GHANA’S LAND ADMINISTRATION PROJECT: ACCOMPLISHMENTS, IMPACT, AND THE WAY AHEAD

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PRESENTATION OUTLINE

- Background
- The National Land Policy
- The Land Administration Project
- Accomplishments
- Impact
- Challenges
- The way ahead
- Conclusion
Ghana
- Land Area - 239,460 km²
- Population - 24.2 million (48.7% males, 51.3% females)
- Intercensal Growth rate - 2.4%
- HDI - ranked 138 in 2005
- Subsistence agric accounts for 37.3% of GDP and employs 60% of workforce
- Agric accounts for 75% of export earnings and contributes 90% of food needs
- Population density is 102 persons/km²
- 63% of total land area is agriculture
- Per capital GDP is US$1,318.00
LAND TENURE IN GHANA

• 78% owned by traditional authorities (stool, skin, clan and family land)
• 20% by state, 2% split ownership
• Both customary and common law rights exist in land, sometimes on the same piece
• State has control over administration of customary lands
• Women's access to land is not a problem
THE NATIONAL LAND POLICY

• Launched in June 1999

• Objective: stimulate economic development, reduce poverty and promote social stability by improving security of land tenure, simplifying the process for accessing land and making it fair, transparent and efficient, developing the land market and fostering prudent land management.
The National Land Policy

• Identified challenges of land administration

1. Weak policy environment.

2. Absence of up-to-date base maps for effective planning.

3. Weak land administration system.

4. Undemarcated customary boundaries.

5. Extensive use of the state’s powers of eminent

6. Slow resolution of land cases in the courts and sometimes conflicting court judgements which create more land administration problems
The National Land Policy

The results?

- Inadequate security of tenure

- Difficult accessibility to land and a general indiscipline in the land market characterized by land encroachments, multiple sales of land, haphazard development and disputes

- Conflicts

- Endless land litigation
THE LAND ADMINISTRATION PROJECT

• The main vehicle for implementing the National Land Policy

• Project Development Objective: to undertake land policy and institutional reforms and key land administration pilots for laying the foundation for sustainable land administration system that is fair, efficient, cost-effective, decentralised and ensures land tenure security

• Duration: 2003 - 2011
The Land Administration Project

Sought to:

1. Harmonise Land Policies and the legislative framework with customary law for sustainable land administration

2. Undertake institutional reforms and capacity building for comprehensive improvement in the land administration system.

3. Establish an efficient, fair and transparent system of land titling, registration, land use planning and valuation.

4. Issue and register land titles in selected urban and rural areas as pilots to test (2) and (3) above and innovative methodologies, including community level land dispute resolution mechanisms.
 Component 1: Harmonizing land policy and regulatory framework

 Component 2: Institutional reform and development

 Component 3: Improving land titling, registration, valuation and land information systems

 Component 4: Project management, Human resource development, M & E, and communication
1. Turnaround time in registering deeds reduced.

2. Turnaround time in registering titles reduced in declared and mapped title registration areas.

3. Land transaction revenues to local and central government increased.

4. Land titles registered by women increased in declared and mapped registration areas.

5. Deeds registered by women increased.

6. 30 customary Land Secretariats established.
Key Performance Indicators


10. 50,000 Land titles issued in systematic land titling.

