and fuel collection, shopping, housekeeping and family health care among other things. Reproductive work is crucial to human survival, yet it is rarely considered ‘real work’. In

⁷ GAD emphasizes the socially constructed differences between men and women. It further postulates that these roles must be challenged in order to achieve gender equality.

⁸ <http://www.who.int/gender-equity-rights/understanding/gender-definition/en/>

poor communities especially in Africa, reproductive work is mostly manual, labour-intensive and time consuming. It is usually considered the responsibility of women and girls.

- iii) *Community Gender Roles*: This relates to the organisation of community social events and services, ceremonies and celebrations, community improvement activities, participation in groups and organisations, local political activities among others. The performance of community roles take considerable volunteer time. It is however important for the development of communities and serves as a one of the main mechanisms for community organisation and autonomy.. Whereas men take on mostly the community decision making / political roles often within the framework of local and national politics and are mostly paid and given power; women on the other hand take on the community managing roles which is voluntary and unpaid for; eg provision of water, health care, education among others.

Indeed, according to the World Bank, *“Gender norms and stereotypes constrain the opportunities of women and men, girls and boys, through different pathways. [However], most inequalities based on gender norms have historically put females at a disadvantage”*⁹. This disadvantage manifests in various forms including but not limited to inadequate access and control over resources and productive assets, household incomes and or benefits emanating from these assets, credit¹⁰, labour among others. It also involves the issue of power dynamics between men and women; whereas men assume power which is either ascribed or achieved, women are often seen as “powerless dependents”¹¹. The power dynamics affects the way decisions are taken concerning the individual, the household and community. Thus men wield the ultimate decision making powers in the above settings although women are sometimes “consulted” during the decision making process. The disadvantage also presents in the form of women’s “time-poverty” emanating from the performance of entrenched gender roles especially as regards care and reproduction. This affects women’s capacity to be effective, efficient and their ability to take advantage of economies of scale in their productive roles.

All of the above disadvantages culminate in women’s limited or total lack of agency and autonomy resulting in their inability to take advantage of opportunities within the industries where their productive capacities lie.

All of the above will most likely be reflected in the palm oil and timber industries.

2.1.2 Smallholders

⁹ <http://www.worldbank.org/en/topic/gender/overview>

¹⁰ Due to their limited access and control over resources and productive assets, they are unable to leverage same say for instance as collateral for credit to finance the purchase of machinery to be able to effectively perform their roles

¹¹ <http://www.worldbank.org/en/topic/gender/overview>

A review of several literatures on smallholders revealed that there is no ‘one-size fit all’ generic definition of the subject. Several definitions are possible depending on what indicator is being used. For example there can be definitions based on “farm size, labour input, farm management and income”¹² among others. This is so because of the risk of excluding / alienating some farmers from the group if a generic definition is adopted. Therefore most agencies including the RSPO¹³, FSC¹⁴ and their Ghanaian Interpretations adopt a fit-for-purpose definition of it. For example”

Whereas the The RSPO defines Smallholders as

“...farmers who grow oil palm, alongside with subsistence crops, where the family provides the majority of labour and the farm provides the principal source of income, and the planted oil palm area are is less than 50 hectares”. It also identifies 2 types of smallholders as follows: “ i) independent smallholders¹⁵; and ii) Schemed or associated smallholders¹⁶”.

The FSC on the other hand defines smallholders as

“...small forest producers, and local and traditional communities and Indigenous Peoples engaged in FSC-certified value chains”. Which definition it asserts “ ... includes forests held by local communities, small woodlots and plantations, and forests managed for low-intensity wood and non-wood harvesting” .

The Ghanaian definitions is as follows:

“...Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 40 hectares in size...”¹⁷

“Scheme Smallholders are characterised as Smallholders who are structurally bound by contract, by credit agreement or by planning to a particular mill. Scheme Smallholders are obliged to sell their FFB to that particular mill. Furthermore, Scheme Smallholders are often not free to choose which crop they develop, are supervised in their planting and crop management techniques, and are often organised, supervised or directly managed by the managers of the

¹² See

https://energycenter.epfl.ch/files/content/sites/energycenter/files/projets/Bioenergy%20Team/Defining%20smallholders_v30102013.pdf

¹³ See the RSPO and FSC definitions of smallholders at the discussion of the context section

¹⁴ ibid

¹⁵ According to the RSPO, these are “ Characterised by their freedom to choose how they utilise their lands, type of crops to plant, and how they manage them (being self-organised, self-managed and self-financed). They are not contractually bound to any particular mill or association, and may also receive support or extension services from government agencies”.

¹⁶ RSPO says “they are structurally bound by contract, a credit agreement or planning to a particular mill. They do not choose which crop they grow, are supervised in their planting and crop management techniques, and are often organised, supervised or directly managed by the managers of the mill, estate or scheme to which they are structurally linked”.

¹⁷ Ghana National Interpretation of RSPO Principles and Criteria for Sustainable Palm Oil (GHNI 2015)

mill, estate or scheme to which they are structurally linked. They may, however, receive support or extension services from government and private agencies.”¹⁸

“...Outgrowers are farmers that cultivate oil palm outside the nucleus estate on their own land or as a tenant on a third party’s land.” Outgrowers may be structurally bound by contract, by credit agreement or by planning to a particular mill. They are sometimes supervised in their planting and crop management techniques, and are often organised, supervised or directly managed by the managers of the mill or estate to which they are structurally linked. The sale of FFB from outgrowers is exclusively contracted to the grower/miller. Outgrowers may be smallholders. They may, however, receive support or extension services from government and private agencies.”¹⁹

“...Independent Smallholders (i.e. “Private Farmers” in Ghanaian context) while very varied in their situations are characterised by their: freedom to choose how to use their lands, which crops to plant and how to manage them; being self-organised, self-managed and self-financed; and by not being contractually bound to any particular mill or any particular organisation. They may, however, receive support or extension services from government and private agencies...”²⁰

Notwithstanding the different definitions, as noted by the Ethical Trading Initiative (ETI) Smallholder Guidelines of 2005, and extracted from www.wiego.org, there are some common denominators of all smallholder farmers as follows: “

- They produce relatively small volumes of produce on relatively small plots of land.
- They may produce an export commodity as a main livelihood activity or as part of a portfolio of livelihood activities.
- They are generally less well-resourced than commercial-scale farmers.
- They are usually considered to be part of the informal economy (i.e. may not be registered, tend to be excluded from aspects of labour legislation, lack social protection and have limited records).
- They may be men or women.
- They may depend on family labour, but may hire workers.
- They are often vulnerable in supply chains”

From the above, it is clear that smallholder encompass a broad spectrum of farmers, traders and processors and there are obvious intersections between gender and smallholdings. As the IFPRI Food Policy Report puts it, *“...smallholders are not a homogenous group...”*²¹ Men and women are involved in the smallholding sector to varying degrees and capacities. That said

¹⁸ Ghana National Interpretation of RSPO Principles and Criteria for Sustainable Palm Oil (GHNI 2015)

¹⁹ *ibid*

²⁰ Ghana National Interpretation of RSPO Principles and Criteria for Sustainable Palm Oil (GHNI 2015)

²¹ <http://www.ifpri.org/publication/subsistence-profit-transforming-smallholder-farms>

their potential within the Agricultural Commodities and Forestry products value chain cannot be underrated.

There is ample evidence in literatures²² which suggests that agriculture can provide a key pathway out of poverty for many people especially women. An FAO, 2012 publication suggests that “up to about 80% of the food supply in Sub-saharan Africa and Asia are [supplied] by smallholders”.²³ Although the author of this report has not sighted statistics on the exact number or percentage of smallholders who are women, there is ample evidence to suggest that they are major stakeholders within the sector. For instance the FAO, 2012 and other publications report that on average, women form about 43% of the agriculture labour force in developing countries; “...rising to about 50% in Eastern and South Eastern Asia”²⁴. In Ghana, the Ghana Living Standards Survey (GLSS) Round 6 suggests that 41.2% of women²⁵ are involved in Agriculture. Again, the GLSS6 suggests that as high as 80% (and in urban areas 90%) of women nationwide are involved in the processing of farm produce.

Notwithstanding these contributions, there are general vulnerabilities of the smallholding sector. Apart from these general vulnerabilities there are also feminized susceptibilities specific to women smallholders. For instance women have to deal with the effects their peculiar gender roles have on their productive outputs as smallholders. Notable is how their reproductive roles intrude upon their productive roles as well as their involvement in community decision making, management and decision making around their own products.

The layered nature of the smallholding field required that any potential interventions take these nuances including the ones related to gender into account by first unpacking them so that specific interventions can be tailored to benefit the diversity of actors within the field.

2.1.2 Sustainability, Legal Compliance and Smallholders

Ethical and sustainability considerations in the sourcing, production and use of forest resources and agricultural commodities have become necessary governance and operational requirements in many industries. Many consumers have become conscientious and sensitive to the ways that raw materials for consumer products are sourced and produced. This is because of the awareness of how unethical and or unsustainable sourcing and production can cause irreversible damage to the environment, which can spill over to the social, economic and other aspects of life. Thus many of the industry players are seeking ways of streamlining the industry to accord with International Industry Specific Standards while at the same time satisfying and

²² Agriculture for Development. The 2008 World Development Report. The World Bank. Washington, DC. 2007.

Ashby, J., Hartl, M., Lambrou, Y., Larson, G., Lubbock, A., Pehu, E. and Ragasa, C. 2009. Gender in agriculture. Investing in women as drivers of agricultural growth. Rome: IFAD and Washington: World Bank relying on: Agriculture for Development. The 2008 World Development Report. The World Bank. Washington, DC. 2007.

²³ http://www.fao.org/fileadmin/templates/nr/sustainability_pathways/docs/Factsheet_SMALLHOLDERS.pdf

²⁴ ibid

²⁵ The Ghana Living Standards Survey (GLSS) Round 6

assuaging the conscience of the final consumer. Many have looked to policy and regulatory frameworks as well as certification and licensing schemes as ways of enforcing these standards, promoting legality and for that matter sustainability.

Smallholders are on the periphery of the legality and sustainability buzz with many either being overlooked or without the capacity to take advantage of these sustainability initiatives.

2.2 The Context

2.2.1 The Gender Context in Ghana

Gender as a development imperative is now recognized worldwide by development practitioners, institutions and sovereign states. The framers Ghana's 1992 Constitution, it appears, were aware of this when at chapters 5 and 6 of the Constitution, they framed Gender Equality (GE) as among other things, the absence of discrimination on the basis of gender. This accords with International policy²⁶ and practice. Indeed, as the Asian Development Bank's toolkit on gender equality results and indicators notes, *"there is considerable evidence and broad international agreement that advancing gender equality helps reduce poverty, supports inclusive growth and other broad development outcomes, and enhances the effectiveness and sustainability of development initiatives"*²⁷.

As Ghana has signed and ratified many International, Regional and Sub-Regional treaties and conventions related to Gender equality, Agricultural and Natural Resources Management and Conservation²⁸, it is obligated to achieve key gender equality outcomes. The commitments in these treaties and conventions ranged from those related to addressing poverty among women, promoting their participation and representation in decision making²⁹, promoting their access and control over resources, promoting key educational and health outcomes among others. Also, required by the ratified treaties and conventions is the establishment of a gender equality architecture to facilitate the delivery of gender equality outcomes by the state. In the light of these, there currently exists state sanctioned gender equality legal and policy framework³⁰ as well as an apparatus³¹ in Ghana. There are also programmes and interventions

²⁶ See paragraph 2 above

²⁷ Asian Development Bank: Tool kit on gender equality results and indicators. Mandaluyong City, Philippines: Asian Development Bank, 2013

²⁸ Among the many treaties and conventions are the CEDAW, ICCPR, ICESCR, UDHR, the Maputo Protocol, the ECOWAS Supplementary Act on Gender Equality, the Sustainable Development Goals particularly goals 5 which seeks to promote Gender Equality and also goals 12 – sustainable consumption, goal 12 and goal 15 – which promote urgent action to combat climate change and the protection, restoration, promotion of sustainable use of terrestrial ecosystems, sustainable management of forests, combating desertification, halting and reversing land degradation, as well as halting biodiversity loss respectively. Also, accepted by the state of Ghana are the commitments outlined in the Beijing Platform of Action.

²⁹ Be it at the political, administrative or constitutional levels

³⁰ See chapters 5 and 6 of the 1992 Constitution, the National Gender Policy, other Gender Equality promoting legislation and regulations

³¹ The Ministry of Gender, Children and Social Protection [MoGCSP], National Advisory Board to the MoGCSP, Department of Gender, Department of Children, Department of Social Welfare, Department of Social protection, Human Trafficking Secretariat, Domestic Violence

by the state aimed at promoting gender equality. Yet, notwithstanding the existence of these and the efforts at closing the gap between men and women, GE remains a challenge.

The Ghana Demographic and Health Survey 2014 (GDHS 2014) report revealed that **the work profile of Ghanaian women is principally “agricultural based”**, with few *“...skilled manual jobs...[and women are even] less likely than men to be engaged in professional, technical and managerial fields”*. The GDHS 2014 further states that *“...women lag behind men [with respect to] educational attainment, literacy and exposure to the mass media; and these are critical [indicators] of women’s empowerment [as] they influence the development of women’s [agency and autonomy] and [enhances] their positions in their households and in society”*. Yet again, the GDHS 2014 also unearthed gender differentials in *“employment, access to and control over cash earnings, asset ownership, participation in household decision making, relative earnings of husbands / [partners]”* among others.

Regarding Access and Control over resources particularly high value assets such as land and house, the GDHS revealed that 78 percent of women aged 15-49 do not own land as compared with 67 percent of men within the same age bracket³². It further noted that most of the women who own land and or a house do so jointly unlike men, most of whom own either asset alone. Again, the survey noted that women are more disadvantaged when it comes to ownership of these high value assets and this disadvantage increases among women with no education.

These differences are worthy of note because the ownership of these high value assets enhances one’s financial worth and is an indicator of economic empowerment. Financial capacity is an important element in starting and operating a business including a Timber and Palm Oil businesses.

Demonstrable decision making ability is one of the key indicators of agency and autonomy, important elements in promoting the wellbeing of an individual leading to the improvement in status. The GDHS 2014 observed that women participate in household decision making to an extent. The survey however did not assess the extent to which women participate in community decision making processes. Evidence from other data sources suggest that this is very low especially regarding political decision making.

One of the key causes as well as drivers of gender inequality in Ghana is the existence of socio-cultural norms, values, practices and beliefs. These tend to dictate the behaviour of women, society’s expectations and men’s attitude towards them. These norms affect women’s ability to participate in critical decision making processes including decisions about access and control over resources, gender roles and responsibilities among others. One of the norms relate to the

Secretariat, Regional Offices of Social Welfare, Departments of Children and Gender, District offices of Department of Social Welfare, GDOs at MDAs, CSOs working in the fields of Gender Equality and Women’s Empowerment

³² See the Ghana Demographic and Health Survey 2014

acceptance of violence against women. A proxy for this acceptance is the acceptance of wife beating. The GDHS documented attitudes of men and women regarding wife beating and the results are not encouraging.

It is the enormity of the gender inequality issues that motivates Civil Society Organisations (CSOs) to provide complementary services to support government's delivery of its gender equality outcomes in addition to their (CSOs) traditional role of monitoring government's compliance with its international obligations regarding gender equality. It is against this backdrop that Proforest seeks to integrate gender into its programming.

