

'Managing Large-Scale Land Transactions in a Rapidly Urbanizing Country'

BY

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***Leveraging National Land Policy, Legislation and
Institutional Capacity towards Sustainable Socio-Economic Development***

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OUTLINE OF PRESENTATION

01

✓ **Ghana's Journey of Large-Scale Land Transactions (LSLT)**

02

✓ **Managing LSLT in the Context of Rapid Urbanization**

03

✓ **Innovative Approach to Handle Potential Wave of LSLT**

04

✓ **The Question of Agricultural Land Information Bank to Manage LSLT in Ghana???**



GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

Ghana's journey of management of LSLT has been marked by three waves of events that triggered large-scale land acquisitions from **1874** to the late **2000s**

- **First Wave – 1874 to 1957**

Industrial Revolution in England towards the end of the 19th century and the concession boom in the Eastern Province of Akim Abuakwa in the Gold Coast over oil palm, forest products and mining triggered European merchants and local capitalists

- **Second Wave – mid 1980s**

Liberalisation of the economy and investment promotion in tourism, agriculture, logging, export crops, real estate and mining under ERP and SAP in the mid-1980s

- **Third Wave – Late 2000s**

Need for modernisation of agriculture and FDI, the food and energy crises which hit many parts of the developed world in the mid to late 2000s

- **Fourth Wave and Ghana's Preparedness???????**





GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

- **Management of the First Wave during the Colonial Era - 1874 to 1957**

- ❖ **Public Lands Act (1876)** to control lands, to expropriate lands for public use. and to gain natural resource revenue
- ❖ **Land Registration Ordinance (No. 8) of 1883** to introduce deeds registration system in the Gold Coast but failed
- ❖ **Crown Lands Ordinance, 1894** to vest 'waste and forest lands and minerals' in the hands of the colonial administration under 'Crown lands' to tackle reckless land concession grants failed due to strong local resistance
- ❖ **Land Registry Ordinance of 1895** that replaced 1883 Ordinance





GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

- Management of the First Wave During Post-Independence Era

First Republican Era (1957-1966)

- ❖ Socialist ideology and management of LSLT
- ❖ Direct public intervention in production with import-substituting industrialisation, mechanised agriculture and smallholder farmers participation
- ❖ Introduction and establishment of large-scale state farms known as State Farms Agricultural Development Corporation (ADC) – promote agric modernisation and development
- ❖ Enactment of **Administration of Lands Act, 1962, (Act 123)** to vest lands
- ❖ Enactment of **the State Lands Act, 1962 (Act 125)** to compulsorily acquire lands and compensation paid





GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

Management of the First Wave During Post Independence Era

- Pre to Post Second Republican Era (1966 – 1979)

State Participation and Intervention

- ❖ **National Liberation Council (NLC)**- (1966- 1969) return to a market-oriented system
- ❖ State Farms replaced by private capitalist development of agriculture
- ❖ **Progress Party** (1969 – 1972) maintained free market system
- ❖ **National Redemption Council** (1972 – 1979) – State enterprise system
- ❖ **Operation Feed Yourself (OFY) and Operation Feed Your Industries (OFYI) in 1972**
- ❖ Irrigation Development Authority Act, 1977
- ❖ **Armed Force Revolutionary Council** (1979) – 112 days House Cleaning exercise





GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

- The Third Republican Era (1979 – 1981)

State participation and intervention era

❖ **Peoples National Party** – Free market system

- **Management of the Second Wave During the PNDC Era (1981– 1993)**

❖ Era of liberalisation under the Provisional National Defence Council – welfare system

❖ **Economic Recovery Programme (ERP)** – 1983

❖ **Structural Adjustment Programme (SAP)** – 1986 – Economic Liberalisation

❖ **Land Title Registration Law, 1986 (PNDCL, 152)**





GHANA'S JOURNEY OF LARGE-SCALE LAND TRANSACTIONS

• Management of the Third Wave of LSLT

Under the Fourth Republic (1992 – Present) – Era of Liberalization

1. National Democratic Party (1993 – 2000) - Socialist and later to free market system

- ❖ Formulation of National Land Policy, 1999

2. New Patriotic Party (2000 – 2008) - Free market system

- ❖ Implementation Land Administration Project I

3. National Democratic Party (2009 – 2016) – Free market system

- ❖ Implementation of Land Administration II

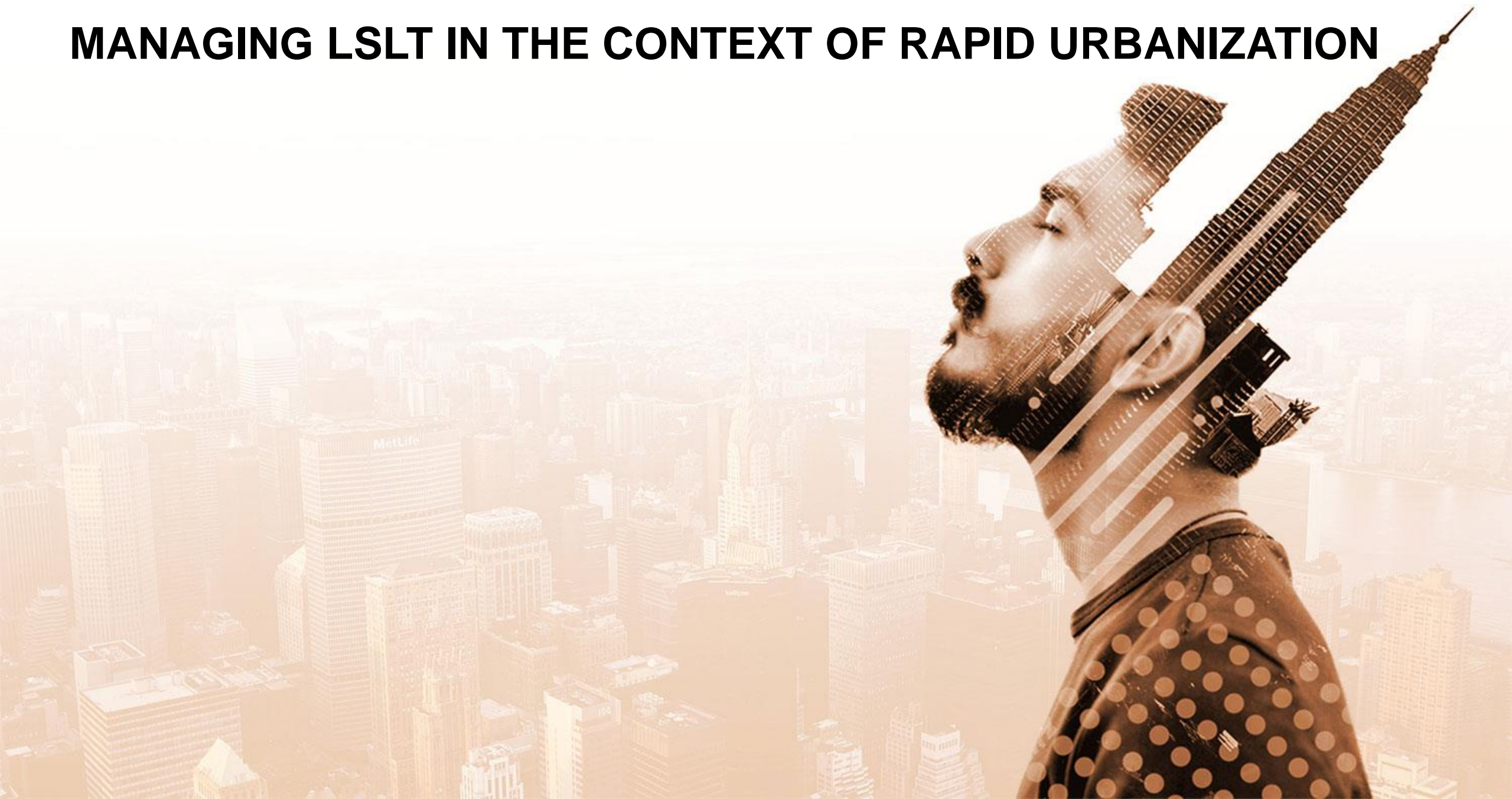
4. New Patriotic Party (2017 to present) – Free market system