11. Ten customary boundaries demarcated.
## PERFORMANCE OF LAP AGAINST THE KPIs

<table>
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<tr>
<th>KEY PERFORMANCE INDICATOR</th>
<th>BASELINE VALUE</th>
<th>END OF PROJECT TARGET (JUNE 2011)</th>
<th>ACCOMPLISHMENT</th>
<th>REMARKS</th>
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<tr>
<td>1. Turn around time in registering deeds reduced</td>
<td>&gt;36 months for average residential plot (0.4 – 0.9 ha)</td>
<td>Less than 1 month</td>
<td>Turn around time reduced to 2.5 months</td>
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<tr>
<td>2. Turn around time in registering titles in declared and mapped title registration areas reduced</td>
<td>&gt;36 months for average residential plot (0.4 – 0.9 ha)</td>
<td>Less than 6 months</td>
<td>Turnaround time reduced to 8 months</td>
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<td>3. Land transaction revenues to local and central government increased</td>
<td>Total revenue = US$7,582,574</td>
<td>Revenue increased by 130%</td>
<td>Total revenue = US$20,849,723 representing 274.97% increase</td>
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<td>4. Land titles registered by women increased</td>
<td>221 titles registered by women country wide</td>
<td>Increase by 50%</td>
<td>810 titles registered by women representing 366.52% increase.</td>
<td>295 titles were registered as joint owners.</td>
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<td>5. Deeds registered by women increased</td>
<td>288 deeds registered by women countrywide</td>
<td>Increased by 50%</td>
<td>1683 deeds registered by women countrywide representing 738.16% increase</td>
<td>359 deeds were registered as joint owners</td>
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<td>6. Customary land Secretariats established</td>
<td>3 CLS in existence</td>
<td>30 CLS</td>
<td>38 CLS established or strengthened</td>
<td>The figure includes the 3 existing before the project which were strengthened</td>
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<td>7. Land Agency Act passed by parliament and operational</td>
<td>6 Public Land Sector Agencies in existence performing overlapping functions</td>
<td>A new Land Agency Act integrating the existing agencies</td>
<td>A new Lands Commission Act 2008 (Act 767) passed integrating four of the six agencies</td>
<td>Office of the Administrator of Stool Lands and Town and Country Planning Dept were excluded</td>
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<tr>
<td>8. Substantive Land and Land Use Planning Acts passed by Parliament and operational</td>
<td>166 Land Laws and regulations exist</td>
<td>One consolidated land Law</td>
<td>Two draft Bills prepared: the Lands Bill and Land Use and Planning Bill</td>
<td>It became necessary to have a separate Land Use and Planning Bill in the course of preparing the drafts.</td>
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</table>
9. Backlog of Land Litigation cases in the High Court and Circuit Courts in Regional Capitals decreased

| Backlog of Land Litigation cases in the High Court and Circuit Courts in Regional Capitals decreased | 35,000 cases from Project documents: 7122 given by the Judicial Service | All backlog cleared (100%) | 3,684 cases cleared at both the High Court and Circuit Court representing 51.73% of the Judicial service established backlog. |

10. 50,000 land titles issued in Systematic Land titling

| 50,000 land titles issued in Systematic Land titling | 1440 titles issued | 50,000 titles issued | 75 titles issued 10,000 parcels surveyed | The customary system of land ownership is a challenge to the attainment of this KPI. |

11. Deed Registry established in each Regional Capital

| Deed Registry established in each Regional Capital | 2 Registries in existence | 8 registries established | 8 registries established and operational (100% accomplished) |

12. Ten Customary (allodial) Boundaries demarcated

| Ten Customary (allodial) Boundaries demarcated | Nil | 10 Boundaries demarcated Surveyed and registered | 9 CBD contracts awarded, one completed and validated, one completed but not yet validated. 7 ongoing. | The customary system of land ownership presents a considerable but not insurmountable challenge to this activity. |
ACCOMPLISHMENTS

a) A new Lands Commission Act 2008 (Act 767) has been passed integrating four of the public sector agencies (Survey and Mapping Division, Land Registration Division, Land Valuation Division and the Public and Vested Lands Management Division) to secure efficiency and effectiveness in land administration.

b) In collaboration with the Judiciary, five automated land courts have been established in Accra to deal with land cases.

c) Inventory of State acquired and occupied Land has been undertaken in 27 districts.

d) A Gender Strategy for land rights and land administration has been developed which details out gender issues to be resolved at the policy, legal, institutional and the local levels.
e) A land rights and vulnerability assessment were undertaken in three communities, detailing land rights typologies in the communities and the security of tenure and vulnerability of each land right.