2.2.2 Proforest's ARSP Gender Context

A review of Proforest's Africa Responsible Sourcing and Production (ARSP) project³³ proposal narrative reveals that the framers considered gender as central to the delivery of the project outputs and outcomes. As a result, ARSP sought to systematically integrate gender into the project. The project's Theory of Change makes a case for the *"analysis of [the gendered legal compliance]...to [ascertain the differential effects] of the legal compliance [on men and women] smallholders"*. Also incorporated within the main activities are sub-activities supporting the gender differentials especially as it relates to output 1. See bullets 3, 5, 6 and 7 under Activity 1:1 under output 1. Again, gender considerations are evident in the project M&E narration. The assumption and risk matrices take into account the potentials for gendered discrimination of laws de jure and or de facto with respect to the legal compliance and thus made provisions for feedback loops to potentially drive reforms in that arena (See bullets 2 under management assumptions). The implementation assumptions also considered gender as it seeks to embark on a stakeholder mapping and engagement as a way of ensuring that gender issues unearthed during the various analysis/surveys/reviews are properly addressed.

Yet again, clearly evident in the ARSP proposal narrative is a gender strategy. This strategy speaks to the analyses of how men and women are differentially impacted by the "different approaches" proposed by the project. It thus planned to:

- (a) Examine the gender context of the relevant laws – as it relates to; **i) Content** – to be able to ascertain whether or not these laws are gender sensitive, gender biased or gender neutral, and **ii) Procedural issues** – whether or not the process of compliance of the relevant laws is more onerous for women than men
- (b) Sensitize key partners / stakeholders³⁴ on gender

All of the above approaches the project proposed have a way of feeding back through "documentation and communications" to ensure iteration of key lessons. Again, ARSP also

³³ This work is commissioned under the ARSP

³⁴ Companies, smallholders and governments

intends to “collect gender disaggregated data” to be able to ascertain the “specific issues of the smalholder farmers [to ensure that] they are being addressed. This also presupposes that gender specific indicators are included in the project PMF³⁵. Yet again, ARSP also proposes to promote the equal participation of women through various “engagements”.

Perhaps, it is to satisfy the above intent that in developing the Terms of Reference for the Legal Analysis, some questions on gender were included. However, these questions were limited in scope and did not enable the collection of enough data on gender dynamics for a more effective analysis and reporting and hence the need for a standalone gender analysis.

2.2.3 Gender, Timber and Palm Oil Industries in Ghana

Ghana is located on the west coast of Africa with an estimated population of 27,043,093³⁶ people. Women and girls make up over half (13,800,384) of the entire population³⁷. The 2014 UNDP Human Development index ranks Ghana as 138³⁸ out of 187 countries and territories, with a Human Development Index value of 0.573.

In terms of ecological profile, Ghana’s agro-ecological zones³⁹ are the Rain Forest, Deciduous Forest, Transitional Zone, Coastal Savanna and Northern Savanna (Guinea and Sudan Savanna)⁴⁰. The southern and middle belts of the country have the forest zones, whereas the Coastal Savanna and the Northern Savanna zones are found on the coastal and northern belts respectively. According to MEST, 2002, Ghana has about Sixteen percent (16%) researched land for conservation and biodiversity.

Ghana has seen some significant increases in its GDP over the past 2-3 decades. According to a 2012 European Union’s Environmental Report on Ghana, there are “causal” links between some of the “key drivers” of Ghana’s GDP growth and “degradation and depletion of natural resources [which form the bedrock] of Ghana’s ecological capital”⁴¹. Also, the European Union Report⁴² relying on a World Bank report approximated that “land degradation and deforestation emanating from the key economic drivers contributed as much as 2% of the GDP in 2010 and the total cost of deforestation and land degradation is about 10% of GDP⁴³. An FAO

³⁵ This claim is made without prejudice to what is contained in the ARSP PFM or Results Framework

³⁶ [http://www.statsghana.gov.gh/docfiles/2010phc/National Population Projection_2010 to 2014.pdf](http://www.statsghana.gov.gh/docfiles/2010phc/National%20Population%20Projection_2010%20to%202014.pdf)

³⁷ Ibid

³⁸ UNDP Human Development Report 2014

³⁹ <http://mofa.gov.gh/site/wp-content/uploads/2011/10/AGRICULTURE-IN-GHANA-FF-2010.pdf>. Also note that the agro-ecological zones are classified on the basis of the following: “climate, reflected by the natural vegetation and influenced by the soils”

⁴⁰ Ibid

⁴¹ http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁴² http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁴³ Ibid

2010 report asserts that the estimated rate of deforestation in Ghana was around 2.19 per cent or 220 km² per annum, ranking 6th globally⁴⁴.

The forestry and Agriculture sectors are among the main pillars of Ghana's economy⁴⁵, contributing as much as "43% of the GDP, 50% of export earnings and 70% of total employment"⁴⁶. Majority of the population of Ghana depends on both sectors for their survival. At the same time the use of forestry resources as well as agricultural practices are among some of the causes and drivers of deforestation. The harvesting of wood, including the logging of timber and Agricultural activities to deforestation and environmental degradation by about 35% and 50% respectively⁴⁷. Essentially the forestry sector in particular is said to contribute to the livelihoods of over 2.5 million citizens⁴⁸. Unsustainable wood logging (timber production) for use at home⁴⁹ and export⁵⁰ are some of the forest related activities that contribute to deforestation and forest degradation. On the Agriculture side, it is the production and sourcing of Agriculture Commodities such as cocoa, oil palm, rubber, citrus, mango among others are the main contributors to deforestation and land degradation. Other challenges are the "weak institutional capacity in forest resource management, the convoluted land tenure system and population growth⁵¹ [with its competing needs].

Timber

Timber is an important forest Resource⁵² and a principal driver of Ghana's GDP⁵³.

The European Union Environmental profile report on Ghana (2012) again asserts that roughly 2.6 million hectares and 500,000 hectares of reserved and unreserved forests respectively, are dedicated to production including the production of timber⁵⁴. Timber is said to be produced from the so-called closed forests⁵⁵, and Plantation timber production has also made some inroads. There are both large scale and smallholders within the timber industry producing and or harvesting as well as processing several species⁵⁶ of timber. The sector provides employment

⁴⁴ <http://www.fao.org/docrep/003/ab567e/AB567E02.htm>

⁴⁵ <http://www.fao.org/docrep/003/ab567e/AB567E02.htm>

⁴⁶ ibid

⁴⁷ http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁴⁸ <http://www.fao.org/docrep/003/ab567e/AB567E02.htm>

⁴⁹ supply of fuel wood, extraction for firewood and charcoal production, furniture

⁵⁰ Logs, lumber, veneer, etc

⁵¹ http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁵² Other resources include nuts, fruits, resins, gums and charcoal, fruits, medicinal plants, bush meat, honey, pesticidal plants etc. are continuously exploited from the forest. - <https://csir-forig.org.gh/divisions/forest-products-and-marketing>

⁵³ http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁵⁴ http://eeas.europa.eu/archives/delegations/ghana/documents/more_info/euronet_ghana_cep_final_report_en.pdf

⁵⁵ See <https://ic.fsc.org/file-download.fsc-forest-stewardship-standard-for-ghana.a-1683.pdf>

⁵⁶ The main species of timber in Ghana include Mahogany, Wawa/Obeche, Odum, Makore, Sapele, Afromosia, Koto/Kyere, Edinam, Utile, Ofram (Black & White), Emire, Niangon, Chenchen, Ceiba, Danta, Kussia, Dahoma, Avodire, Black Hyedua, Yaya, Otie, Papao/Apa, Wawabima, Hotrohoto, Walnut, Cedrella, Kaku, Guarea, Denya, Ananta, Duabankye, Kroma, Albizia, Teak, Mansonia, Asanfina, Essa, Ogea, Wama, Berekankum, Gmelina, Watapuo, Rubberwood, Edinam, Ayan, Candollei, Bombax, Cedrella., Essia, Berlinia, Ohaa, Albizia, Bompegya, Gmelina, Akasa, Potrodom, Wama, Afina, Okoume, Subaha⁵⁶

and livelihoods for over 2 million people⁵⁷. Indeed the Ghana Export Promotion Council reports on its website that the timber industry provides for the livelihood of about 100,000 people in the formal sector⁵⁸ alone. It is noteworthy that although the Unsustainable logging of timber for export and domestic⁵⁹ use is perhaps one of the biggest threats to the forest sector⁶⁰ and contributes to the rapid deforestation in the country.

Palm Oil and Oil Palm

Palm Oil has become a multipurpose commodity, finding uses in the food, cosmetic, pharmaceutical and other industries. There is thus a high demand for it. Palm oil is produced from the fruit of the oil palm tree. According to the information on the website of the Ministry of Food and Agriculture, Ghana currently has about “305,758ha of oil palm⁶¹ [and about] 243,852tons of palm oil⁶² is produced. Ghana’s palm oil unmet need is about 35,000 tons as against 850,000 tons of unmet demand within the West African sub-region⁶³.

Although there are some private companies involved in the cultivation of oil palm and production of palm oil in Ghana, “80% of it is said to be grown by [smallholders]⁶⁴. Danyo (2013) identifies 5 categories of players within the sector as follows: “

- Large industrial plantations with large-scale processing mills and a network of smallholder and out-grower farmers;
- Medium scale plantations with medium-scale industrial mills with a network of out-growers;
- Small private farmers cultivating less than 10 hectares;
- Small-scale processors using semi-mechanised mills with capacities of about 6–10 tonnes per day; and
- Secondary processors who process crude palm oil into refined olein.”⁶⁵

The commercial and economic potentials of palm oil are not in doubt however, the unregulated production of oil palm, the fruit of which is used to make the palm oil, if not regulated can

⁵⁷ <http://www.gepcghana.com/timber.php>

⁵⁸ *ibid*

⁵⁹ Domestic consumption is said to range from “sawmills, plywood and veneer mills , fuelwood producers, charcoal burning, Small scale furniture manufacturing, Truck body building/boat building, Pallets and Crates, Construction (housing developers), Overland wood product exporters, Wood Carvers , Railway Corporations” etc (see <http://www.fao.org/docrep/003/ab567e/AB567E02.htm>)

⁶⁰ *Ibid.* same document states that “...the level of harvesting over the last 10 years has been exceeding the AAC, indicating that the forest capacity has been surpassed for almost a decade. On the average more than 46% capacity of the forest has been exceeded during the period.

⁶¹ See http://mofa.gov.gh/site/?page_id=8819

⁶² *ibid*

⁶³ *ibid*

⁶⁴ *ibid*

⁶⁵ See <http://www.interesjournals.org/full-articles/oil-palm-and-palm-oil-industry-in-ghana-a-brief-history.pdf?view=inline>

derail these economic prospects as it can have negative environmental, social and economic impacts⁶⁶ even with smallholdings.

Apart from the potential negative environmental and social impacts, the production of oil palm is also plagued with many challenges, notable among them being the relatively low yields from farms especially on smallholding farms. Some literature⁶⁷ attribute this to “sub-optimal climatic conditions, low soil fertility, poor planting materials as well as poor field management practices” among others. Ghana’s peculiar land tenure system [which makes large scale acquisition of land for plantations? difficult] is also said to contribute to the challenges. So also is the issue of the inadequate knowledge and skills to increase the yield output on the already cultivated oil palm plantations⁶⁸. Other writers also point to the “limited access to markets during the peak palm fruit season of February - May⁶⁹ as being among the challenges plaguing the production /cultivation of oil palm

Different categories of actors are involved in the processing of the palm fruit into palm oil as follows: traditional methods, small scale mechanical units, medium scale and large industrial mills⁷⁰. Several literatures⁷¹ assert that although there are several actors within the palm oil value chain, 80% of the small scale processors are females / women. For those engaged in the commercial processing albeit on a small scale, they rely on a “semi-mechanised equipment”⁷² or mill. It is also noteworthy that the mills are not owned by these processors.

Several socio-technical and regulatory issues / constraints⁷³ have been identified within the small scale processing sector as follows: i) the inadequate processing skills occasioned by the inadequate and or lack of formal training of the processors; most processors are said to have acquired their limited knowledge and skills on the process from friends/acquaintances and informal workshops⁷⁴; ii) inefficient processing equipment, poor quality palm oil resulting from the use of inappropriate fuel⁷⁵, prolonged storage of the palm fruit “to allow for some fermentation [and] to increase extractability and reduce labour costs”⁷⁶ , seasonal variation of

⁶⁶ These include large scale conversion of forest lands, habitat loss for endangered biodiversity, soil erosion, soil, air and water pollution, ozone depletion occasioning climate change etc etc, also the destruction of the livelihood of communities in the case of plantation developments.

⁶⁷[http://ssa.ipni.net/ipniweb/region/africa.nsf/0/438DA94552CC5B6085257F15004A8C5D/\\$FILE/Oil%20palm%20project%20Mid%20term%20report.pdf](http://ssa.ipni.net/ipniweb/region/africa.nsf/0/438DA94552CC5B6085257F15004A8C5D/$FILE/Oil%20palm%20project%20Mid%20term%20report.pdf)

⁶⁸ *ibid*

⁶⁹ George Kojo Yawson (CSIR- Oil Palm Research Institute, Kade): <https://inclusivecc.files.wordpress.com/2015/09/overview-of-ghanas-oil-palm-industry-by-george-kojo-yawson1.pdf>

⁷⁰ <https://inclusivecc.files.wordpress.com/2015/09/overview-of-ghanas-oil-palm-industry-by-george-kojo-yawson1.pdf>

⁷¹ C. Osei-Amponsah, L.Visser, S. Adjei-Nsiah, P.C. Struik, O. Sakyi-Dawson, T.J.Stomph: Processing practices of small-scale palm oil producers In the Kwaebibirem District, Ghana: A diagnostic study

⁷² *ibid*

⁷³ *ibid*

⁷⁴ *ibid*

⁷⁵ Lorry tires being used as fuel for boiling the palm oil

⁷⁶ <https://www.sciencedirect.com/science/article/pii/S1573521412000310>

oil and moisture content, lack of clarification⁷⁷ among others. Others are iii) the weak regulatory environment stemming from the absence of processing bylaws, and coordinating /liaison apparatus⁷⁸ as well as the iv) poor access to markets⁷⁹. Most or some of these issues/constraints are undergirded by norms, beliefs and practices.

Certification, Legality and Sustainability of Forestry and Agricultural Commodities

The response to the ethical and sustainability considerations and commitments as noted in section 2.1.2 above occasioned the streamlining, the adaptation or wholesale adoption of International level regulatory, legal, certification and licensing schemes. These are the FLEGT/VPA and FSC Principles and Criteria⁸⁰, and the RSPO, RSPO Next⁸¹. It also meant the establishment of mechanisms/apparatus for effective governance and management and accountability on the supply⁸² side of the timber and the Palm Oil industries. The local responses include the adoption/adaptation of local equivalents⁸³ to the international frameworks and developing the capacity of local industry players⁸⁴ to facilitate their compliance.

As a result, at the very least, these Certification Standards provide the basis for the assurance to the consumer markets that timber and palm oil imports from Ghana have been legally sourced and or produced.