- ❖ Implementation of Land Administration Project II (Ended in 2018)
- ❖ **Guidelines for Large Scale Land Transactions in Ghana**
- ❖ **Land Act, 2020 (Act 1036)**

- ❖ *Can Act 1036 and Lands Commission Guidelines handle the 4th Wave of LSLT???*

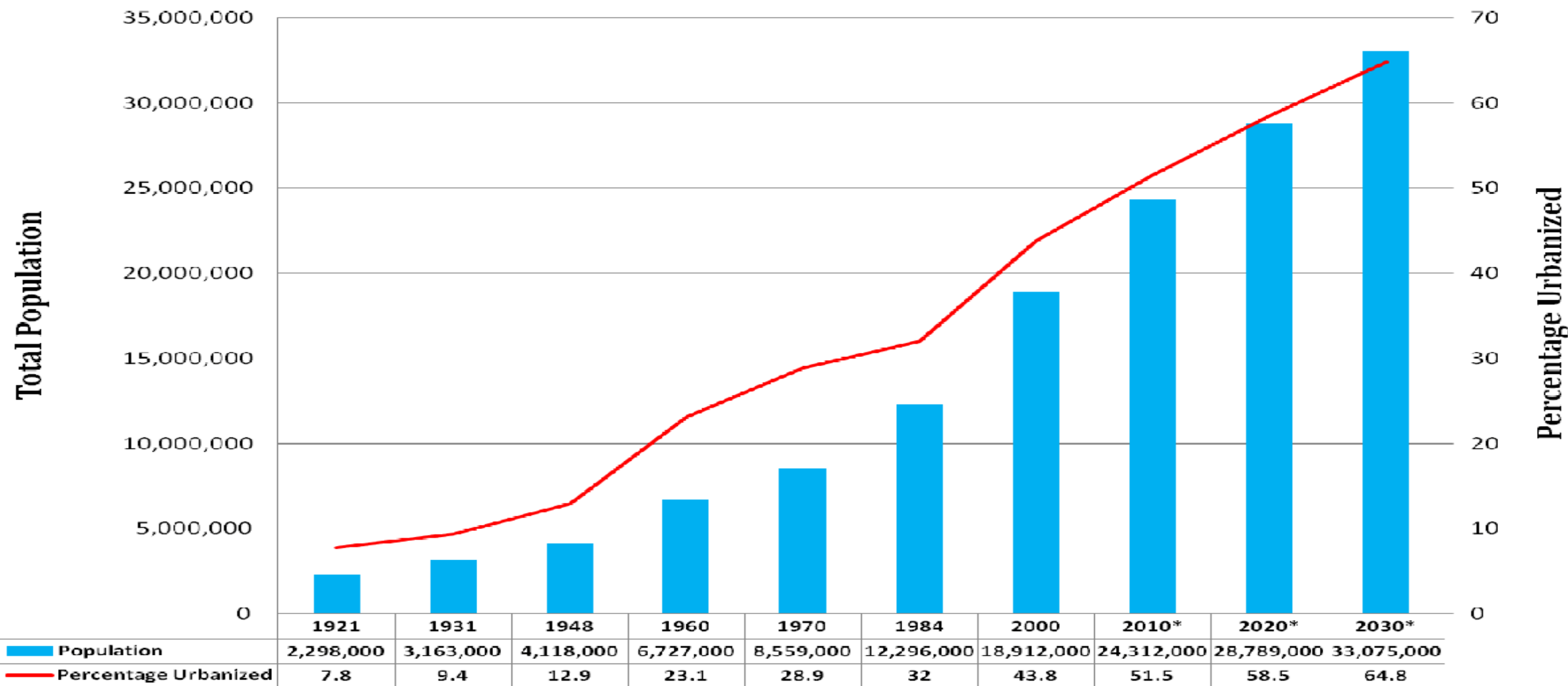


MANAGING LSLT IN THE CONTEXT OF RAPID URBANIZATION



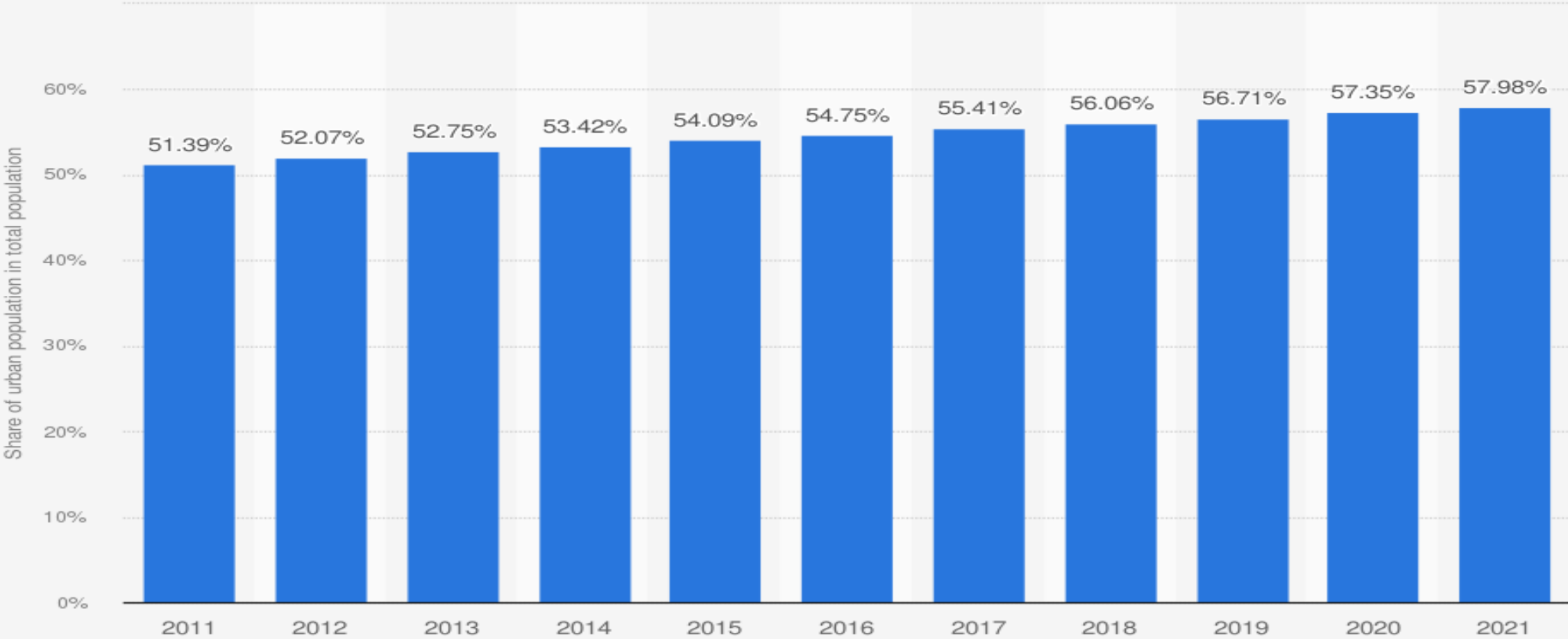


URBAN POPULATION TRENDS FROM 1921 TO 2030





Ghana: Urbanization from 2011 to 2021

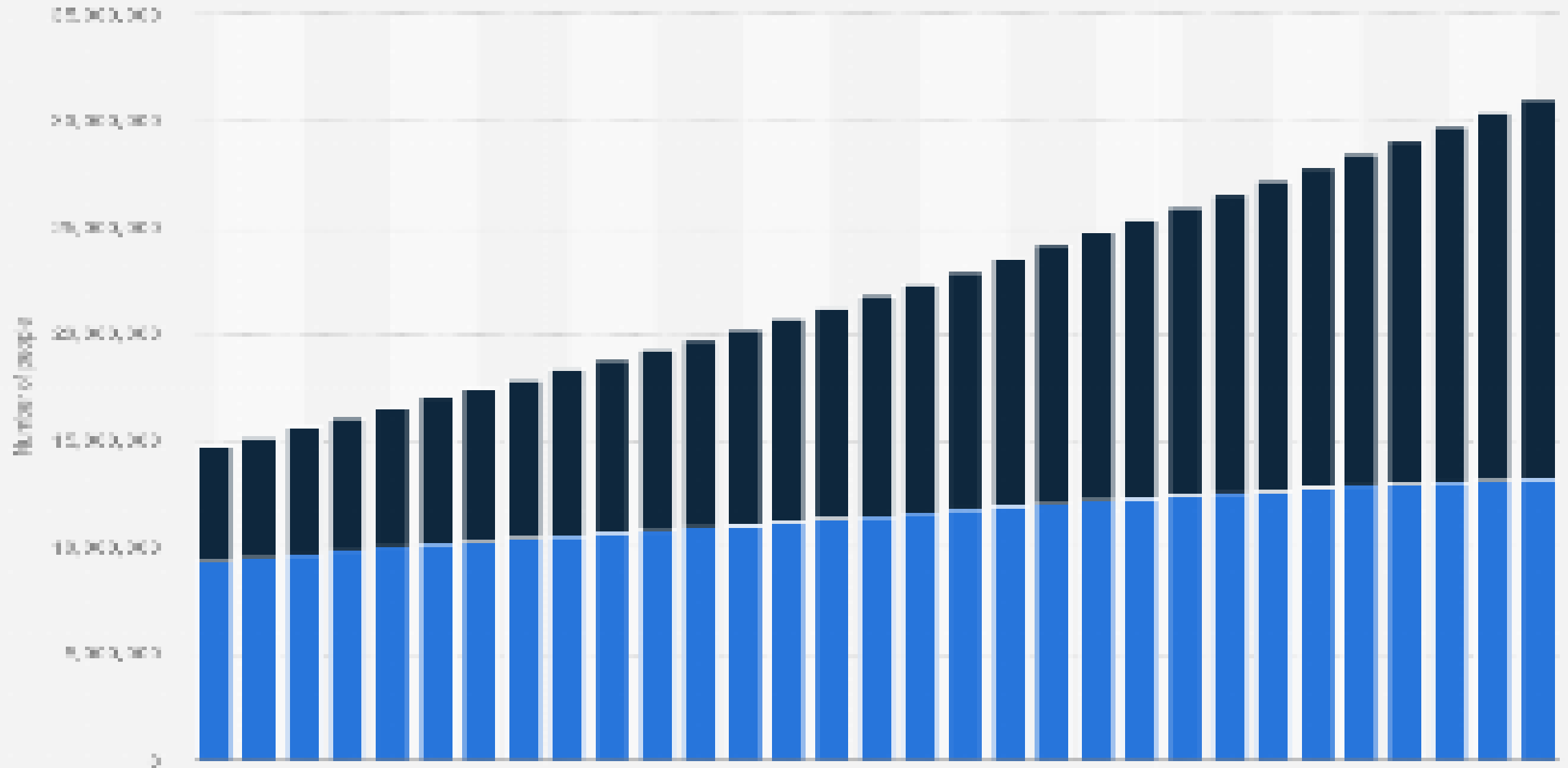