f) An open-source computerised land information system has been developed at the divisions of the Lands Commission.

g) A land registry has been established in each regional capital to decentralise land registration to the regions and to bring land registration services closer to the doorsteps of the people.

h) A document imaging centre has been established to intelligently scanned about 200,000 registered deeds to convert them into digital.
i. A metadata base has been created for all the mapping products in the country.

j. A new Geodetic Reference Network (GRN) in the Universal Transverse Mercator (UTM) coordinate system has been established for the southern part of the country.

k. A three-tier land used planning model comprising of a Spatial Development Framework, Structural Plans and local plans has been developed and piloted in six districts.

l. 15000 km² has been flown for aerial photography at a scale of 1:10,000 and the development of orthophotos for land use planning at a scale of 1:2500.
Thirty-seven customary land secretariats have been established to strengthen customary land administration and to improve transparency and accountability at the local level.
n. 39,877 properties have been revalued in 5 districts for property taxation purposes to raise an income stream of US$386,952.00 per annum to the District Assemblies

o. Customary boundary demarcation (CBD) has been piloted for nine allodial boundaries.

p. Pilot systematic land titling to deliver 10,000 land titles is on-going in Accra and Kumasi. The surveying component is 100% complete. Legal component is 30% complete.

q. The project has facilitated the establishment of a Civil Society Coalition on Land (CICOL) which has a membership of more than 40 civil society organisations engaged in different aspects of advocacy on land issues.
IMPACT

a) Too early to assess full impact of the project. Intermediate impacts are:

b) The project has raised considerable awareness of the land issues in the country and placed land on the development agenda.

c) Customary Land Secretariats are strengthening local land administration through basic records keeping, awareness creation, recording of customary land rights and their protection and dispute resolution.

d) It has reduced the turn around time for registration at both the land registry and the land title registry from more than 36 months to less than 2.5 months and 8 months respectively.
e) The inventory of state acquired and occupied lands has revealed the inadequacy and inaccuracies in government records of state lands. Over 50% of lands perceived to belong to the state are being occupied without proper acquisition, thus denying the ‘expropriated’ owners the payment of due compensation.

f) The customary boundary demarcation is unearthing dormant or otherwise latent disputes, providing early warning mechanisms for identifying hot spots for resolution. This provides the authorities the opportunity to facilitate the resolution of the disputes before effective demand for land and economic considerations exacerbate the problems.
CHALLENGES

- Balancing a ‘learning-by-doing’ approach with timely delivery of project outputs.

- The project was complex and huge comprising several components and sub-component.

- Initial capacity of the implementing agencies to implement a complex project.

- Procurement delays.
A supply-led approach to some of the pilots created the impression of a distribution of a ‘state largesse’, expecting the project to provide all the inputs required for implementation, leading to low commitment from some of the key stakeholders.

Managing expectations.

Development partners’ coordination.
THE WAY AHEAD

The key areas to focus on are:

- Completion of the legal and policy reforms

- The institutional reforms to include decentralisation to the districts

- Development of the computerised land information system using open-source platforms

- A comprehensive programme for systematic recording and registration of land rights throughout the country

- Demarcation of allodial boundaries to reduce the tension and land related conflicts among customary communities
Capacity building across board for the key actors in land administration.

Gender must be considered as a cross-cutting issue and treated in all aspects of a future project.

A longer term engagement of Development Partners is required to undertake land administration projects.

Particular attention should be paid to:
- Procurement capacity
- Implementation capacity
- Decentralised implementation
- Managing expectations
- Effective communication
- Capacity building.
CONCLUSION

• There has been relative success in the implementation of LAP amidst serious challenges.

• Only the surface of the problems has been scratched.

• A deeper intervention is needed to make maximum impact

• A good land administration system is indispensable in the socio-economic development of Ghana.
THANK YOU