It seems that the big industry players are or have developed the capacity/ ability to take advantage of / comply with the processes⁸⁵ whereas the smallholders (majority of whom are women especially within the palm oil industry) are not. Hypothetically, it appears that there are both structural and subjective/individual specific reasons for this inability to take advantage of the processes by smallholders. Among them are poverty and the low economic status of smallholders particularly women, socio-cultural norms and de facto discrimination, inadequate participation and representation in decision making. Others are their powerlessness stemming from the socio-cultural norms, beliefs and practices, ignorance/illiteracy, inability to identify and prioritize the practical and strategic needs of the smallholders for targeted interventions among others. Indeed a review of Customary Law by BELA on behalf of Proforest outlines some of the barriers/challenges⁸⁶ to women Smallholders' effective participation in the timber

⁷⁷ C. Osei-Amponsah, L. Visser, S. Adjei-Nsiah, P.C. Struik, O. Sakyi-Dawson, T.J. Stomph: Processing practices of small-scale palm oil producers In the Kwaebibirem District, Ghana: A diagnostic study

⁷⁸ ibid

⁷⁹ ibid

⁸⁰ for the timber and forestry sector

⁸¹ for the Palm Oil sector

⁸² By supply side, we are looking at the government and regulatory regime...

⁸³ See footnote 80

⁸⁴ Including smallholders

⁸⁵ Legal environment,

⁸⁶ See BELA Customary Law Review Report for Proforest

industry. The main challenges / barriers being the capital intensive⁸⁷ nature of starting and sustaining the timber business coupled with the onerous nature of the formal requirements (procedures)⁸⁸ for procuring a “Timber Utilization Contract, a timber concession or a chainsaw ownership or operation licence”⁸⁹ among others.

Gender and Smallholders within the timber and palm oil industries

Timber production is said to be a male dominated activity⁹⁰. The reasons for this are outlined in paragraph 16 of section 2.2.3 above. For the palm oil value chain, although both men and women are involved, there is gender division of labour. Several literatures⁹¹ suggest that whereas the processing of palm fruit into palm oil is the preserve of women because of their limited access to and control over land, credit, technology and other productive resources, the cultivation and maintenance of the oil palm is that of men⁹².

The role of certification /licensing schemes in the smallholder Value Chain

As per the definition of smallholders by the FSC, RSPO and the GHNI 2003 as captured under section 2.1.2 above, both the RSPO and FSC Certification/Licensing schemes recognize the contribution of smallholders to the sourcing and production of forestry products and agricultural commodities. The RSPO for instance pegs the contribution of smallholders to the production of palm oil at 40%⁹³. Notwithstanding the current contributions and potential future prospects of smallholders to the timber and palm oil industries, they are plagued with numerous challenges as enumerated at the same section above.

Thus whereas the FSC “

*...aims to develop a modern, dynamic, participatory, and rights-based approach to smallholder certification within the FSC system...” by among others “...map[ping]... smallholders’ market-related needs so that [FSC] can work with them to develop new solutions to tackle the challenge of selling their goods on an efficient scale”.*⁹⁴

The RSPO on the other hand aims

⁸⁷ The requirement of the incorporation of a company under the Companies Act, 1963 (Act 179) or the a private partnership per the Incorporated Private Partnerships Act, 1962 (Act 152).

⁸⁸ Ibid. Also, there is the need for the Applicant for the TUC to show capacity to protect and secure the concessions if granted. The Applicant must also have tax clearance, pay all required fees, and go through a bidding process

⁸⁹ See Timber Resources Management Act, 1998 (Act 547), section 3 & Timber Resources Management Regulations, 1998 (LI 1649), regs. 9-13. See also the BELA report.

⁹⁰ See the BELA report for Proforest

⁹¹ C. Osei-Amponsah, L.Visser, S. Adjei-Nsiah, P.C. Struik, O. Sakyi-Dawson, T.J.Stomph: Processing practices of small-scale palm oil producers In the Kwaebibirem District, Ghana: A diagnostic study. See also Sarku Rebecca: *International Journal of Humanities and Social Science* Vol. 6, No. 3; March2016: *Analyses of gender roles in the oil palm industry in Kwaebibirem District, Ghana*

⁹² ibid

⁹³ <https://rspo.org/smallholders>

⁹⁴ <https://ic.fsc.org/en/what-is-fsc/what-we-do/empowerment-of-people/new-approaches-to-smallholder-certification>

“...to certify more smallholders so that they produce more oil using less land and can access new markets, raising their income and reducing the risk of land conversion which threatens forests and biodiversity”⁹⁵.

Therefore what begs the question is how smallholders (especially women smallholders) can optimize the opportunities being offered by these certification and licensing schemes if their peculiar needs/circumstances are not taken into account in planning local interventions? Must gender considerations be taken into account for smallholders to be able to take full advantage of both the RSPO and FSC processes and initiatives available to smallholders in a bid to increase their productivity in sustainable ways?

These are some of the questions that this gender analysis as commissioned by Proforest will contribute to answering.

⁹⁵ <https://rspo.org/smallholders>

3 THE GENDER ANALYSIS (GA) APPROACH / METHODOLOGY

This section of the report addresses the approach and methodological issues as follows:

3.1 The GA Research Questions

The main research questions the study sought to answer were:

- What are the challenges and opportunities relating to access, ownership, use and control of resources for women within the oil palm and Timber industries
- What are the differential effects of the legal framework within the Timber and Palm Oil industry on men and women smallholders?

These were variously expanded upon in the main questionnaires while referencing a number of analytical frameworks as outlined below.

3.2 The Analytical Framework

The consultant adapted a number of frameworks to guide the analysis. These included the Women's Empowerment in Agricultural index (WEAI) of the USAID and International Food Policy Research Institute (IFPRI), The Harvard and the Moser Gender Analytical Frameworks, USAID's ADS 205 on Integrating Gender Equality and Female Empowerment in USAID programme cycle, as well as CARE International Gender Analysis Framework. Other frameworks referenced include Gender Impact Strategy for Agricultural Development of the Bill and Melinda Gates Foundation. The strengths of the above frameworks were leveraged to ensure a more comprehensive and quality data collection, analysis and reporting.

In accordance with the purpose and scope⁹⁶ of the Gender Analysis, the following were the principal areas of review:

- a) An analysis of gendered variables as follows;
 - The activity profile and gendered division of labour within the Timber and Palm Oil supply/value chains
 - Access and control (including ownership and use) of resources within the two industries
 - Identify, analyse and examine gendered vulnerabilities and underlying structural norms that affect the two industries
 - Exploration of the gendered power relations between men and women;

⁹⁶ See section 1C.2.1 for the purpose and scope of the GA

- Identifying and examining the differences in their priorities, needs, activities and constraints that women and men face in relation to each other within the Palm Oil and Timber industries
- b) An analysis of the differential effects of the legal framework within the Timber and Palm Oil industry on men and women smallholders. Specifically the following will be reviewed:
- i) Content of the law – will be analysed to ascertain whether or not these laws are gender sensitive, gender biased or gender neutral, and ...
 - ii) Procedural issues – whether or not the process of compliance of the relevant laws is more onerous for women than men and vice versa
 - iii) The degree of application and the effects of the existing legal and regulatory framework on smallholders within the Timber and oil palm industries as measured against the RSPO and FSC

3.3 Methodology

The Consultant adopted a mainly qualitative research approach to execute this task. The methodology drew on the lived experiences – voices, opinions and realities of women and men in the research sites to unearth the gender dynamics within the Timber and Palm Oil industries. Suitable qualitative data collection tools, methods and processes⁹⁷ were used to ensure the gathering of comprehensive/detailed and quality data for investigation and analysis.

3.4 Data Collection Process / Tools

The following processes were relied on for the data collection and analysis:

3.4.1 Preliminary / Inception Meetings

Prior to signing off on the contract, the Consultant and Proforest held a preliminary meeting to discuss the Terms of Reference. At this meeting, it was agreed that the Terms of Reference document be amended to reflect the new understanding and the consensus reached at the meeting.

Although no second face-to-face inception meeting was held, subsequent to the preliminary meeting, the Consultant and the Proforest team exchanged a number of emails on an ongoing basis and;

- Established and agreed on a common understanding of the revised Terms of Reference
- Clarified expectations, priorities, expectations and preferences for the assignment.

⁹⁷ See paragraph below for tools

- Agreed on the workplan
- Exchanged feedback on the analytical framework, data collection tools and generally on the inception report

3.4.2 Desk Review of Relevant Documents

The Consultant carried out a literature review on the subject matter and gathered baseline information on:

- the gender context within Ghana and within the timber and palm oil industries
- the gender context of Proforest and the ARSP project
- Gender and the customary law review and the legal benchmarking carried out.
- Desk review of the International and Local Legal framework on Timber and Palm Oil

3.4.3 Preparation of Inception Report

As required by the Terms of Reference, the Consultant prepared an inception report detailing how the Terms of Reference were to be operationalised; it included the methodology, timelines and Reporting for the assignment.

3.4.4 Development of Data Collection Tools /Instruments

The Consultant(s) developed semi-structured questionnaires based on the research questions and identified analytical frameworks in section 3.2 above.

3.4.4 Data Collection Processes/Analysis and Report Writing

Data was collected in a participatory manner using facilitated Focused Group Discussions (FGDs) and Key Informant Interviews (KII). The FGDs comprised single sex groups (men-only, women-only groups) as well as mixed groups for validation or otherwise of information collected at the single sex group discussions. Thus there were three (3) FGDs in each of the communities. The KIIs will target key and relevant stakeholders.

The data collected was analysed used for the preparation this report

3.3 Site Mapping / Sampling

Since the GA built on the customary law review work by BELA, data was collected from the same sites as the BELA field work to ensure consistency of the information. In the light of this, field work was carried out in 3 communities (Akyem Ofoase, Chia, and Brenase)⁹⁸ in the Akyemansa district of the Eastern Region and 3 communities (Gbefi Hoeme and Kpando

⁹⁸ See Customary Law Review to The Proforest Initiative: The African Responsible Production and Sourcing Programme (ARPS)

Dzoanti and Bame)⁹⁹ in the Kpando Municipal in the Volta Region. Thus the sampling frame was the same as that of the BELA field work.

Again, on the same basis as the above, the demographic profile of the participants of the FGDs and the KIIs were as captured by the BELA Customary Law Review field work.

The sampling method also relied on what has been used by the BELA field work. The list of respondents is annexed to this report.

.4 Limitations of the Study

The data for the analysis was collected from only 6 communities in 2 out of 170 districts in 2 out of 10 regions of Ghana. Whereas this may provide a good starting point for generalizing the gender dynamics within the Timber and Palm Oil industries, given the scope of the ARSP project, care must be taken to not stretch the outcomes too much. As gender is a dynamic concept, it is Culturally and religiously determined, is learnt through the process of socialization, influenced by stereotypes and therefore can change. These must be borne in mind when the results are being extrapolated.

Also, the review of the FSC and RSPO frameworks and their Ghanaian Counterparts were carried out without prejudice to any existing Comprehensive Gender Documents either in development or completed but which were not available for this review. The review covered the documents that were mostly retrieved from the website of these International Platforms and some of the local laws as identified by the legal benchmarking reports.

3.5 Ensuring quality

The main mechanism deployed for ensuring data quality was triangulation. Several qualitative methods were applied – ranging from desk review, FGDs to KIIs. Also, two or more field Assistants were assigned to record responses simultaneously during the data collection process and these were cross-verified to ensure consistency, validity and utility of the information gathered.

⁹⁹ Ibid

4. FINDINGS AND ANALYSES

4.1 Introduction

As indicated elsewhere in this report, the study examined a number of variables as follows:

Gender Roles /Division of Labour and Time Used: Under this section, the analysis sought to answer the questions: who does what, where and when? It considered the general daily activity profile as regards the quantum of work, amount of effort, quality and amount of time expended. It thus measured the extent to which women and men participate in the triple roles; productive, reproductive and community managing roles generally and within the Smallholder Palm Oil Value Chain. This section also interrogated the norms that underpin the gendered division of labour.

Access, Control and Ownership over Productive Assets / Resources: Under the Access, Control profile, the consultants carried out a Gender Resource Mapping exercise with the respondents. By this, we asked respondents to identify resources and diverse assets that are available to and under control of women and men for performance off the triple roles. The questions then zeroed in on the identification and accessibility and control of resources within the smallholding palm oil value chain. Access and control over the benefits emanating from the management and use of the resources were also surveyed. The section also examined whether or not there are political, economic, socio-cultural factors shaping the gender differentials between men and women as regards the gendered division of labour generally and within the palm oil sector, access and control over resources and sharing of benefits, all within the palm oil industry.

Gendered Power Relations: This section identified and explored the multiple power dimensions occasioned by gender hierarchies, structures and norms, actors and institutions within households, communities and society in general that gender differences so as to better understand the different factors that interact to differentially affect the participation of men and women in the palm oil industry.

Gendered Vulnerabilities: This section explored the gendered vulnerabilities within the palm oil value chain by examining what men and women are susceptible to with respect to risk (the likelihood of harm occurring), challenges (difficulties being encountered) and the barrier that drive the gender differentials within the industry.

Women's Practical and Strategic Needs: Using the GNA tool, the study collected and analysed data to ascertain the links between the needs of women vis-à-vis the performance of their gender roles in the short term. The study also examined what are strategically required to address the gender disparities between men and women and create a level playing field in the

long term. Both men and women also identified what their priorities are for the industry.

The effects of the Legal Regimes, licensing and Certification on the Smallholder in Ghana: This section relied mostly on information obtained from the extensive desk review of the International and local legal framework on the palm oil and timber industries in Ghana. Thus the desk review enabled the consultant to draw inferences as to whether or not these laws, regulations, certification and licensing schemes occasion smallholder and gender differentials especially as relates their compliance. This is because most of the respondents interviewed were ignorant of the existence of these laws and regulations. The results are as captured under chapter 5 of this report.

4.2 FINDINGS ON GENDER DYNAMICS WITHIN THE PALM OIL VALUE CHAIN

4.2.1 Gender Division of Labour Generally

The nature of the gender division of labour generally

The division of labour in the study area follows the traditional gendered division of labour. Women were found to perform more of the Reproductive¹⁰⁰ and Care roles relative to their Productive and Community roles¹⁰¹. Women were able to identify their tangible reproductive and care roles such as sweeping, cleaning, washing clothes, washing dishes, ironing, bathing children and getting them ready for school, taking children to school, cooking, fetching water, among others. Most of the men could only speak to performing “supervisory” roles as their Reproductive roles - which supervisory roles after further probing they said included disciplining of children, issuing instructions to their partners and children, providing financial support for the maintenance of the home and taking decisions regarding the welfare of the home. A few men though, said they on occasion perform some of the tasks such as bathing the children but it must be stressed that they do this on occasion.

Women’s Productive Roles are mainly processing of palm fruits into palm oil and helping their male partners in their smallholding palm plantations. Men on the other hand perform more Productive roles compared with Reproductive and Community Roles¹⁰². Their Productive roles revolve mainly around working on their Smallholding palm plantations.

For Community Roles, whereas men attend Community Meetings and events (Chia), participate in games such as cards, drafts (Brenase), women do charity work for churches (Chia), attend PTA meetings (Brenase). Both men and women said they participate in communal labour. The

¹⁰⁰ Reproductive Roles are those relating to the care and maintenance of the home. Although this is considered as essential for human survival, it is rarely considered as real work. It mainly entails the performance of household chores, caring for children and partners/spouses

¹⁰¹ See table 1-6 for details

¹⁰² Ibid

women said their tasks at communal labour include sweepings, conveying cement blocks to building sites, fetching water etc).