Source
World Bank
© Statista 2022

Additional Information:
Ghana; World Bank; 2011 to 2021



Rural and urban population of Ghana from 1990 to 2020 (In 1,000s)



Source

Ministry of Planning, Population Statistics

© Ghana, 2020

9 Urbanization and Settlement Growth Management

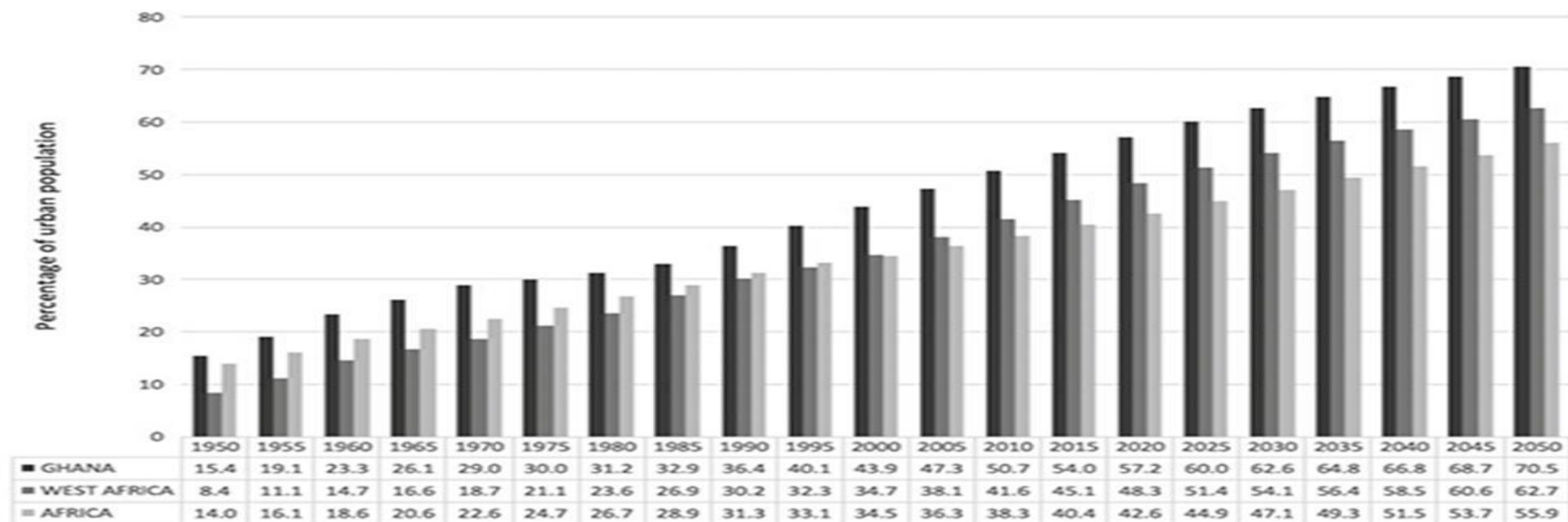


Fig. 9.4 Percentage of urban population in Ghana, West Africa and the African Continent (1950–2050). *Source* Based on world urbanization prospects data, United Nations (2014)

MANAGING LSLT IN CONTEXT OF RAPID URBANIZATION

- ❖ Population pressures and commercial agriculture create great pressures on private and individual smallholder farmers land rights
- ❖ Harnessing potentials of agroecological zones and spatial development frameworks to support LSLT and Urbanization is critical

THE AGROECOLOGICAL ZONES OF GHANA

Agro-ecological Zones of Ghana – MoFA, 2021



The 6 Agro-Ecological Zones of Ghana

1. Rain Forest
2. Deciduous Forest
3. Forest-Savannah Transition
4. Coastal Savannah
5. Guinea Savannah
6. Sudan Savannahs

Potentials of the Agroecological Zones – Togo's Case

- ❖ Togo has seen the greatest development of the West Africa region potential for agroecology
- ❖ Experienced a significant growth of 102% (from 22,000 tons to over 45,000 tons) exports of organic agricultural products to the EU between 2018 and 2019
- ❖ It is the second largest African exporter of organic produce to the EU after Egypt and the 14th largest exporter worldwide (2018 ranking) [Site specific management practices](#)
- ❖ Côte d'Ivoire (23,503 t), Ghana (20,318 t), Burkina Faso (13,312 t), Senegal (4,765 t), Benin (2,081 t), Niger (640 t) and Nigeria (289 t)

Potentials of the Agroecological Zones – Togo's Case

- ❖ “If Togo is on one end of the spectrum, Ghana is near the other.” (**Alliance for Food Sovereignty for Africa , p. 11, 2020**)
- ❖ In Ghana, the policy context is not favourable to agroecological enterprises because the policy framework favours the industrial agriculture model

LSLT, URBANISATION AND SPATIAL DEVELOPMENT FRAMEWORKS

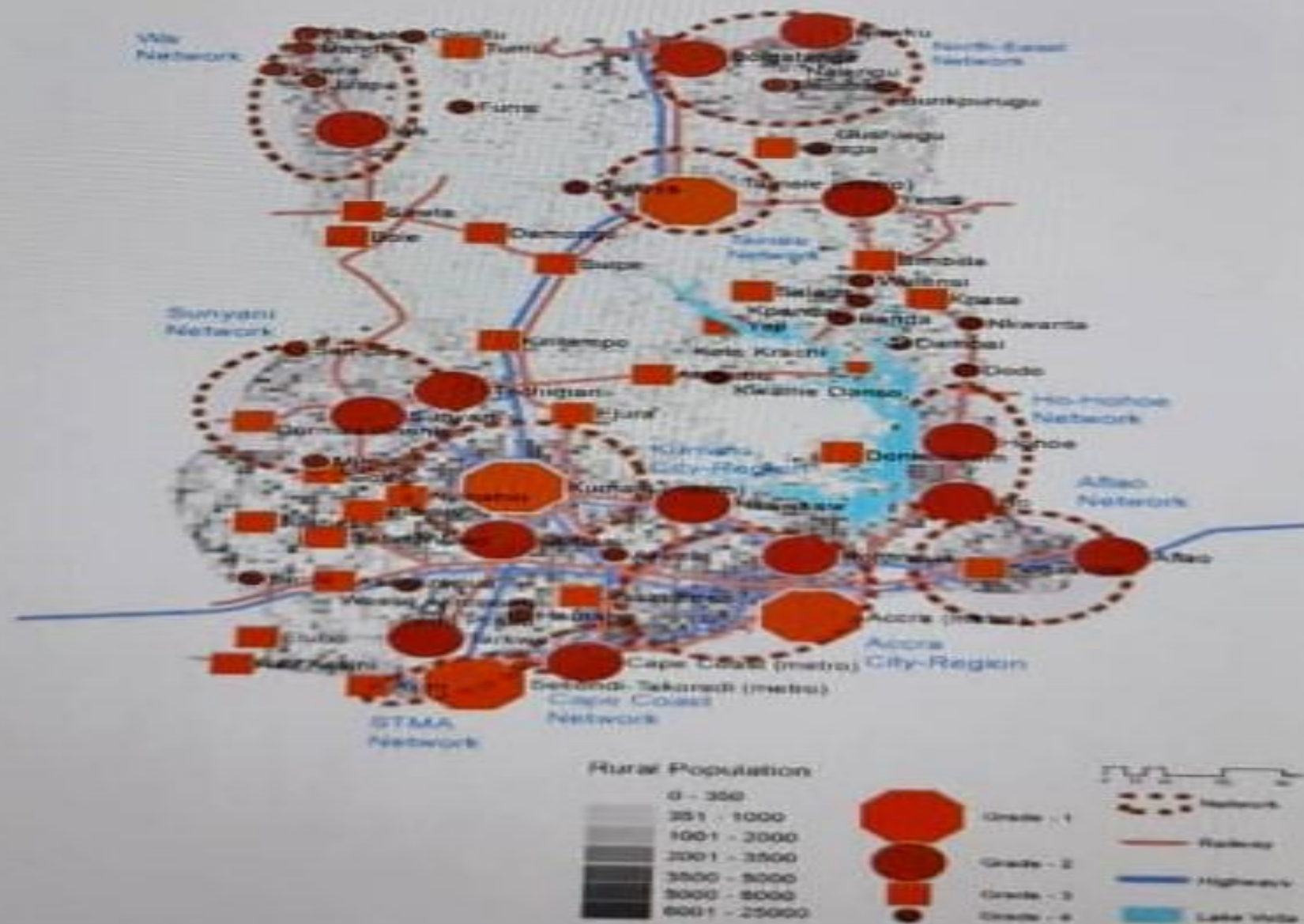
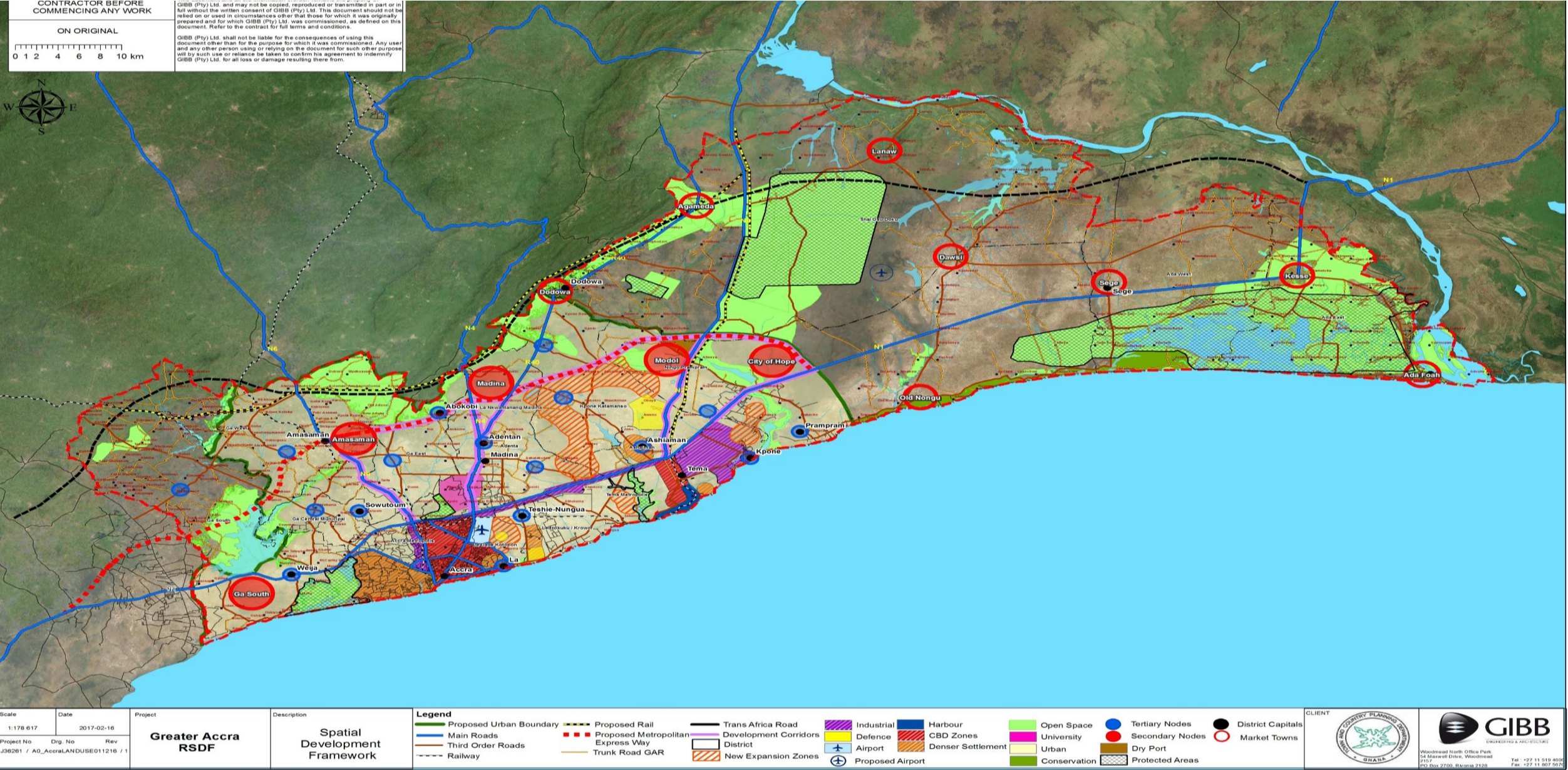