Regarding time used for the performance of the triple roles, overall, the study reveal that both men and women in these communities work hard, having hardly any designated rest time within the 18 hour work period surveyed. Women spend a substantial portion of the 18 hours¹⁰³ assessed performing their Reproductive Roles as against their Productive and Community Roles. Table 1-6 provide some guidance. They spend between 10-12 hours on reproductive roles (Chia; 12 hours, Brenase: 12 hours, Ofoase; 10 hours Gbefi-Hoeme; 10 hours, Bame; 6 hours and Dzoanti; 8 hours). They also spend between 6-7 hours on their productive roles (Chai; 6 hours, Brenase; 6^{1/2} hours, Ofoase; 7 hours Gbefie-Hoeme; 7 hours, Bame: 11 hours and Dzoanti; 8 hours). Although men said they spend about 9 hours on average performing reproductive roles, if taken on face value, it will be misleading. This is because they said they mostly spend these 9 hours performing “supervisory roles”. The nature of these supervisory roles – disciplining, issuing instructions, financially supporting the home, and household decision making make it possible for them to have substantial rest periods compared with the women. Men spend on average xxx hrs on their productive roles

The nature and quantum of work within the triple Roles

In terms of the nature, quantum and quality of work, the study revealed that women’s reproductive work is sizable, tedious, repetitive and mostly manually performed. This notwithstanding, they are expected to work hard in their productive capacities. Particularly when it comes to the processing of palm fruits into palm oil, the sector dominated by women. Although the women describe the processing as very labour and capital intensive¹⁰⁴ as well as hazardous¹⁰⁵ and a time-consuming enterprise, they are expected to work hard and they do work hard albeit within the limited time they have at their disposal. Community roles are also affected. As stated in paragraph 3 above, the men’s reproductive roles in these communities according to them are mostly “supervisory”. Since it has been established that these supervisory roles do not entail any manual or labour intensive work, men are likely to find more time to rest in the “performance” of these supervisory duties even though they did not explicitly admit to this. Men thus have more time to perform their productive tasks, mostly working on their smallholding oil palm farms. Men also have more time to engage in Community activities and decision making.

¹⁰³ Although the assessment covered 24 hours, participants were active for 18 hours ie. from 4am-10pm. The rest of the 6 hours was used for sleeping

¹⁰⁴ See transcripts of the field interviews

¹⁰⁵ Exposure to intense heat for long periods and the inhalation of smoke emanating from the fires, leading to burns and respiratory illnesses, bending for long periods during the shelling of palm fruits, pounding of boiled palm fruits for long periods in the absence of mechanized mills, long periods spent on breaking of palm kernel. It must be said that the men also said they are exposed to pricks, cuts and other injuries especially during the pruning and harvesting periods

Table 1: Performance of the triple Gender Roles and Time use at Chia

| Time | Men | Women |
|-----------------|---|--|
| 4 am – 7 am | <ul style="list-style-type: none"> • Perform Supervisory Roles • Provide upkeep money | <ul style="list-style-type: none"> • Sweep the house • Fetch Water |
| 7 am – 9 am | <ul style="list-style-type: none"> • Go to farm | <ul style="list-style-type: none"> • Prepare Children for school • Clean the house • Perform other Household chores¹⁰⁶ |
| 9am- 3pm | | <ul style="list-style-type: none"> • Go to farm • Labor work • Processing of palm oil |
| 3 pm – 4 pm | | <ul style="list-style-type: none"> • Cooking |
| 4pm-10pm | <ul style="list-style-type: none"> • Perform Supervisory roles | <ul style="list-style-type: none"> • Take care of children • Complete household chores |
| Community Roles | <ul style="list-style-type: none"> • Charity work for churches • Communal labor | <ul style="list-style-type: none"> • Attend community meetings and events. • Communal Labour |

Colour Code:

- Red: Reproductive Roles
- Blue: Productive Roles
- Green: Community Roles

Table 2: Performance of the triple Gender Roles and Time Use at Brenase

| Time | Men | Women |
|-------------|--|---|
| 4 am – 7 am | <ul style="list-style-type: none"> • Supervise household before going to work | <ul style="list-style-type: none"> • Household chores <ul style="list-style-type: none"> ○ cooking ○ fetching water, ○ sweep the house. • Prepare Children for school |
| 7 am – 9 am | <ul style="list-style-type: none"> • Go to farm | <ul style="list-style-type: none"> • Prepare Children for school |
| 9am- 3pm | | <ul style="list-style-type: none"> • Go to farm • Labor work • Processing of palm oil Go to |

¹⁰⁶

| | | |
|-----------------|---|---|
| | | farm |
| 3 pm – 4 pm | | <ul style="list-style-type: none"> • Take care of children |
| 4pm-10pm | <ul style="list-style-type: none"> • Perform Supervisory roles | <ul style="list-style-type: none"> • Complete household chores |
| Community Roles | <ul style="list-style-type: none"> • Attend community meetings and events. • Participating in outdoor games • playing cards ,draft etc | <ul style="list-style-type: none"> • Communal labor; <ul style="list-style-type: none"> ○ Sweeping, ○ fetching water, ○ Carrying block for building projects • Attend community meetings • Attend PTA meetings |

Table 3: Performance of the triple Gender Roles and Time Use at Ofoase

| Time | Men | Women | |
|-----------------|---|---|--|
| 4 am – 7 am | <ul style="list-style-type: none"> • Support with the preparation of children for school | <ul style="list-style-type: none"> • Sweep • Cooking • Prepare children for school • Cleaning and tidying | |
| 7 am – 8 am | <ul style="list-style-type: none"> • Go to farm | | |
| 8am- 3pm | | | <ul style="list-style-type: none"> • Go to farm and or Oil Processing Centers |
| 3 pm – 4 pm | | | <ul style="list-style-type: none"> • Take care of children • Complete household chores |
| 4 pm – 9 pm | <ul style="list-style-type: none"> • Supervise activities at home | | |
| 9pm-10pm | | | |
| Community Roles | | | |

Do they interchange roles?

This question elicited responses that reveal that women are the ones who are more willing to support men in the performance of their gender roles. Sometimes too they assume completely the role of the men. The men provide some minimal support. For instance the women interviewed said very few women own their own farms therefore after performing their reproductive roles in the morning, they support their partners on their family farms (smallholder oil palm farms) with labour. Again, although the traditional gender roles put the burden of the maintenance (financial support) of the home on the men, sometimes the women assume this role completely or contribute to the maintenance of the home. A handful of the men said that on occasion they help the women perform their traditional gender roles of cooking, sweeping and the general cleaning of the home although they believe strongly that household chores are for women.

Implications / Analysis

On analysis, one can say that the traditional gender division of labour results in the following:

- Overall, the study reveals that both men and women in these communities work hard, up to 18 hours per day.
- Women's performance of their reproductive roles intrudes on the performance of their productive and community roles unlike for men whose reproductive roles are mainly "supervisory". This is because by the very substantial, tedious, and repetitive nature of women's reproductive work, they become fatigued and stressed resulting in fatigue and stress related illnesses¹⁰⁷. This fatigue and stress are carried over to the performance of their productive roles and this reflects in their relatively low outputs and also encumbers their effective participation in Community roles. The men on the other hand are able to put in more efforts into the performance of their productive¹⁰⁸ and Community Roles albeit they also report fatigue and tiredness emanating from the performance of their productive roles. Both men and women related that they perform the productive roles notwithstanding its laborious nature because it is their source of livelihood.
- The time consuming nature of women's reproductive work results in their time poverty. Spending on average 12 hours on reproductive roles denies them valuable time that could have been spent on their productive roles as they hardly have any rest as they appear not to

¹⁰⁷ Insert the stress and fatigue related illnesses they spoke to

¹⁰⁸ Although the men also reported fatigue and tiredness in the performance of their productive roles

have any meaningful/designated rest time. As discussed in the earlier paragraphs, they spend on average only 6 hours on their productive roles compared with xxx hours spent by men on same.

- Shifting gender roles: Although there are strong and quite entrenched views regarding the performance of traditional gender roles, these roles appear to be interchangeable. Although the women are the ones to have shown more flexibility in supporting the men or completely assuming their roles, the men are on occasion willing to demonstrate some flexibility in this regard. This could signify confirmation of the view of gender experts that gender roles are ambulatory; dynamic adaptable can change.

.4.1.2 Gender Division of Labour (GDL) within the Smallholder Palm Oil value chain

Participants at the FGDs identified the following as the principal activities and processes with the palm oil value chain: Land acquisition, clearing/tilling of land, nursing of seedlings, lining and pegging, transplanting of seedlings, weeding, pruning, harvesting of palm fruit, picking of fallen palm fruits at the base of oil palm plant, conveying the harvested fruits home and or to the sale center or processing center, threshing, shelling of palm nuts, processing of palm fruits into palm oil, operating the palm processing machine where applicable, processing of palm kernel into palm kernel oil, broom making, basket weaving, mushroom picking, production of palm fiber fuel, palm wine tapping, brewing of local gin (akpeteshie) from palm wine, basket weaving and soap making.

Is there a gender division of labour in the palm oil value chain?

There is a clear-cut gender division of labour within the palm oil value chain. The roles here are mainly the productive roles. Whereas men assume the roles that mainly relate to the cultivation of the oil palm (land acquisition, clearing, nursing of seedlings, transplanting the seedlings, farm cultural practices such as pruning, weeding, harvesting etc), production of alcohol (palm wine and Akpeteshie), basket weaving; women on the other assume the roles relating to the processing of the palm fruit into palm oil and also the processing of the palm kernel into oil, broom making, picking of mushrooms and soap making. Both men and women are involved in the selling of the palm fruit. Although this is the case, women tend to lend support to the men in the performance of their tasks. For instance, given that it takes about 7 years for the oil palm to fruit, farmers interplant their oil palm farms with food crops. Women are the ones responsible for the cultivation of these food crops. Again, women also help with the harvesting and conveying of the harvested palm fruits. Women also help with harvesting and conveyance of harvested palm fruit to the processing and or sale centers.

Both the male and female FGDs related that the roles performed by men are those that

generate high financial returns and those as against those performed by women. The women feel that the men are more strategically placed to reap more rewards than them. Thus the men are content with their roles in the palm industry because they believe they possess the required capabilities to perform most of the roles assigned to them unlike women; for example palm wine tapping, alcohol (akpeteshie) brewery, harvesting of palm fruits etc. The women gave more nuanced answers; whereas some of them seem to be content with their position and role as processors, others expressed interest in delving into palm cultivation on the same scale as their male counterparts

Are these gender roles within the palm oil value chain shifting?

As to whether or not roles can shift, women were of the view that apart from pruning of the palm tree, brewery of alcohol (Akpeteshie) and the harvesting of palm fruits from the tree, women are capable of owning a farm plantation as well as perform all the activities reserved for men with the palm cultivation industry....that notwithstanding they also claim a woman will only succeed in the palm cultivation if she is able to hire labor. The hired labour is predominately male. The men shared that there are only few males within the palm oil processing sector as it is considered the preserve of women. The men in this sectors focus mainly on the operation of machines used in the processing and sometimes as middle men who buy and store the palm oil in the peak season for sale in the lean seasons.

Norms undergirding the gender division of labour within the value chain

The gender division of labour in the palm oil value chain in the communities surveyed are said to be anchored by the customary beliefs that men are the ones who must perform the “strenuous tasks and women the less strenuous tasks” (Brenase, Gbefi-Hoeme, Bame and Dzoanti). Also that the more “risky tasks should be reserved for men because they have the “excess” energy to perform same whereas women should perform the more “safer” [albeit] time consuming tasks (Ofoase, Dzoanti, Bame and Gbefi-Hoeme).

Implications / conclusions

- Although GDL within the palm oil value chain is clear-cut, there is room for shifting and or adaptability of these roles.
- The women feel that the men are more strategically placed to reap more rewards than them by virtue of the nature of their productive roles within the palm oil value chain. Thus the men are content with their roles in the palm industry because they believe they possess the required capabilities to perform most of the roles assigned to them unlike women; for example palm wine tapping, alcohol (akpeteshie) brewery, harvesting of palm fruits etc. The women gave more nuanced answers; whereas some of them seem to be content with

their position and role as processors, others expressed interest in delving into palm cultivation on the same scale as their male counterparts

4.1.3 Access, Control and Ownership over Productive Assets / Resources

Access and Control Profile

The survey found evidence of gendered access and control over resources within the palm oil value chain in the two districts. Among the major resources within the sector are land, palm seedlings, palm trees, palm fruits, palm kernel, palm fibre fuel, palm wine, local gin made from palm wine (akpeteshie), baskets, brooms, mushrooms etc. other related resources are water, equipment, credit, extension services and labour.

In all the three (6) communities surveyed, men are said to have unfettered access and control over palm seedlings, palm trees, palm fruits, labour, land, equipment, water, basket, palm wine and akpeteshie. Women's access and control over these resources are rather layered / nuanced. Women have limited access to and control over land, palm trees and palm fruits. For women who have male partners – spouses, cohabitees etc, they have limited access but not control over the palm trees. They are sometimes allowed to take some of the palm fronds to make brooms, pick mushrooms from the dead palm trees, and pick some of the palm fruits for domestic use. Again, married women and or cohabitees are given access to the palm fruits for sale? and or processing into palm oil, after which they are required to render account of the proceeds of such sales and or palm oil to their male partners. Single women however, must buy their palm fruits from the men for either re-sale or processing into palm oil. Women also have limited access and control over the tapped palm wine and Akpeteshie as they also retail these either own their own or for their spouses and partners. Women who have their own smallholding palm plantations exercise user rights over them. These women usually become owners through inheritance.

“...Formerly, women owned and controlled most of the palm plantations in Bame. Now those farms have been inherited by men resultantly pushing the women down the pecking order within the palm industry. Women's livelihood and source of income is now dependent on the supply of palm from male farmers...” (FGD Bame)

Men are the ones who own the equipment / mills for the processing of the palm fruits into palm oil. They are the ones who provide the required labour for the operation of same - for extracting the oil from the fruits. Where available, women have access to the mills for extracting their palm oils for a fee. Most of the hired labour is men. Women have control over their own labour. As to whether or not they can supplement their own labour with hired one

(usually males) depend on their ability to pay for same and they are usually not able to.. the consequence of this gendered access to extra labour is that children are brought into the mix to provide such extra labour.