Figure 4.1: NSDF Spatial Development Concept

GREATER ACCRA REGIONAL SPATIAL DEVELOPMENT FRAMEWORK





Benefits of a Spatial Development Framework

A Spatial Development Framework (SDF)

- ❖ provides an opportunity to revisit, interact with and build on visions of development at the National, Regional and District levels
- ❖ helps integrate socio-economic development perspectives into spatial manifestations
- ❖ provides the parameters for the preparation of lower-level spatial plans to achieve a hierarchy of conformity
- ❖ provides the visualization of long-term development vision, goals and priorities in spatial terms in order to take advantage of opportunities

- .



Benefits of Spatial Development Frameworks

- ❖ promote sustainable functional and integrated human settlements, maximise resource efficiency, and enhance spatial identity and unique character of a geographical area.
- ❖ helps unearth the strategic factors in directing the growth and development focus of a geographic area (National, Regional and District Levels)
- ❖ **helps in broadly allocating land uses to specific areas in an indicative manner so as to inform development decisions and direct investment projects**

NB: Need to speed up with Regional and District Spatial Development Frameworks

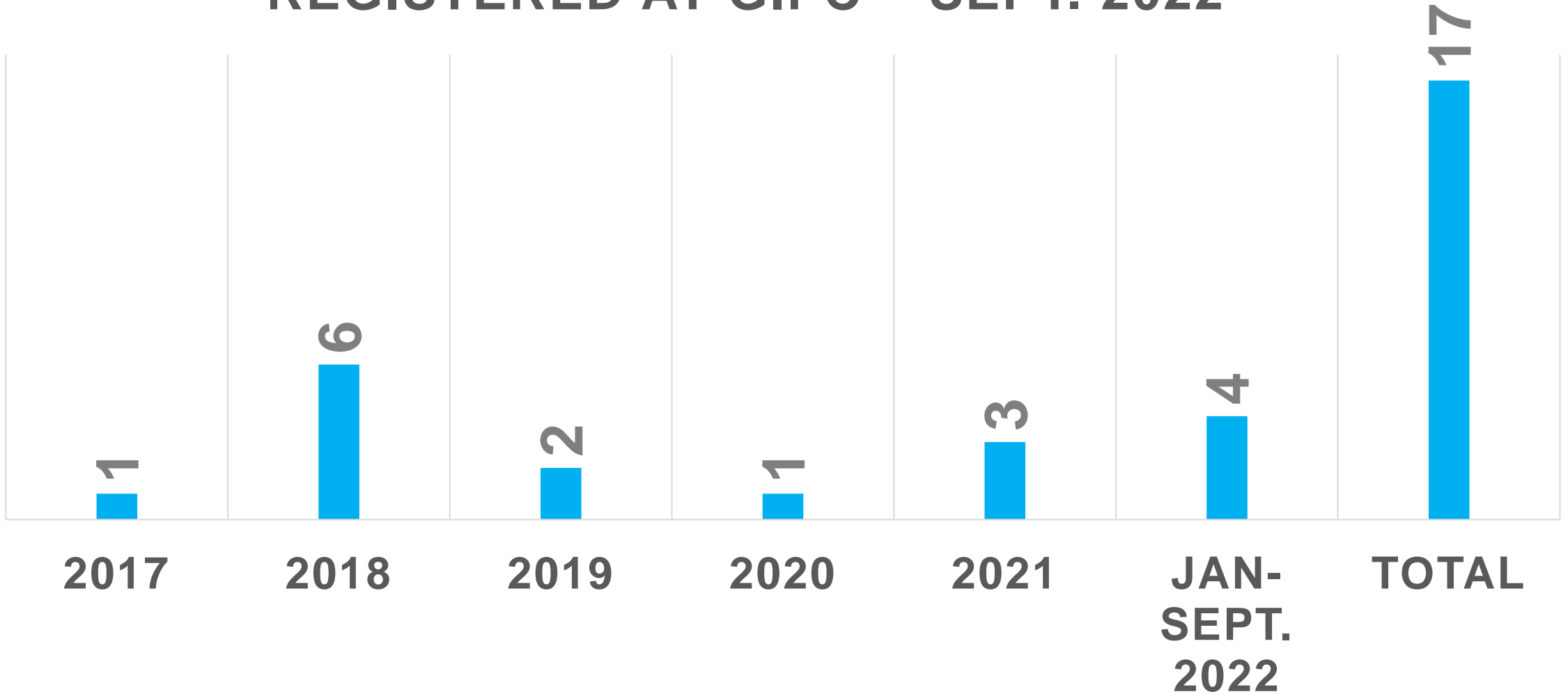
- All 16 Regions require a new spatial development framework
- All 261 MMDAs need to speed up with the District Spatial Development Framework



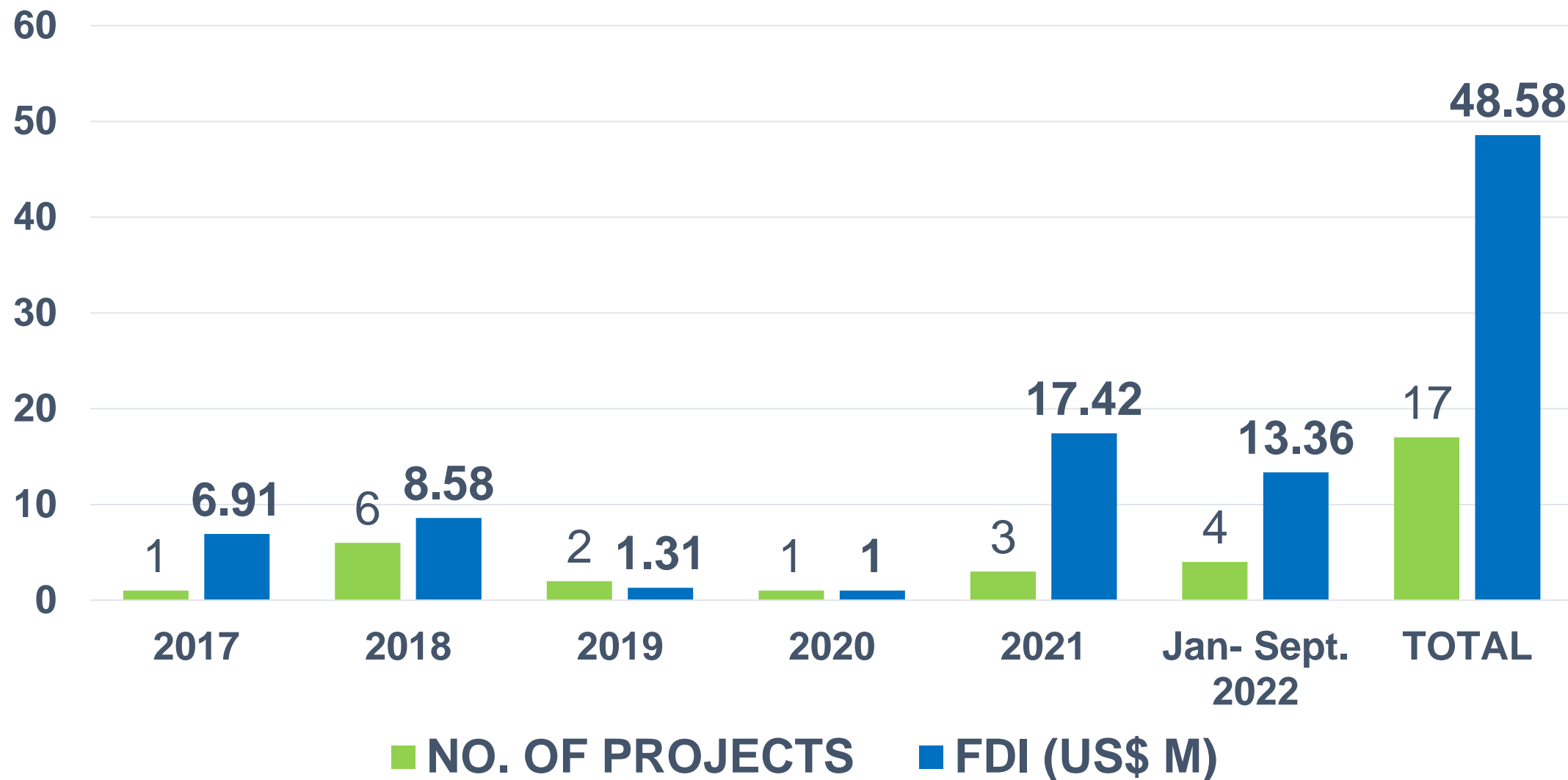
AGRICULTURE AND FOREIGN DIRECT INVESTMENTS (FDI)

- ❖ The agriculture sector ranks third in terms of its contribution to Gross Domestic Product (GDP)
- ❖ The service sector ranks first with **46.3%** followed by industry **34%** and agriculture **19.7%** (MoFA, 2021)
- ❖ A total of US\$48.58 million FDI from 2017 to September 2022 from 17 agriculture projects (GIPC, 2022)

NO. OF AGRICULTURE PROJECTS REGISTERED AT GIPC – SEPT. 2022



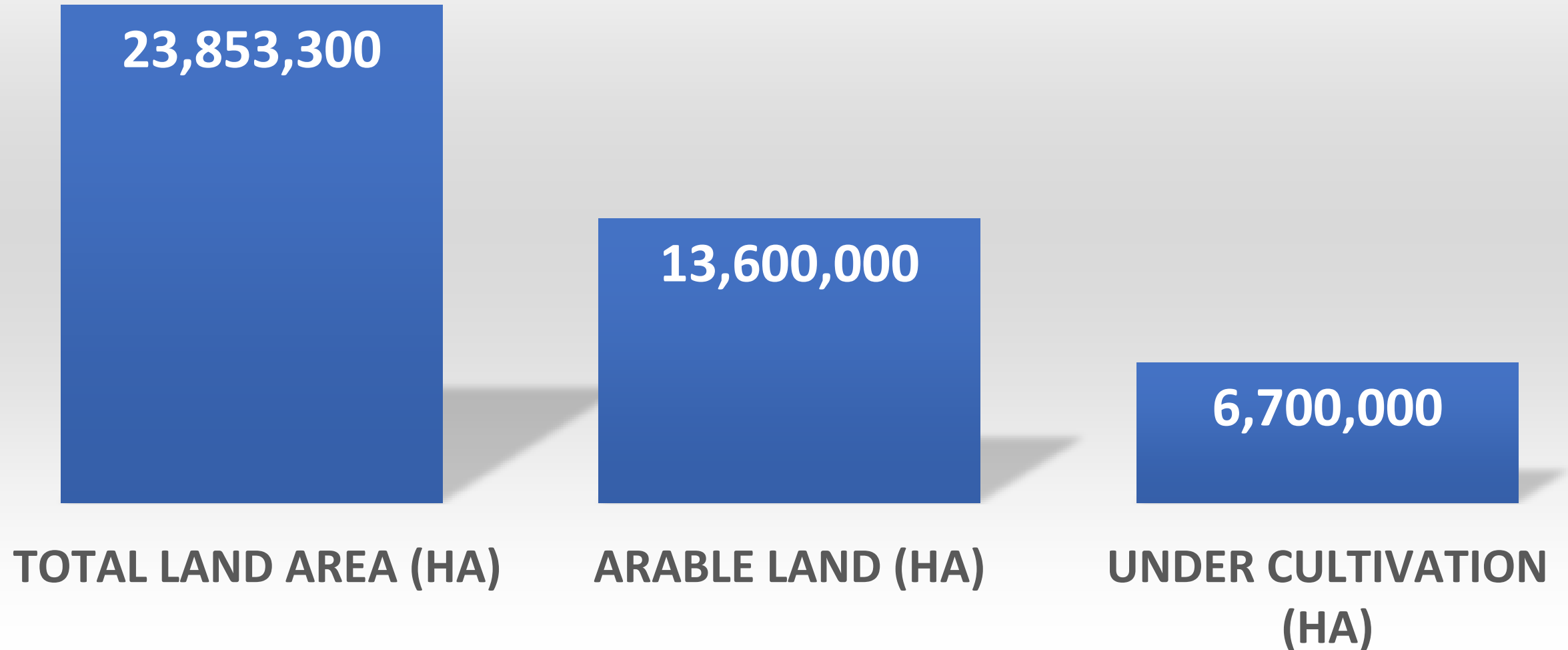
ANNUAL AGRICULTURE INVESTMENT REGISTERED BY GIPC (2017 - SEPT, 2022) – GIPC, 2022