Table 4: Access and Control over Resources within the Palm Oil Value Chain at Ofoase

| Resources | Access | | Control | |
|------------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| Land | ✓ | ✓ | ✓ | ✓ |
| Seedling | ✓ | | ✓ | |
| Labor | ✓ | ✓ | ✓ | |
| Palm tree | ✓ | | ✓ | |
| Palm fruit | ✓ | ✓ | ✓ | ✓ |
| Cash | ✓ | ✓ | ✓ | ✓ |
| Credit | - | - | - | - |
| Equipment | ✓ | | ✓ | |
| Extension | ✓ | | ✓ | |
| Water | ✓ | ✓ | ✓ | ✓ |

Table 5: Access and Control Over Resources within the Palm Oil Value Chain at Brenase

| Resources | Access | | Control | |
|------------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| Land | ✓ | ✓ | ✓ | ✓ |
| Seedling | ✓ | | ✓ | |
| Labor | ✓ | ✓ | ✓ | |
| Palm tree | ✓ | ✓ | ✓ | |
| Palm fruit | | ✓ | ✓ | ✓ |
| Cash | | ✓ | | ✓ |
| Credit | - | - | | ✓ |
| Equipment | | ✓ | - | - |
| Extension | ✓ | ✓ | ✓ | |
| Water | ✓ | | ✓ | ✓ |

Table 6: Access and Control over Resources within the Palm Oil Value Chain at Chia

| Resources | Access | | Control | |
|-----------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| | | | | |

| | | | | |
|--------------------|---|---|---|---|
| • Labour | ✓ | ✓ | ✓ | |
| • Palm tree | ✓ | | ✓ | |
| • Palm fruits | ✓ | ✓ | ✓ | |
| • Palm Kernel oil | | ✓ | | ✓ |
| • Palm oil | | ✓ | | ✓ |
| • Palm Wine | | | | |
| • Akpeteshie | ✓ | ✓ | ✓ | |
| • Basket | ✓ | | ✓ | |
| • Broom | | ✓ | | ✓ |
| • Mushroom | ✓ | ✓ | ✓ | ✓ |
| • Palm Chaff/Fiber | | ✓ | | ✓ |

Table 7: Access and Control over Resources at Gbefi-Hoeme

| Resources | Access | | Control | |
|------------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| Land | ✓ | ✓ | ✓ | ✓ |
| Seedling | ✓ | | ✓ | |
| Labor | ✓ | ✓ | ✓ | |
| Palm tree | ✓ | | ✓ | |
| Palm fruit | ✓ | ✓ | ✓ | ✓ |
| Cash | ✓ | ✓ | ✓ | ✓ |
| Credit | - | - | - | - |
| Equipment | - | - | - | - |
| Extension | - | - | - | - |
| Water | ✓ | ✓ | ✓ | ✓ |

Decision Making

Decision making structures

Among the Decision Making structures identified within the communities surveyed in the Akyemansa district are:

- the traditional institution; chiefs and elders, queenmothers,
- Religious leaders; pastors, imams, traditional priests/priestesses,
- Local government personnel; the District Chief Executive and the District Coordinating Director, Gender Desk Officers? (Ofoase), Assemblymembers, Unit Committee Members

- Family heads for extended and nuclear families
- Executives of the Palm Oil and Palm Kernel Oil Processors Association (*a now almost defunct association at Ofoase*). Note however that there is no such association for the smallholder oil palm plantations.

Within the traditional set up men are the ones who become chiefs¹⁰⁹. As well, most of the community elders are men, and women are made “queenmothers”. The situation was not different in the communities surveyed for the analysis. Chiefs wield more power than queenmothers. There are more male pastors than are female ones. For Muslims, it is the men who become the imams. Ofoase is a Muslim dominated community. Family heads in the communities surveyed are mostly men for both extended and nuclear families. Female headed households are usually those with divorced, single-mothers and widows. It is not clear as to whether the executives of the now defunct Palm Oil and Palm Kernel Oil Processors Association were mostly women.

What kinds of decisions are taken and what are the Gender Differentials here?

These structures make decisions ranging from the acquisition and disposal of land, distribution property, resources and assets some of which may relate to resources within the palm oil value chain, which distribution could be at intestacy, dissolution of marriage, liaising/engaging with regulatory agencies at the district level (by the defunct association), market solutions advocacy (also by the association), land disputes, disputes around processes and activities within the palm oil value chain among others. They also take decisions regarding the nursing of seedlings, transplanting, farm cultural practices such as pruning, weeding, application of pesticides, fertilizer, harvesting among others. There could also be decisions regarding whether or not the harvested palm fruit should be sold as is or processed into palm oil. The gender differentials here relate to:

- How the decisions could potentially anchor / drive the gendered division of labour within the palm oil industry
- How the decisions could potentially or do anchor the fetters on the acquisition and use of land by women which are enforced and or anchored by the decisions of these traditional institutions, and family heads, which fetters are not applied to men
- How the different regimes (matrilineal for natives versus patrilineal for settlers¹¹⁰) applied to the inheritance of land and other assets which are decided and enforced either directly or indirectly by the traditional institutions and family heads invariably influence the gender roles are assigned within the palm oil and other agricultural commodity value chains. This is so even though the Intestate Succession Act (PNDCL 111) exists.

¹⁰⁹ A handful of communities in some akan speaking areas of Ghana enstool women as chiefs. For example Nana Senyewuo II is the Chief of Akyem Awisa

¹¹⁰ BELA Report

- How the decisions regarding property (usually land, farms including smallholding oil palm plantations) at the dissolution of marriages (usually customary marriages) are usually unfair to women.

How are these decisions arrived at? Again what are the gender differentials on how decisions are arrived at?

“...men have control over these resources hence they take the decisions. For instance, a palm farmer may decide whether to sell the bunches to the palm companies or send them home to be processed into oil and later sold. Some do both but that decision lies with the farmer – [who are] predominantly men...” (Mixed FGD, Brenase)

“...Generally, because the women rely on farmers (predominantly men) for supply of palm fruits, the decision of these farmers ultimately affects their activities. Men are therefore at the apex of the decision making process...” (FGD, Dzoanti)

The study revealed that ultimate household decisions lie with men (70% said the men of Chia, by what percentage) even though women are consulted on certain matters (FGD, Chia, Brenase and Ofoase, December 2012). Community decisions are mostly taken by the male decision making structures such as the chiefs and elders, imams and pastors etc. as explained in the earlier discussions on the gender roles, women usually do not have time to attend these decision making meetings. Regarding dispute resolution, the queenmother and the proverbial “abrewa” are consulted on occasion when deciding some of the cases. Sometime also, women-only cases are referred to the queenmothers for resolution. The processes used to arrive at the final decision depend on the dispute resolution method used. For customary arbitration which chiefs are constitutionally and statutorily permitted to do, decisions taken are usually top-down and binding. With the religious institutions, even though dispute resolution methods may be by any of the following ADR methods; negotiation, conciliation, mediation, arbitration or a combination of any of them, the final decisions are usually imposed on the respondents. It is usually the women who bear the brunt of these decisions.

Norms that Anchor and Underpin Access and Control over Resources

According to most of the FGD respondents, the norms underpinning access and control over resources within the communities surveyed and for that matter the palm oil value chain are mostly economic, gender roles and stereotype related? Many have related that if one has money one could easily buy any asset. Since it is usually the men that have the financial means, they acquire the most assets and control most of the resources. Further investigation of this issue revealed that religious norms also put a fetter on access to and control over resources for

women. One the issue of socialisation and the social construction of the gender roles, it became evident that the social constructs are found in everyday expressions, sayings, proverbs, songs, demonstrations and observations of the behaviour of men and women and express advice on what the roles and responsibilities place of women and men are in the communities surveyed. These undergird and sometimes drive the gendered access and control over resources. In this regard by the very nature of men's gender roles, they are assumed to require more and tangible assets and resources to be able to perform those roles.

Benefits Sharing / Use of benefits

Respondents related the following as the main benefits that emanate from the resources available to them from the palm oil value chain: food, income, fuel (Brenase, Chia and Ofoase, Bame FGDs), scholarships (for cocoa farmers, Ofoase FGD), timber logs and huts (Dzoanti, Bame).

Again, access and control over the benefits is gendered. Married and Cohabitee women are expected to render account of the proceeds of the sale of either the palm fruits and or the palm oil. In terms of how the proceeds /funds are expended, both the men and women agree that the ultimate decisions regarding the spend lies with men. However, women are consulted and they can also make their own demands for a share of the money to purchase certain items. (Chia, Brenase FGDs)

Influencing Factors

As noted in the introduction, this section examined whether or not there are political, economic, socio-cultural factors shaping the gender differences between men and women within the palm oil value chain.

The study revealed that the main factors influencing the gender differences are economic and entrenched gender roles. Women related that men are more strategically placed / positioned within the industry to generate more income and other rewards than women¹¹¹. The women stated for example that for men who own the smallholding palm plantations, they do most of the hard work for up to 7 years after transplanting the palm seedlings. Once the oil palm starts to fruit, they are able to harvest every year for up to 30 years. In that sense, for about 24 years the men do not and they do not work as hard as the women. Apart from weeding of the farm, pruning and other petty maintenance work they carry out, there are really no major tasks to be performed on the oil palm plantations. The men just have to wait for the designated time to harvest the palm fruits and then decide whether to sell (mostly to the medium and bid

¹¹¹ Gender Analysis Field Report

companies within the palm oil value chain) the FFB or sell/give it to the women to process. Again, the women at Ofoase stated that whereas the men perform tasks within the palm oil value chain that bring them quick cash, it is not so for women. According to them, women have to “string together” a “chain” of activities before they can generate any meaningful income.

On analysis, what the above mean is that women’s pay/income from the sector is not commensurate with the amount of work and the level of effort they put in. This makes them to be less economically empowered than their male counterparts

4.1.4 Gendered Power Relations

Respondents listed the following as people with power in their communities: Chiefs, Pastors, Imams, DCE, Assemblymen, palm plantation owners, people with large tracts of land, heads of households, Family heads. Except for the queen-mother, all the other people respondents thought of as powerful are men. Again, respondents believe that the sources of power for these powerful people are:

- **Positional**: some of the above powerful people derive their power from either their elected positions (Assemblyman), unelected positions (chiefs, elders, queenmothers, Pastors, Imams, DCE, queenmother).

“...Customarily chiefs and queen mother are to be revered. Religious leaders also gain respect which emanates from their moral behaviors. Assembly man has power conferred to him by the law...” [FGD, Brenase].

- **Status in society**: there were some powerful people who were also reported to derive their power from their status in society; financial status such as wealthy people, people with large tracts of land and people with high value assets such as people with palm plantations, buyers and buyer’s agents. This group also include people that are perceived to have good moral standards.
- **Sex**: some of the powerful people also have power because they are men. The statement below from the Brenase FGD provides some insight.

“...Both men and women put in practically an equal amount of work through the [tasks] they perform but it is the men who reap more rewards hence having more authority within the palm industry. The men tend to have access and control over the major resources (Palm trees, land) and this places the women a tier below them since they depend on palm harvest to process [the palm fruit] into oil...” [Brenase FGD]

Regarding the exercise of power by the above-named powerful people, Respondents said they exercise their powers fairly. This might be so in some situations. However, in an industry such

as the palm oil value chain with diverse actors and traditional gender division of labour, there are bound to be some issues of abuse of power by some and feelings of powerlessness by other actors. Perhaps a deeper probe is required to be able to peel the layers of the power dynamics in these communities. This could be done when taking forwards the recommendations made in this report.

4.1.5 Gendered Vulnerabilities

The study revealed that given the gender division of labour within the industry, both men and women identified the susceptibilities peculiar to their different roles within the sector. Thus whereas the women noted vulnerabilities relating to the processing of palm fruit into palm oil, the men on the other hand identified susceptibilities relating to their smallholding oil palm plantations.

Regarding challenges, the women listed the inadequate access to regular water supply for the processing of the palm fruits into palm oil, their inability to hire extra labour required for the extraction process; which sometimes compel them to rely on their children for such work, the intermittent power [electricity] outages – the so-called “dumsor”¹¹² (which affects the mills where available) as among the main difficulties they encounter in the course of their work within the industry. Also identified is the lack of technical capacity re “some specialized areas”¹¹³ The men on the other hand listed the lack of or the inadequacy of Agricultural extension services, credit, agricultural machinery (they mentioned ploughs, planters, harvesters) for mechanizing their smallholding plantations. As well, they also pointed to the fact that some government and CSO interventions for and on their behalf are totally out of sync with their real needs and thus defeat the many good intention of these interventions / programmes and projects.

For risks, the women identified personal health and safety hazards that are likely to emanate from their processing activities. They listed the likelihood of respiratory diseases stemming from the excessive heat and the inhalation of smoke¹¹⁴, and the exposure to scalding and other injuries from the spillage of hot oil as among the main hazards they face. Also, long periods of pounding sometime causes shoulder dislocations. For the men, the risks they identified include; the likelihood of the destruction of their smallholding oil palm plantations from bushfires, floods (for farms close to rivers), invasion of insects and pests. The men also spoke about injuries resulting from their work on the farms. Both men and women also identified stress and fatigue related malaise as one of the risks associated with their work within the palm oil industry. Other risks identified are Exploitation by middle men.

¹¹² A Ghanaian slang for erratic power supply

¹¹³ Bame FGD report

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4.1.6 Practical and Strategic Needs

For their Practical Needs, both the women and men identified the following:

- Tricycles for transporting/conveying the harvested palm fruits from the smallholding farms to the sale and or processing centres. This is to ease the burden on women having to carry loads of the harvested palm fruit to these centres.
- Improved mechanized mills for processing of the palm fruit into the palm oil. They mention specifically the palm nut pounding /extraction? Machine. This is very critical as this is one of the areas where manual labour is required and the women either have to pay men to do same for them or rely on their children.
- Improved storage facilities for both the harvested palm fruit and the palm oil after processing.
- Special Insurance Scheme for the processors for the health and safety risks they are exposed to.
- Safety gear to protect them from injuries.
- Improved hygiene and sanitation conditions of palm oil/palm kernel oil processing centres.
-

They also identified the following as their Strategic Needs:

- Financing for their activities within the value chain: which finance could be in the form of loans/credit and grants
- Favourable policy and legislative environment that promotes substantive equality¹¹⁵ between men and women within the industry. Also policy and legislation that regulates and creates favourable market opportunities as follows;
 - Promotes standard pricing of palm oil
 - Eliminates middlemen from the value chain
- Land tenure security for women
- Enhanced capacity and rights awareness to enable women develop the agency and autonomy to claim rights due them within the industry and elsewhere.
- Easy access to labour for women who desire to own oil palm plantations

Also, women identified the following as what they prioritize for the palm oil industry;

- Fair Market opportunities for their palm oil
- Fair and standard pricing for processed oil

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- Access to labour

Men identified the following as their priorities:

- Farm inputs for their smallholding oil palm plantations; inputs such as viable seedlings, fertilizers, pesticides and insecticides.
- Farm machinery; knapsack sprayers, tricycles for conveying farm inputs among others.

4.3 FINDINGS ON GENDER DYNAMICS WITHIN THE TIMBER VALUE CHAIN

The primary data for the analysis of the timber value chain gender dynamics comes from the Kpando Dzoanti interviews. This is because this was the only community where respondents provided some meaningful answers to the questions on the timber value chain. Secondary data for the analysis came from several sources as referenced in the report.

4.3.1 General Gender Roles/Gender Division of Labour and Time Use

The general gender division of labour is as reported under section 4.2.1 above.

4.3.1 Gender Division of Labour and other issues within the timber value chain

The results of the desk review of the timber value chain revealed that the timber industry is considered as the preserve of men¹¹⁶. Indeed this assertion was corroborated by the primary data from Kpando Dzoanti.