**CAN PRESENT LAND MANAGEMENT REGIME
WITHSTAND POTENTIAL FOURTH WAVE OF LSLT???**



Ghana's Arable Land Use





IMPACTS OF LSLT

Impact is dependent on result from various cause-and-effect relationships

Some Negative Impacts

1. Loss of access to land and natural resources is found to be the most significant negative effect of LSLAs on local people
2. Land loss has a severe negative impact on livelihoods, leading to a loss of agricultural production and thus reduced food security
3. From a theoretical point of view, since most LSLA farms export their products, effects may occur through a net reduction of food supply on the local market
4. Environmental challenges (pollution, degradation, areas of high ecological significance)
5. Decreased access to forest products





IMPACTS OF LSLT AND SDGs

Some Positive Impacts

1. Creation of employment
2. Local infrastructure improvement
3. Development of social service
4. Development of local economy

Government facilitation of LSLT

- Governments play an important role in facilitating LSLA, e.g. in terms of identifying land they view as suitable and available for investors
- Engagement with local leaders (chiefs, tendemba, clan and family heads) and individuals



LSLT AND SUSTAINABLE DEVELOPMENT GOALS - SDGs

1 NO
POVERTY



2 ZERO
HUNGER



5 GENDER
EQUALITY



10 REDUCED INEQUALITIES



11 SUSTAINABLE CITIES AND COMMUNITIES



15 LIFE ON LAND





Perspectives of LSLT



STARS



QUESTION
MARKS



CASH COWS



DOGS

INNOVATIVE APPROACH TOWARDS MANAGING LSLT AND RAPID URBANISATION AND INVESTMENT PROMOTION

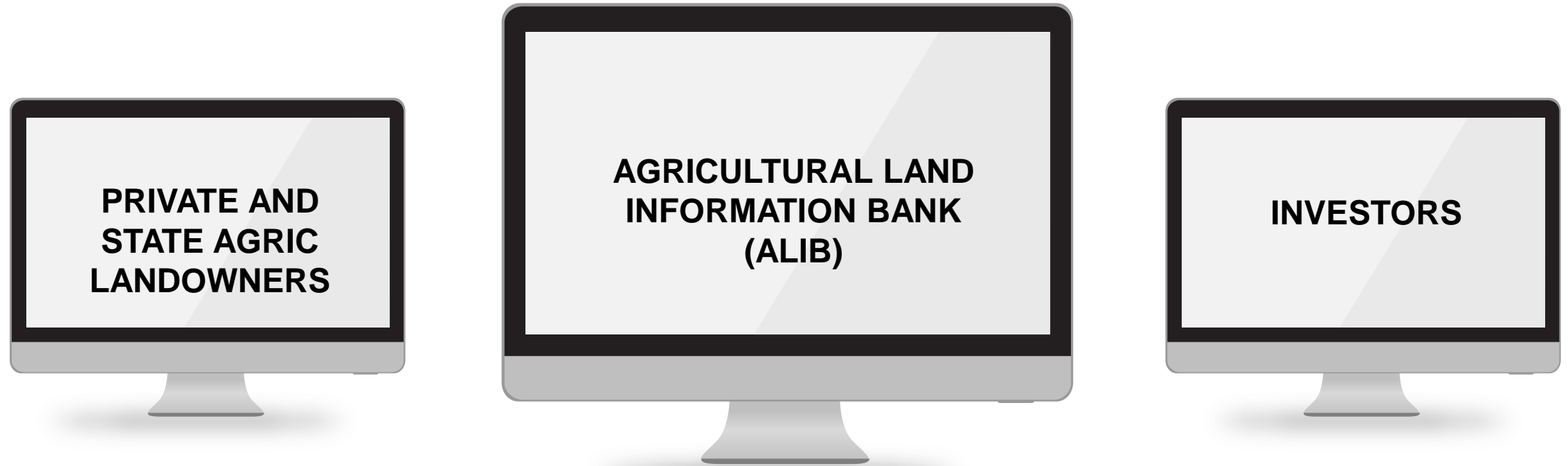


Policy and Legal Frameworks for Adoption of Innovative Approach

- ❖ Directive Principles of State Policy: Article 36(3) of 1992 Constitution
- ❖ National Land Policy, 1999
- ❖ Lands Commission Act, 2008 (Act 767)
- ❖ Ghana National Spatial Development Framework (2015 – 2035)
- ❖ The Coordinated Programme of Economic and Social Development Policies (2017-2024) : An Agenda For Jobs: Creating Prosperity And Equal Opportunity For All
- ❖ Guidelines for Large Scale Land Transactions in Ghana, 2019 (Lands Commission)
- ❖ Land Act, 2020 (Act 1036)
- ❖ Investment Guide for the Agriculture Sector in Ghana, 2021 (MoFA)



THE INNOVATIVE APPROACH





FEATURES OF THE ALIB

- ❖ ALIB should be an automated agricultural land database with relevant operating software and systems for easy storage and retrieval that:
 1. It should serve as a land information clearing house to prospective investors based on land ownership, rights, use and soil quality among others; and
 2. It should provide opportunity for customary landowners and landowning community members to nominate unutilized and/or uncultivated agricultural lands for commercial agricultural use and investment into the bank



GOALS AND OBJECTIVES OF ALIB

❖ **Goals of the ALIB should include**

1. Promoting access to reliable and easily accessible land-based information for commercial agricultural purposes
2. Promoting efficiency in the allocation of available arable lands in a sustainable manner by customary landowners
3. Promoting economic growth through sustainable agricultural investment based on improvement on access to available arable lands by investors