Respondents revealed that most of the timber value chain related tasks are performed by men. This is epitomized by the statement from the Dzoanti FGD as follows:

“...The timber industry in Dzoanti is solely a male venture because women are totally disinterested in cultivating it since it takes 20 years to reap any reward. The men who plant them also do so not to sell but as a guarding mechanism to prevent bush fires on their palm plantation. They only make money when loggers request to buy and fell the trees for wood. Wawa and Odum are the two major trees grown...” (FGD, Dzoanti)

Thus women’s apparent disinterest in the timber value chain could also be attributed to:

- Perceptions / stereotypes that:
 - that the timber business is strenuous and a long term investment –ii) that women are risk averse
 - that women lack the character required (patience) to run the timber business and are more emotive (see quotation above).
- The fetters inadvertently placed on women’s effective participation by the compliance requirements of the The Timber Resource Management Act, 1997 (Act 547) as amended by the Timber Resource Management (Amendment) Act, 2002 (Act 617) and the Timber Resource Management Regulation, 1998, (LI1649) as amended by the Timber Resource Management (Amendment) Regulation, 2002, (LI 1721). As revealed and captured under chapter 5 below. Which fetters include:

¹¹⁶ See the BELA report for Proforest and also transcripts of the interviews at Kpando Dzoanti

- the requirements for the grant of timber concession - the so called Timber Utilization Contract and other related procedures makes it difficult for women to venture into this field. For example, the conditions for the grant of a TUC: ownership of shares in a registered company, meeting formal bidding requirements and demonstrable ability to protect a concession by hiring private security guards among others.
- The requirements of initial capital also deters women from any meaningful engagement in the timber industry
- Additionally, the legwork involved in the application process is likely to deter women from venturing into this business.

These then reinforce the gendered constructs within the industry.

5. EFFECTS OF COMPLIANCE OF LEGAL FRAMEWORK ON SMALLHOLDERS

5.1 Introduction

The FSC and the RSPO are certification and licensing platforms for the timber and palm oil supply chains. Both platforms have developed standard certification and licensing criteria to be met by interested actors before their products are certified as sustainably and ethically sourced or produced. The FSC has 10 principles, 57 criteria and a set of International Generic Indicators to be met for certification. The RSPO on the other hand has 8 principles and about 44 criteria, and 154 Indicators; 69 of which are considered as major Indicators. Both of these frameworks and mechanisms place obligations on signatory states to domesticate these for effective compliance.

One of the key questions the terms of reference for this assignment required the Gender Analysis to address is whether or not smallholders including women smallholders are differentially affected by compliance with these normative frameworks. As stated in section 4.0 above, the consultant relied heavily on the review of the various frameworks to draw inferences regarding any differential impact of compliance or otherwise on smallholders especially women. This is because respondents interviewed were largely ignorant of the existence of these international and local frameworks.

The review of the FSC and RSPO frameworks and their Ghanaian Counterparts were carried out without prejudice to any existing Comprehensive Gender Documents either in development or completed but which were not available for this review. The review covered the documents that were mostly retrieved from the website of these International Platforms.

Time did not permit the consultant to review the other related laws¹¹⁷ and regulation to provide a total picture of the differential effects of compliance on smallholders including women and other related gender issues.

Again, the analysis of the international framework and indicators was carried out without prejudice to any existing comprehensive gender document related to the FSC P&C and the IGI. The analysis was based on what the consultant saw in the documents referenced in paragraphs 6 above.

5.1.3 What was examined?

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The review examined contents, procedures of the FSC P&C and IGI, (*FSC Principles and Criteria for Forest Stewardship FSC-STD-01-001 V5-2 EN, 2015 and International Generic Indicators: FSC-STD-60-004 V1-0 EN 2015, the Ghana Forest Stewardship Standard FSC-STD-GHA-01-2012*). The review also assessed the RSPO, RSPO next and their corresponding Ghanaian local equivalents¹¹⁸. Both assessments were carried out with a smallholder and gender lens to ascertain whether or not they are smallholder and gender friendly (gender sensitive, gender biased or gender neutral). For gender related matters in particular, the assessments sought to answer the questions as to whether or not; (i)the frameworks provide evidence of any systematic approach to addressing any potential or actual gender inequalities within the sector by any obvious provisions in any of the frameworks (ii) the signatories to these frameworks are required to understand the local gender context to be able to integrate same into the national standards / framework /Institutions and operations? (iii) evidence from the ground / field suggest gender differentials with regards to compliance with these international and local frameworks / institutional arrangements?

5.3 The RSPO Certification Standard

For the RSPO, the Consultant assessed the Principles, Criteria, Indicators and Guidance for the RSPO, 2013 (RSPO P&C 2013) the Ghana National Interpretation of RSPO Principles and Criteria for Sustainable Palm Oil (GHNI 2015), the RSPO Next and the RSPO Smallholder Strategy,

Findings related to the RSPO, RSPO Next and its Local Equivalents

The review unearthed the following:

- Medium to Large Scale companies (Growers and Millers) and Smallholders are likely to experience compliance with the RSPO P&C 2013 differentially. A careful reading of the document makes it apparent that the standard was designed with medium to large scale companies in mind. The language of the document seems to suggest that smallholder compliance was not considered in the 2013 version of the RSPO. The requirements for compliance appear to be too onerous for smallholders. It seems that the occasional reference to smallholders were in respect of how the Growers and Millers should treat smallholders who have some sort of relationship with them, either as scheme smallholders or outgrowers in order to facilitate their (Growers and Millers) own compliance. It is not clear whether or not the framers of the RSPO P&C 2013 assumed that all smallholders are well organized entities with governance, management /operational and financial structures

¹¹⁸ For the FSC, the Ghanaian equivalents are Chapter 21 (Articles 257-269) of the 1992 Constitution of Ghana, Timber Resources Management Act, 1997 (Act 547) as amended by the Timber Resources Management (Amendment) Act 2002, Act 617 and the Forestry Commission Act, 1999. Also Assessed are the Timber Resource Management (Regulations), 1998 LI 1649 as amended by the Timber Resource Management (Amendment) Regulation, 2003, LI 1712

For the RSPO, the Ghanaian equivalents are xxx

to meet the many obligations under it, compliance of which will lead to obtaining certification. This is however not so especially in the Ghanaian context.¹¹⁹

Indeed the RSPO managers must have recognized this as they have evolved a separate set of certification process for smallholders as published on their website¹²⁰. This process is backed by a Smallholder Strategy (SS) which was approved in July 2017. There is also an RSPO Smallholder Support Fund which is aimed at providing financial support to smallholders to facilitate the certification process. The SS itself points to how difficult compliance with the RSPO P&C 2013 is likely to be for smallholders when it states as follows:

“...the current RSPO certification standard poses too high of a burden for SH to overcome, and does not provide sufficient clear and direct incentives and support to help them overcome these...”¹²¹

The Ghana National Interpretation on the RSPO, the GHNI 2015 provided its own definition of Smallholders within the Ghanaian context. It also categorized them into Schemed, Outgrowers and Independent Smallholders, each with its own peculiar characteristics even though they also have common denominators in the form of their reliance of family labour and the small size of their operations. This does not however make the Ghana version of the RSPO more smallholder-friendly. On face value, it will seem as though smallholders were referenced throughout the GHNI 2015. However, a careful reading of it revealed as argued elsewhere in this write-up that the guidance on the smallholder references in the document mostly relate to how the Millers and Growers should handle the relationship between them and their Schemed Smallholders and or Outgrowers in order to facilitate their (Growers and Millers) own compliance. Information on Independent Smallholders were couched in rather vague language; mostly reading as “...Group Managers should use appropriate RSPO Approved Guidance Document for Smallholder Certification...”

Gender

Given the findings of the analysis of gendered variables at sections 4.2 and 4.3 above, and the review of the RSPO documents it can be said that , although it has already been established that smallholders in generally will experience compliance differentially from Medium to large scale companies, women and men smallholders are likely to experience compliance differentially. Compliance with the RSPO standard will be even more complicated for women smallholders than with the men smallholders.

¹¹⁹ See the as the Ghana National Interpretation of the RSPO's definition of smallholders

¹²⁰ <https://www.rsep.rspo.org/>

¹²¹ RSPO Smallholder Strategy June 2017, Objectives, Outputs And Implementation

The RSPO P&C 2013 has some limited provisions on gender although it must be said that there are no explicit gender provisions in any of the principles nor is there a standalone gender principle. The limited provisions are either apparent or implicit in a few Indicators and guidance on the indicators as follows:

- The guidance notes on Indicators 2.1.1, 2.1.3, 2.1.4 may have implied some gender considerations as it references some key laws and regulations, some of which have gender components.
- Indicator 4.6.12 makes reference to how pregnant and breastfeeding women should not be allowed to work with pesticides until after 9 months of breastfeeding
- The guidance notes on Indicators 6.1.1 to 6.1.5 provide that women and migrant workers be included in the Social Impact Assessments.
- Criterion 6.8 provides for non-discrimination on the basis of gender and other variables. Although this is the case, given the complicated nature of the RSPO Standard itself, there is likely to be de facto discrimination first against smallholders and then against women smallholders
- Criterion 6.9 provides for the absence of sexual harassment in the workplace and the protection of reproductive rights of men and women and provides per the corresponding indicators provides for the development of a number of policies on the subject matter. The guidance notes on the indicators under criterion 6.9 further provides for a Gender Committee to help in complying with this criterion.

Most of the references relate to the principle on employment¹²². Whereas this may apply to the participation of women in schemed smallholdings, it not clear how these will benefit women Independent smallholders in their quest to get certified.

Whereas these provisions are commendable and may provide some good starting points for the integration of gender into the certification process they are not comprehensive enough to facilitate a systematic mainstreaming of gender into the certification process.

It must also be noted that whereas it is commendable that the RSPO platform has evolved a Smallholder Strategy to support the RSPO certification standard, gender considerations are largely missing in this strategy.

The GHNI 2015 largely aligns with the RSPO P&C regarding gender. The GHNI 2015 also references gender as follows:

¹²² Principle 6 of the RSPO states "Responsible consideration of employees and of individuals and communities affected by Growers and Millers..."

- In the guidance notes for Indicators 6.2.1, 6.2.2, 6.2.3 regarding the modes of communication among Growers, Millers and local communities. The guidance note directed that considerations be given to the differential access to information by men and women. This will likely apply more to schemed smallholders as against Independent smallholders.
- The guidance notes on Indicator 4.4.2 makes reference to the provision of equal opportunities for “...both male and female heads of households to hold land titles by companies...”. Again, this reference may apply more to schemed smallholders than Independent ones
- Criterion 6.8 references gender with respect to non-discrimination. This again more likely than not applies to Schemed Smallholders associated with Growers and Millers. It must however be noted that the GHNI 2015 goes further here to state that positive discrimination be allowed for special groups such as communities. Gender though is not specifically referenced in this regard.
- Again, in line with the RSPO P&C 2013, the GHNI 2015 at Criterion 6.9 prohibits sexual harassment and abuse at the workplace and also provides for the protection of the reproductive rights. The GHNI 2013 provided some Ghanaian context in though in this regard as it referenced particular legislation such as the Ghanaian Domestic Violence Act, 2007 and the Ghana Labour Act, 2003 as amended. Again, these are all related to the workplace.

5.1.3.1 The FSC Certification Standard

FSC on its website recognize that its current comprehensive standard package is not enough to address smallholder certification and licensing issues. This is evident in the FSC P&C and the IGI as there is limited information on smallholders and gender especially in relation to compliance with laws as captured under principle 1 and its comprehensive criteria. More details are provided at section xxx below. They are now in the process of developing a smallholder driven scheme to address this gap.

The review examined contents, procedures of the FSC P&C and IGI, (*FSC Principles and Criteria for Forest Stewardship FSC-STD-01-001 V5-2 EN, 2015 and International Generic Indicators: FSC-STD-60-004 V1-0 EN 2015, the Ghana Forest Stewardship Standard FSC-STD-GHA-01-2012.*

According to the International Generic Indicators of the FSC those who develop local standards for compliance should address laws related to the following: Legal rights to harvest - land tenure and management rights, Concession licenses, Management and harvesting planning, Harvesting permits National or sub-national laws and regulations regulating procedures for Taxes and Fees - Payment of royalties and harvesting fees, Value added taxes and other sales

taxes, Income and profit taxes, Timber Harvesting Activities – Timber harvesting Regulations, protected sites and species, environmental requirements, health and safety legally required protection, and legal employment, Third Party Rights – customary rights, free prior and informed consent, indigenous people’s rights, Trade and Transport – classification of species, qualities, trade and transport, offshore trading and transfer pricing, customs regulations, CITES, Due Diligence / Due Care Procedures – and Ecosystem Services.

In this regard, in addition to the FSC P&C and IGI, (*FSC Principles and Criteria for Forest Stewardship FSC-STD-01-001 V5-2 EN, 2015 and International Generic Indicators: FSC-STD-60-004 V1-0 EN 2015, the Ghana Forest Stewardship Standard FSC-STD-GHA-01-2012*), the consultant reviewed the following local laws and regulations: Chapter 21 (Articles 257-269) of the 1992 Constitution of Ghana, Timber Resources Management Act, 1997 (Act 547) as amended by the Timber Resources Management (Amendment) Act 2002, Act 617 and the Forestry Commission Act, 1999. Also Assessed are the Timber Resource Management (Regulations), 1998 LI 1649 as amended by the Timber Resource Management (Amendment) Regulation, 2003, LI 1712.

5.1.3.2 Findings related to FSC P&C and the IGI and their local equivalents

Overall, one can infer from the review and analysis that compliance with the FSC and its local equivalents is more likely than not to affect smallholders as against well-established medium to large scale companies differentially. Again, compliance is also likely to affect women and men smallholders differentially. The reasons are as follows:

a) The FSC itself admitted as much on their website¹²³ as follows:

“...Our work has provided real benefits to a multitude of small forest owners across the globe While we’ve achieved many successes, it’s been obvious to us that we’ve not wholly succeeded. We’ve learned that large-scale cannot be adapted effectively to small-scale; and we’ve learned that what works for small forest owners in one context, won’t work in others. ...Backed up by calls from our members and guidance from FSC’s Global Strategic Plan 2015-2020, we knew we needed a new approach to smallholders. While we have 20 years of experience in smallholder certification, the experience of our organization does not match that of the peoples and communities that have called the forest their home for generations...”

Indeed, a careful reading of the document revealed that the language and the requirements for certification appear to target medium to large scale operations. Most of the requirements for certification are beyond the scope of smallholding operations. Again,

¹²³ <https://ic.fsc.org/en/what-is-fsc/what-we-do/empowerment-of-people/new-approaches-to-smallholder-certification>

compliance with the requirements for certification will likely have cost implications which the smallholder especially women smallholders are not likely to meet. In this sense, the document can be said to be exclusionary. As exemplified by the responses from the people interviewed regarding knowledge of the frameworks, there is lack of knowledge of these standards by the smallholders and inadequate capacity to generally handle certification issues.

- b) Gender is not apparent in any of the of the principles nor is there a standalone principle on gender in the 2015 version of the FSC P&C. Gender is only referenced under criteria 2.2 of principle 2 of the 2015 version of the P&C and expanded upon in the IGI. Principle 2 deals with *“Workers Rights and Employment Conditions”*. The corresponding criterion 2.2 expects: *“The Organization [to] promote gender equality in employment practices, training opportunities, awarding of contracts, processes of engagement and management activities”* Although the indicators here appear to be systematically thought out and provide for an understanding of the local gender context with respect to workers’ rights and their conditions of employment, it is limited in scope to that. It is not likely to close the gender gap in compliance with these principles and criteria especially in the Ghanaian context as will be explained below. Employment conditions and rights of workers are not the only important variables. Questions can be asked as to for example about what happens to those who desire to or are self-employed or engage in any business (as independent smallholders) within the forestry (timber) value chain? Are gender considerations not important to ensure that women and men benefit equally or in an equitable manner? The criterion and the corresponding indicators presuppose that the “organisation” – defined by the preamble to the FSC as either a person or an entity - has structures and is in a position to employ other people. This could be true for well-established medium to large scale companies. However, most Independent smallholders of which women are major stakeholders are not well established and do not have organisational structures and policies that will facilitate their compliance with this criterion.

The lack of gender and considerations for smallholders especially in principle 1 and its corresponding criteria sets the tone for the challenges to compliance by women smallholders. This is because principle 1 goes to the root of the certification, licensing and for that matter the enforcement of sustainability standards. The range of material covered under the criteria for principle 1 (ranging from legal rights to harvest, taxes and fees, timber harvesting activities, third party rights,...) is expansive. Principle 1 and perhaps provisions in other Instruments ratified by signatories are what have mostly triggered forest law reforms in signatory countries.

These laws have largely been framed in gender neutral language (although it cannot be said

that the FSC and its predecessors triggered same) and also in ways that inadvertently favour well established medium to large scale enterprises to the exclusion of most smallholders especially the independent ones. Then, within the smallholder group, women are likely to be adversely affected by compliance. Again gender is not mainstreamed in the formalities for the compliance of most of these laws and neither is a standalone gender based legislation adopted to facilitate and or enhance compliance. Therefore there is likely to be a differential impact from compliance with these laws and this has consequences for the ability of smallholders to be part of the forestry (timber) related business. Primary data collected from Kpando Dzoanti (where they have some timber operations) confirms this as women have confirmed that they shy away from the timber business because they consider it as the preserve of men and big companies.

In Ghana for example, the FSC and its Ghanaian local equivalent (*FSC-STD-GHA-01-2012*) triggered the amendment of some timber regulations and a review of the process of the allocation of timber concessions. Whereas the *FSC-STD-GHA-01-2012* did not reference gender at all, the amendments/modifications of other legislation occasioned a review of the process of the allocation of timber concessions. These processes (per the “so-called logging manual” provides for certain minimum formal requirements for obtaining a timber license. The formal requirements of obtaining these licenses may have inadvertently contributed to the exclusion of smallholders especially women smallholders and promoting the differential participation of women and men in the timber industry.

For Example:

- **Chapter 21 (Articles 257-269) of Ghana’s 1992 Constitution:** provides the overarching legal framework for the governance and management of Ghana’s lands and Natural Resources. However there is no constitutional reference to any systematic approach to integrating gender into the governance and management of lands and natural resources. The language of the articles in this chapter is mostly couched in gender neutral language with occasional reference to the male preposition. For example the ‘*he*’ pronoun is used to refer to the head of the Lands Commission established by the constitution. It must be said though that the author of this report has not analysed any court case to ascertain whether or not the higher courts have made any declarations regarding gender and the framing of the provisions on Land and Natural resources and the potential for differential effects on women and men. It must also be noted that notwithstanding these observations, there is non-discrimination on the basis of gender and other variables article in chapter 5 of the constitution.
- **The Timber Resource Management Act, 1997 (Act 547) as amended by the Timber Resource Management (Amendment) Act, 2002 (Act 617)** (the Act): The enactment clause of this legislation says that it is to “provide for the sustainable management and utilization of Timber Resources and for related purposes”. This is the law within which the Timber

Utilization Contract (TUC) is rooted. The TUC is a pre-requisite for harvesting timber in Ghana. The law also establishes the Timber Rights Evaluation Committee and provides for its functions and provides that there should be a logging manual. On review, it was found that the diction in this Act is mainly gender neutral with occasional reference to the “he” pronoun in reference to the head of some institutions established by the act. There is also no evidence of any reference to a systematic integration or mainstreaming of gender into the “management and utilization of timber resources” as the enactment clause suggest. What these points to are that compliance with the formal requirements for the grant of the TUC will likely be too difficult for smallholders to meet especially women smallholders. This, coupled with the relatively long period of maturity of timber trees could explain why at Dzoanti, interview respondents reveal that there is little involvement of male smallholders in the timber business and no involvement at all by women smallholders. Even for the men who are involved, respondents said they plant the timber trees to serve as windbreaks and to protect their oil palm farms from bush fires. They do not actively seek out buyers for their logs. Any sales they make from these trees are considered as windfall. Section 14 of the Act also provides for special incentives with respect to taxes and fees for investments in the forestry sector. This is also couched in gender neutral language. As smallholders and women in particular are not likely to consider themselves as investors in the sector, it is highly unlikely that they will take advantage of these tax incentives to expand their businesses.

- ***The Timber Resource Management Regulation, 1998, LI1649 as amended by the Timber Resource Management (Amendment) Regulation, 2002, LI 1721*** (the Regulation): This regulation details the procedure for the grant of timber rights, the procedure for competitive bidding for the grant of timber rights, terms and conditions for the TUC, registration and use of chain saws, procedures on timber operations, timber stampage fees and contract area rent. Again, there is no explicit reference to smallholders and or gender. However, Regulation 2 provides for owners of land “nominated for inspection for the purposes of harvesting timber” to be members of the field inspectors in respect of such land. Owners here could be construed to include smallholders. Indeed the procedures referred to by the Regulations even on the face of the document appear to be very onerous and likely to make compliance difficult for smallholders, even more so for women smallholders.

6. RECOMMENDATIONS

Based on the findings of the analysis above and as a deliverable under the Terms of Reference for the consultancy, we make following recommendations.

6.1 Equip Smallholders to develop the capacity to comply with both the FSC and RSPO Certification Standards and the Ghana legal framework regulating the two industries.

As identified in the analysis and the findings, there are many structural and gender issues causing the lack of capacity on the part of Smallholders to meet the compliance requirements even where the Certification platform has evolved separate sets of certification requirements for smallholders (as is the case with the RSPO).

The lack of operational capacity by smallholders to produce the compliance documents, poverty and the low economic status stemming from socio-cultural norms and de facto discrimination rooted in entrenched gender roles within the two industries and powerlessness are some of the causes and drivers of the inability to comply with the standards. Also, unearthed by the analysis is the stark ignorance of the smallholders about the local legal framework and the International certification standards. Compliance of the laws and the standards will require some knowledge of the provisions contained in them.

Therefore, a concerted and consistent certification and legal literacy outreach to smallholders especially Independent smallholders and women to be facilitated by an intermediary organisation with the required knowledge and skills set will be helpful.

Some of the outreach tools could include;

- simplification of the both the local legal framework and the International Certification Standards into easy to read everyday English or a possible translation into a widely spoken local language
- wide dissemination of the frameworks using a number of tools notably IE&C materials such as flip charts, posters etc
- For the smallholders who are operating as legal entities, some form of Organisational Development (OD) to enhance their skills set to either produce the required documents in-house or supervise outside experts to help
- Financial support - for financing the certification process. Either helping them to meet the requirement for accessing financial support from the certification platform where available (such as the RSPO Smallholder Support Fund) or connecting them to local funding initiatives.

6.2 Advocacy for Law Reform especially regarding the formal requirements for obtaining a Timber Utilization Contract

It has been established that the current formal requirements for obtaining a TUC is exclusionary to smallholders and especially to women smallholders. A smallholder-led advocacy to make the grant of the TUC more inclusive will be helpful. Smallholders should be supported to organize for amplified voice in this regard.

6.3 Develop and implement the following:

- *For the RSPO: a Gender Policy and implementation strategy to support the Smallholder Strategy for a more systematic mainstreaming of gender into its compliance*
- *For the FSC: the FSC requires the development of a Smallholder Strategy and a Gender Policy*

The limited Gender Provisions in the FSC, RSPO and their local Ghanaian counterparts provide a good starting / entry point for discourse on gender. However, given that the experience of men and women within the smallholding set up is different, a more comprehensive gender policy and implementation strategy is required for gender to be properly mainstreamed into the compliance requirements for both the FSC and the RSPO. Thus for the FSC, the Gender Policy and Implementation Strategy as well as a Smallholder Strategy are required. For the RSPO, a gender policy is required to support the implementation of the Smallholder Strategy.

6.4 A social norms campaign to change/modify customary beliefs that put fetters on women's access and control over resources and to promote the shifting of entrenched gender roles within the two sectors

It emerged that a few norms underpin the fetters to the access and control over resources for women within the two sectors. It also emerged that entrenched gender roles affect the effective and efficient participation of women in the two industries. Therefore a social norms campaign targeting men, women and the decision making structures within communities where palm oil and timber are produced and or sourced would be helpful.

6.5 The need to take forward and address the identified Practical and Strategic Gender needs and priorities revealed by the Gender Analysis.

Until such times that gender roles become fluid it is important that solutions be found to make women more effective in the roles that they are already performing. Solutions need to be found to make their work easier, less tedious, and reduce the amount of time they spend on the performance of care and reproductive work so they can rather make more time for the performance of their productive roles to improve their economic situation. In the same vein, some interventions have to be put in place to address the long term strategic needs that will

give women more agency, autonomy and voice to participate in the two industries on the same level as men.

For both men and women though, someone needs to look at what they say are their priorities and these must be born in mind when planning interventions for them.

6.6 Embark on occupational health and safety initiatives

As the analysis revealed that smallholders including women smallholders are susceptible to many occupational health and safety issues, it is important that some sort of initiatives to make their work environment safer and reduce the risks of injury and illness would be welcomed by them. A case in point is their request for a special Health Insurance Scheme to address their peculiar needs.

6.7 Decentralize and make more accessible the operations of standard developers /facilitators and implementers such as Proforest to Independent Smallholders

Appendix 1

GENDER ANALYSIS OF THE TIMBER AND PALM OIL INDUSTRIES IN AKYMANSA DISTRICT AND KPANDO MUNICIPAL

QUESTIONNAIRE FOR FOCUSED GROUP DISCUSSIONS

PRELIMINARY MATTERS

FGD: Date of FGD:

District: Community Clusters:

Type of FGD: Men Only: Women Only: Mixed FGD:

No. of people: No of women: No of men:

List of participants.....

INTRODUCTION

- *Hello and welcome. My name is _____XXX_____ and these are my colleagues: _____ and _____ We work with the Africa Responsible Sourcing and Production project implemented by the organization PROFOREST. We are building on the studies conducted by Dr. Ankrah and co. to complete the preparation of the report. We are therefore conducting a study of the roles of women and men in the timber and palm oil industries. We would like your opinion on some issues because we value your opinions and experience as farmers in this region.*
- *We will ask you some questions. Please know that there are no right or wrong answers to the questions we are about to ask.*
- *We expect that you will have different points of view and you are welcome to share your point of view even if it differs from what others have said.*
- *We are here to ask questions, listen, and make sure everyone has a chance to share.*
- *We're interested in hearing from each of you. So if you're talking a lot, we may ask you to give others a chance. And if you aren't saying much, we may call on you. We just want to make sure we hear from all of you.*
- *Overall, the session should take _____ (insert time). We will be taking notes to help us remember what is said.*
- *Because I do not speak _____ (insert language), _____ (insert interpreter's name) will help translate.*
- *We are also recording the discussion because we don't want to miss any of your comments. We will take pictures at several points during our session; If you do not wish to be photographed, please let us know. We will ask you your names, but no*

SECTION 1: Analysis of the following:

- *Activity Profile and Gendered Division of Labour within the Timber and Palm Oil Industries Value Chains*
- *Access, Control and Ownership of Resources within the Timber and Palm Oil Industries value Chains*
- *Gender Needs Assessment; PN vs. SN of women and men within the Timber and Palm Oil Industry Value chains*
- *Gendered Vulnerabilities and Challenges and underlying structural norms within the Timber and Palm Oil Industry Value chains*

- Gender and Power relations within the Timber and Palm Oil Industry Value chains

A. ACTIVITY PROFILE AND GENDERED DIVISION OF LABOUR

(Answering the questions; who does what, where and when?)xxx

- i. General daily activity profile with respect to the triple roles to measure quantum of work, amount of effort, quality and amount of time expended. Measure the extent to which women and men participate in the triple roles; productive, reproductive and community managing roles
 - ii. Assess the gendered division of labour with respect to the timber and palm oil value chains: ie who does what within the respective value chains?
 - iii. Assess the norms underpinning the gendered division of labour and activity profile
- Q1. a)** Describe a typical day in the life of a man or woman in the **household** and in your **community**. What do women or men do from the moment they wake up until the moment they go to sleep? List the activities separately for men and women and by the hour.
- b)** Do women participate in the activities of men at all? What about men, do they participate in the activities of women at all? If they do, what would you say is the extent of their participation?
- c)** What can you say about the amount of time spent on all the activities?
- d)** What can you say about the amount and nature of work that you do daily?
- e)** Can you share with us how you feel when you do all these work day in and day out.

Note to the data collectors:

- **FOR QUESTION 1(a);** kindly use the guide below; instruct the group to draw the table like the one below on flip chart paper for easy reference. Again, kindly guide them to cluster the activities under the three (3) general roles; **productive, reproductive and community management** roles

| Time | Activity | | Triple Roles |
|----------------------|--|--|----------------------------|
| | Women | Men | |
| 4:00 a.m.–9:00 a.m. | <input type="radio"/> Xxx <input type="radio"/> xxx | <input type="radio"/> xxx <input type="radio"/> xxx | Productive Roles |
| 9:00 a.m.–12:00 p.m. | | | |
| | <input type="radio"/> yyy <input type="radio"/> yyy | <input type="radio"/> yyy <input type="radio"/> yyy | Reproductive Roles |
| | | | Community Management Roles |
| | | | |
| Activity summary | For xxx community | | |

| | | | |
|--|--|--|--|
| | <u>Hours of Work: Women spend;</u> ○ xxx hours per day on the performance of their productive roles ○ xxx hours on Reproductive Roles ○ xxx hours on Community Management Roles ○ xxx hours of rest mentioned. | <u>Hours of Work: Men spend</u> ○ xxx hours per day on the performance of their productive roles ○ xxx hours on Reproductive Roles ○ xxx hours on Community Management Roles ○ xxx hours of rest mentioned | |
| | <u>Quantum and nature of work:</u> | <u>Quantum and nature of Work:</u> | |

- Q2:** a) What are the **main activities and processes** within the timber and palm oil value chain?
 b) Which activities/processes are reserved for women and which are reserved for men?
 c) Can women do the activities / processes reserved for men? Are men also allowed to be involved in activities / processes reserved for women? If they can, then to what extent? (Note: this section to be cross-referenced with section 2 below)
 d) What are the norms that underpin the gendered division of labour?
 e) **What do you think about these roles? How do you feel about? What are your impressions about the roles of women and men within the two industries?**

i) Timber

| Value Chain Activity / Processes | Sub / specific Activity / process | Men | Women |
|----------------------------------|-----------------------------------|-----|-------|
| | | | |
| | | | |
| | | | |

ii) Palm Oil

| Value Chain Activity / Processes | Sub / specific Activity / process | Men | Women |
|----------------------------------|-----------------------------------|-----|-------|
| | | | |
| | | | |
| | | | |

B. ACCESS AND CONTROL PROFILE OF RESOURCES

- Gender Resource Map - Identified what resources and diverse assets are accessible and under control of women and men for reproductive and productive activities and provides information on gendered division of labor

Note: deal with resources generally and resources within the timber and palm oil industry

- Identify and assess the norms underpinning the gendered access and control over resources*

- Who has access to and control over resources (for example, land, labor, extension services)?
- Who has access to and control over benefits (education or health services)?