❖ **Objectives of the ALIB should include to:**

1. Provide reliable and easily accessible land information for agricultural investment
2. Provide a platform for landowners, community members to make their lands visible for potential investors/stakeholders
3. Facilitate equitable access to commercial agricultural lands through improved efficient access to and allocation of customarily owned agricultural lands



RELEVANCE AND BENEFITS OF ALIB

❖ Relevance of the Bank

- Safeguard community lands against speculative acquisitions
- Facilitate investors efficient access to arable land of good title and available land
- Promote national competitive agricultural land market and investment
- Reduce the time and cost of searching for agricultural land for investment
- Provide a means to ensure that potentials of competitive agricultural land markets inure to customary land wners

❖ Benefits of the Bank

- Competitive agricultural land market
- Reduce info asymmetry
- Improved land values and ground rent
- Provide safeguard for community members



APPLICABILITY OF ALIB

ALIB should have Guidelines which should be useful to

- ❖ Customary landowners
- ❖ Natural resource users
- ❖ Interest groups,
- ❖ Individuals and corporate bodies
- ❖ Foreign and domestic investors
- ❖ NGOs, CSOs and
- ❖ State agencies

that desire to promote or acquire efficient and transparent access to land for investment in agricultural and related activities.



OTHER FEATURES OF ALIB

- ❖ **Features of land to be nominated**
 - Land of Good Title
 - Type of Interest in Land Nominated
 - Registration Status
 - Capacity to Nominate
- ❖ **Location of Land – Region, District, Town**
- ❖ **Land Use Mapping and Zoning**
- ❖ **Government Priority Agricultural Areas**
- ❖ **Electronic Linkages with Relevant State Agencies**
- ❖ **Roles and Responsibilities of Landowners**
- ❖ **Roles and Responsibilities of Investors**



OTHER FEATURES OF ALIB

ALIB should have Operating Principles

1. Community Protocol
2. Participatory
3. Livelihood Protection
4. Transparency
5. Verifiable Land Tenure
6. Purposeful Information
7. Relevant Information
8. Credibility
9. Confidentiality
10. Opting Out Protocol





NOMINATION OF LAND INTO THE ALIB

❖ Demand-Led and Supply Led Nomination of Land into the Bank

❖ Land Nomination Process

- Screening Phase
- Conducting Due Diligence
- Engagement of Landowner(s)

❖ Community Profiling

❖ Survey of Boundaries of Nominated Land

❖ Community Forum

❖ Memorandum of Commitment




GOVERNANCE STRUCTURE OF THE ALIB

- **National Oversight Committee**
- **National Technical Committee**
- **ALIB National Secretariat**
 - Staff of the Secretariat
 - Functions of the Secretariat
- **Regional and District ALIB Committees**
- **Sustainability of the ALIB**
 - Financial Sustainability
 - Up-to-dateness of the ALIB
 - Adoption of Low Cost Land Survey Method
 - Sensitization of the Use of the ALIB
 - Incentivising Secretariat Staff and Committee Members



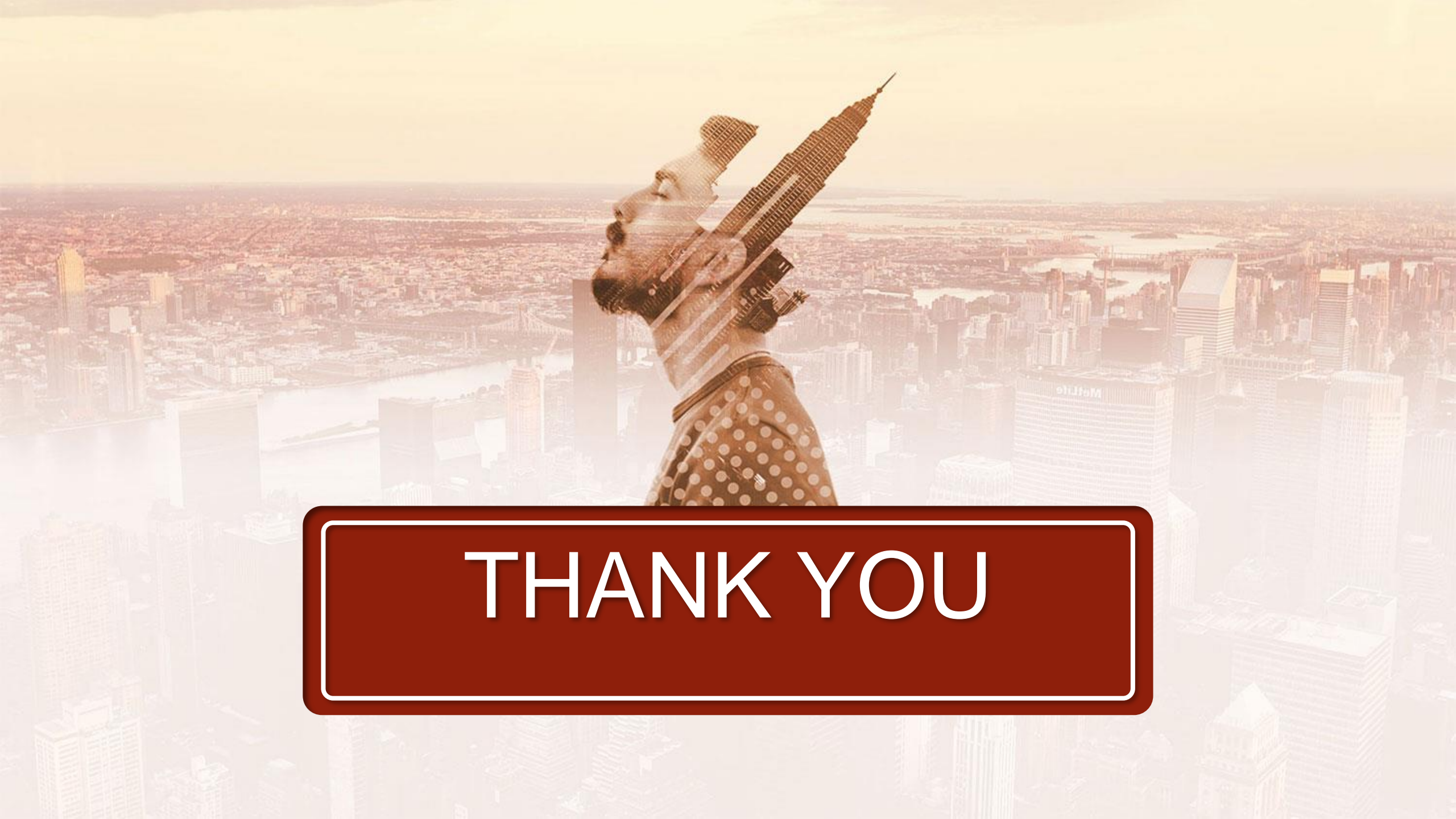
**IN WHAT OTHER FORM DO WE NEED AN AGRICULTURAL
LAND INFORMATION BANK TO MANAGE LSLT IN
RAPIDLY URBANIZING GHANA???**





Take-home
message

AGRICULTURAL LAND INFORMATION BANK



THANK YOU