- Q3**
- What are the main resources available in your communities?
 - What are the main resources within the timber and palm oil industries?
 - Which resources are available to men? Which resources are available to women?
 - Who makes decisions over the resources?
 - What is the decision making structures within the palm and timber industry?
 - How many women and men are within these structures?
 - Are there disputes about which of the sexes should use the particular resources?
 - What benefits emanate from the resources?
 - What are the norms that underpin the gendered access and control?

Q4) Are there gender issues affecting the land tenure security in this community?

D) Are settlers able to acquire land for palm and timber production in this community

i) Timber value chain

| Resources | Access | | Control | |
|-------------------------------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| Land Etc. | | | | |
| Water | | | | |
| Seed | | | | |
| Labor | | | | |
| Extension | | | | |
| Timber trees | | | | |
| Saw dust | | | | |
| Cash | | | | |
| Credit | | | | |
| Equipment | | | | |
| Etc | | | | |
| Benefits | | | | |
| Assets | | | | |
| Income | | | | |
| Education | | | | |
| Political power/ prestige Etc | | | | |
| | | | | |
| | | | | |

ii) Palm Oil

| Resources | Access | | Control | |
|-----------|--------|-------|---------|-------|
| | Men | Women | Men | Women |
| Land Etc. | | | | |
| Water | | | | |
| Seed | | | | |
| Labor | | | | |

| | | | | |
|------------------------------------|--|--|--|--|
| Extension | | | | |
| Palm trees | | | | |
| Palm fruits etc | | | | |
| Cash | | | | |
| Credit | | | | |
| Equipment | | | | |
| | | | | |
| Benefits | | | | |
| Assets | | | | |
| Income | | | | |
| Education | | | | |
| Political power/ Prestige / Status | | | | |
| Etc | | | | |
| Basic needs | | | | |
| | | | | |
| | | | | |

C. INFLUENCING FACTORS

Identifies factors that shape differences between men and women:

Q4 a) Are there political, economic, or cultural factors affecting the gender differences identified in the above profiles (Activity profile, gender division of labour, Access and control Profiles) and within the timber and palm oil industries?

b) If yes, kindly list them and explain how they influence the above profiles in the past and at present as well as how they are likely to influence these profiles in the future

c) What are the opportunities and constraints with respect to these factors?

i) Timber

| Factors | Men /Boys | Women/Girls |
|------------------|-----------|-------------|
| Community norms | | |
| Social hierarchy | | |
| Institutional | | |
| Economic | | |
| Political | | |
| Etc | | |
| | | |

ii) Palm Oil

| Factors | Men /Boys | Women/Girls |
|-------------------|-----------|-------------|
| norms and beliefs | | |
| Social hierarchy | | |
| Institutional | | |
| Economic | | |

| | | |
|--|--|--|
| Political Demographic Legal Etc | | |
| | | |

D. GENDER AND POWER RELATIONS WITHIN THE TIMBER AND PALM OIL INDUSTRIES,

Gender and Power Analysis:

This section will identify and explore the multiple power dimensions occasioned by gender hierarchies, structures and norms, actors and institutions within households, communities and society in general that anchor gender differences so as to better understand the different factors that interact to differentially affect the participation of men and women in the timber and palm oil industries.

- Q5:**
- a) Who are the powerful people in your community? Allow respondents to provide answers by listing / mentioning names of people, positions of people etc. Ask the follow- up questions below after respondents have provided answers to the above question:
 - b) Are these powerful people men or women?
 - c) What is the source of their power?
 - d) How do they exercise these powers? / How do these powers manifest?
 - e) How do you feel when these powers are exercised?

E. GENDER NEEDS ASSESSMENTS: PRACTICAL GENDER NEEDS V. STRATEGIC GENDER NEEDS

Using the GNA, The analysis links gender roles to gender needs by distinguishing between women’s practical needs—and strategic needs, which are what women need to address gender disparities,

E.1: For Women only Groups

- Q6. a)** Do women participate on the same level as men in the timber and palm oil industries?
- b)** What are some of the practical things that will help women perform their gender roles within the timber and palm oil industry better?
 - c)** What would ensure that women participate fully on the same level as men in the timber and palm oil industry?
- Note to field Assistants: the answer to question 6(b) should not be limited to one thing. Encourage the respondents to list as many things as they think could strategically help close the gap between men and women’s participation in the two industries*
- d)** What are your priorities? In other words what is important to you as women within the timber and palm oil industries?

i) Timber Value Chain

| | | |
|----------------------------|--|---|
| Female Gender Roles | What are some of the things that will help women perform their gender roles within the timber industry better (Practical Needs) | What are some of the things that will help women increase their participation in the timber industry in the long term? (strategic Needs) |
|----------------------------|--|---|

| | | |
|-----|--|--|
| Xxx | | |
| Xxx | | |

iii) Palm Oil Value Chain

| <i>Female Gender Roles</i> | <i>What are some of the things that will help women perform their gender roles within the timber industry better (Practical Needs)</i> | <i>What are some of the things that will help women increase their participation in the timber industry in the long term? (strategic Needs)</i> |
|----------------------------|--|---|
| Xxx | | |
| Xxx | | |

E.2: For Men only Groups

Q6. e) What are some of the practical things that will help women perform their gender roles within the timber and palm oil industry better?

f) What would ensure that women participate fully on the same level as men in the timber and palm oil industry?

g) What can men do to help women participate on the same level as men in the timber and palm oil industries?

Note to field Assistants: the answers to questions 6(d) and (e) should not be limited to one thing. Encourage the respondents to list as many things as they think could strategically help close the gap between men and women's participation in the two industries

h) What are your priorities? In other words what is important to you as men within the timber and palm oil industries?

i) Timber Value Chain

| <i>Female Gender Roles</i> | <i>What are some of the things that will help women perform their gender roles within the timber industry better</i> | <i>What are some of the things that will help women increase their participation in the timber industry in the long term?</i> | <i>What can men do to help women participate on the same level as men in the timber and palm oil industries?</i> |
|----------------------------|--|---|--|
| Xxx | | | |
| Xxx | | | |

ii). Palm oil value chain

| <i>Female Gender Roles</i> | <i>What are some of the things that will help women perform their gender roles within the timber industry better</i> | <i>What are some of the things that will help women increase their participation in the timber industry in the long term?</i> | <i>What can men do to help women participate on the same level as men in the timber and palm oil industries?</i> |
|----------------------------|--|---|--|
| Xxx | | | |
| Xxx | | | |

F. GENDERED VULNERABILITIES AND CHALLENGES OF WOMEN AND MEN WITHIN THE TIMBER AND PALM OIL INDUSTRY VALUE CHAIN

- QQ7. a)** What are some of the challenges / constraints/ hurdles and barriers to your effective participation in the timber and palm oil industries?
- b)** What are the risks associated with your work within the timber and palm oil value chain?
- c)** Do these challenges, constraints/hurdles, barriers and risks result from how men and women relate?

SECTION 2: An analysis of the differential effects of the legal framework within the Timber and Palm Oil industry on men and women smallholders.

Specifically the following will be reviewed:

- **Content of the law** – will be analysed to ascertain whether or not these laws are gender sensitive, gender biased or gender neutral, and ...
- **Procedural issues** – whether or not the process of compliance of the relevant laws is more onerous for women than men and vice versa
- **The degree of application and the effects of the existing legal and regulatory framework on smallholders** within the Timber and oil palm industries as measured against the RSPO and FSC.

- Q8. a)** Are you aware of any laws / Regulations (either local or International) that regulate the timber and palm oil industry? If so, can you name some of them?
- b)** What are some of the important provisions within these laws/Regulations?
- c)** Do you think these provisions take into account the needs of both men and women equally?
- d)** Do these laws / regulations apply to both men and women equally?
- e)** Are these laws / regulations easy to comply with? Kindly explain. Or Are you able to comply with these laws?
- f)** What are the enabling factors to compliance with these laws / regulations?
- g)** What are the limiting factors to compliance with these laws / regulations?
- h)** What are procedures for compliance with these laws / regulations?
- i)** How does the compliance with or otherwise affect smallholders within the timber and palm oil industries?

GENDER ANALYSIS OF THE PALM OIL INDUSTRIES IN LIBERIA

KEY INFORMANTS QUESTIONNAIRE

PRELIMINARY MATTERS

Interviewer:

Date of Interview:

Bio-data of Interviewee / Respondent:

| | |
|----------------------------|--|
| Name | |
| Age | |
| Sex | |
| Place of birth | |
| Educational background | |
| Marital status | |
| Profession and or Position | |
| Contact Number | |

Introduction to the Interview

- ***Hello and welcome. My name is _____XXX_____ and these are my colleagues: _____ and _____ We are from XXX consulting for the Africa Responsible Sourcing and Production project implemented by PROFOREST.***
- ***We are conducting a study of the roles of women and men in the palm oil industries in Liberia. We would like your opinion on some issues because we value your opinions and experience.***

- **We will ask you some questions. Please know that there are no right or wrong answers to the questions we are about to ask.**
- **We expect that you will have different points of view and you are welcome to share your point of view even if it differs from what others have said.**
- **We are here to ask questions, listen, and make sure everyone has a chance to share.**
- **We are interested in hearing from each of you.** So if you're talking a lot, we may ask you to give others a chance. And if you are not saying much, we may call on you. We just want to make sure we hear from all of you.
- **Overall, the session should take _____ (insert time).** We will be taking notes to help us remember what is said.
- **Because I do not speak _____ (insert language), _____ (insert interpreter's name) will help translate.**
- **We are also recording the discussion because we do not want to miss any of your comments.**
- **We will take pictures at several points during our session; If you do not wish to be photographed, please let us know.**
- **We will ask you your names, but no names will be included in any of our reports.** While we would like to include your thoughts and perspectives in our study, we promise that we will not identify you in our reporting.
- **Knowing this information, are you willing to participate in this discussion?**
- **Lets begin by introducing ourselves...**

I. ACTIVITY PROFILE AND GENDERED DIVISION OF LABOUR

- Q1. a)** What is the nature of the work that women typically do daily in the household and in your community as against those of men?
- b)** Do women participate in the activities of men at all? What about men, do they participate in the activities of women at all? If they do, what would you say is the extent of their participation?
- c)** What can you say about the amount of time spent on all the activities?
- e)** How do men and women feel about these activities?
- Q2: a)** What are the main activities and processes within the timber and palm oil value chain?
- b)** Which activities/processes are reserved for women and which are reserved for men?
- c)** Can women do the activities / processes reserved for men? Are men also allowed to be involved in activities / processes reserved for women? If they can; to what extent ?
(Note: this section to be cross-referenced with section 2 below)
- d)** Why are women and men limited to performing their assigned tasks/roles?
- e)** What are the norms that underpin the gendered division of labour?
- f)** Are decisions regarding how the tasks are carried out are made by the persons performing the tasks?

- g) What do you think about these roles? How do you feel about them? What are your impressions about the roles of women and men within the two industries?

III. ACCESS AND CONTROL OVER RESOURCES

- Q3** a) What do you consider as the main resources available in your communities?
b) What do you consider as the main resources within the palm oil industry?
c) Which resources are available to men? Which resources are available to women?
d) Who makes decisions over the resources?
e) What are the decision making structures within the palm oil industry?
f) How many women and men are within these structures?
g) Are there disputes about which of the sexes should use the particular resources?
h) What benefits emanate from the resources?
i) What are the norms that underpin the gendered access and control?
- Q4** a) Do you consider land as one of the main resources within your communities and also within the palm oil industries?
b) If so, are there gender issues affecting the land tenure /interests in the communities?
c) What are the issues affecting tenure security in general?
d) Are settlers able to acquire land for palm and timber production in your communities?
e) What about women? Are they able to acquire land on the same level as men?

IV. INFLUENCING FACTORS – WHAT ARE THE FACTORS THAT INFLUENCE THE DIFFERENCES BETWEEN MEN AND WOMEN WITHIN THE PALM OIL INDUSTRY?

- Q5** a) Do you think there are political, economic, or cultural factors affecting the gender differences identified in the above profiles (Activity profile, gender division of labour, Access and control Profiles) and within the palm oil industry? In other words do the differences between men and women in terms of their roles occasioned by politics, economics, culture, social set up etc? Are there some other causes of the differences between men and women?
b) If yes, kindly list them and explain how they influence the above profiles in the past and at present as well as how they are likely to influence these profiles in the future
c) What are the opportunities and constraints with respect to these factors?

V. GENDERED POWER RELATIONS WITHIN THE PALM OIL INDUSTRY

- Q6** a) Who are the powerful people in your communities?

b) Who are the powerful people in the palm oil industry?

Note: Allow respondents to provide answers by listing / mentioning names of people, positions of people etc. Ask the follow-up questions below after respondents have provided answers to the above question:

b) Are these powerful people men or women?

c) What is the source of their power?

d) How do they exercise these powers? / How do these powers manifest / present?

e) How do you feel when these powers are exercised?

f) What is your relationship like with them?

VI. GENDER NEEDS ASSESSMENT: PRACTICAL NEEDS VS. STRATEGIC NEEDS

Q7. a) Do women participate on the same level as men in the palm oil industry?

b) What practical things do women need perform their gender roles within the palm oil industry better?

c) What strategic (long term) things would ensure that women participate fully on the same level as men in the palm oil industry in the long term?

Note to field Assistants: the answer to question 6(b) should not be limited to one thing. Encourage the respondents to list as many things as they think could strategically help close the gap between men and women's participation in the two industries

d) What are your priorities? In other words what is important to you as a woman / man within the palm oil industry?

e) What can men do to help women participate on the same level as men in the palm oil industry?

Note to field Assistants: the answers to questions 6(d) and (e) should not be limited to one thing. Encourage the respondents to list as many things as they think could strategically help close the gap between men and women's participation in the two industries

VII. GENDERED VULNERABILITIES AND CHALLENGES OF WOMEN AND MEN WITHIN THE PALM OIL INDUSTRY VALUE CHAIN

Q8. a) What are some of the challenges / constraints/ hurdles and barriers to the effective participation women in the palm oil industry?

b) What are some of the challenges / constraints/ hurdles and barriers to the effective participation men in the palm oil industry?

c) What are the risks associated with your work within the palm oil value chain?

- d) Do these challenges, constraints/hurdles, barriers and risks result from how men and women relate?

VIII. AN ANALYSIS OF THE EFFECTS OF THE LEGAL FRAMEWORK WITHIN THE PALM OIL INDUSTRY ON MEN AND WOMEN SMALLHOLDERS.

- Q9. a)** Are you aware of any laws / Regulations (either local or International) that regulate the palm oil industry in Liberia? If so, can you name some of them?
- b)** What are some of the important provisions within these laws/Regulations?
- c)** Do you think these provisions take into account the needs of both men and women equally?
- d)** Do these laws / regulations apply to both men and women equally?
- e)** Are these laws / regulations easy to comply with? Kindly explain. Or Are you able to comply with these laws?
- f)** What are the enabling factors to compliance with these laws / regulations? In other words what encourages/promotes compliance with these laws?
- g)** What are the limiting factors to compliance with these laws / regulations? Or what discourages compliance with these laws/regulations
- h)** What are the procedures for compliance with these laws / regulations?
- i)** How does the compliance with or otherwise affect smallholders within the timber and palm oil industries as against the commercial operators?

Appendix 2

Insert GA TOR