



A vision for the future

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**LAND ACCESS AND SECURITY OF TENURE IN GHANA:
SOME CONSIDERATIONS FOR IMPROVEMENT**

AND

**THE OUTCOME REPORT OF THE THEMATIC DIALOGUE
HELD ON 24 JANUARY 2006
ACCRA, GHANA**

**A PROCESS AND A CONTRIBUTION IN PREPARATION FOR ICARRD
*"NEW CHALLENGES AND OPTIONS FOR REVITALIZING RURAL COMMUNITIES"***

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EXECUTIVE SUMMARY

Access to land and security of tenure are key considerations in Ghana as the majority of its population are engaged as food and cash crop farmers. According to Population and Housing Census in 2000, 56.2% of the population is rural; the majority of whom solely depend on primary land activities for their sustenance.

The country's development aspirations over the past years have been met significantly, and continue to be met considerably through agriculture. Ghana's long-term vision is to become a middle-income country by the turn of year 2020 with significant improvements in living standards.

As an agriculture-driven economy, any expected increases in human welfare must first and foremost see to the improvement of agricultural production and productivity. This is a daunting task as population continues to increase and serious problems confront land accessibility and security of tenure.

The impacts of insecure access to land have particularly been very devastating for vulnerable groups such as women, migrants, and landless youth. There are concerns that as these trends persist, these and other groups would find their land rights marginalised and this will deepen their poverty.

Three legal land regimes are recognised in Ghana comprising the customary, statutory, and common practice. However, around 80% of lands in Ghana are in the custody of customary authorities, hence they play the most significant influence in land ownership and use arrangements.

Customary land tenure is characterised by its largely unwritten nature, and usually managed by a traditional authority such as a chief or a family head. The majority of Ghanaians still adhere to decentralised customary land tenure systems.

However, these customary conventions are continuously being redefined due to urban expansion, commercialisation of land; and land alienation by customary authorities. All of these results in competing demands for land and impoverishment of poorer groups whose land needs cannot be met.

While the state exercises powers to compulsorily acquire lands for public interest, some of these acquisitions have not been demonstrably public. Beneficiaries of state land allocations are mainly privileged people in society with resultant inequitable distribution of public land.

Statutory land arrangements have influenced significantly tenure security in Ghana. Deeds and titling registration enable land rights registration on freehold or leasehold. However, only modest gains have been made due to the weak implementation of the process. Land registration has not ensured easy access to land and enhance security of land rights.

A Land Administration Programme (LAP) is currently underway to improve access to land, and ensure certainty of land rights. The objectives of the programme include strengthening customary land secretariats, strengthening public and private sector land administration and management institutions, and pilot systematic land titling and registration.

In Ghana, women's immense role in agriculture has been acknowledged. But the majority of these women have only secondary or derived rights; the right to own or use land results from women's relationship with men (e.g. as wives).

Traditional mechanisms put in place to ensure transparency and social equity are no longer adhered to even if they are purported to still be in place. Some traditional authorities are enacting new laws to reinforce their land rights and enable them appropriate it for their own gain. They justify their actions by claiming that these customary rules are outdated and need to be adjusted to suit modern circumstances.

State institutions charged with land management are understaffed, lack basic logistics to work with, and lack transparency and accountability to its wider constituents. They have been ineffective and have tended to exacerbate the situation.

In view of the preceding discussions, participants at the thematic workshop proposed some recommendations to make land access easier and enhance tenure security in Ghana. These include the following:

- (i) Create awareness on contemporary developments in the administration of land for the benefit of ordinary rural farmers.
- (ii) To ensure effective execution of the LAP's objectives, LAP should facilitate and engage civil society in capacity building depending on its competence.
- (iii) There are weak collaborations and networks among NGOs, CSOs, and producer organisations in Ghana. An environment for learning should be created to enable the sharing of experiences which will improve information, enhance decision making, and increase capacities of various organisations.
- (iv) Through effective networking with farmer-based organisations such as APFOG which has wide membership across the country and can use this network to channel vital information on modalities for achieving better land and natural resource management in Ghana.
- (v) The LAP should facilitate the implementation of the new land administration reforms through national and local fora on land and broader natural resource management. Partnerships from ICARRD would go a long way to supporting the redefinition of policies associated with land administration in Ghana. This is particularly important coming at the time a land administration programme is on course, and seeking closer collaboration and partnership with CSOs, NGOs, and traditional authorities to mention a few, would contribute immensely towards attaining the social priority concerns identified by the LAP.

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ACRONYMS

APFOG	-	Apex Farmers' Organisation of Ghana
CBOs	-	Community Based Organisations
CIKOD	-	Centre for Indigenous Knowledge and Organisational Development
CSOs	-	Civil Society Organisations
DT&CP	-	Department of Town and Country Planning
FAO	-	Food and Agricultural Organisation
GoG	-	Government of Ghana
GSS	-	Ghana Statistical Service
ICARRD	-	International Conference on Agrarian Reform and Rural Development
IIED	-	International Institute for Environment and Development
LAP	-	Land Administration Program
LC	-	Lands Commission
LTR	-	Land Title Registration
LVB	-	Lands Valuation Board
NGOs	-	Non-Governmental Organisations
NLP	-	National Land Policy
OASL	-	Office of the Administrator of Stool Lands
PNDCL	-	Provisional National Defence Council Law
RAVI	-	Rights and Voice Initiative
SD	-	Survey Department

PART I. CASE STUDY

1.0 Initial diagnostic of the problem

1.1 Introduction

Access to land and security of tenure are key considerations if development is to be contextualised in developing countries. Ghana is no exception to this observation as the majority of its population are engaged as food and cash crop farmers. According to the 2000 Population and Housing Census, 56.2% of the population is rural; the majority of whom solely depend on primary land activities for their sustenance (GSS, 2002).

The country has a strong agricultural base and its development aspirations over the past years have been met significantly and continue to be met considerably through agriculture. Indeed, in the context of Ghana's development, access to land and other natural resources are key to basic livelihoods and often a question of fundamental human rights.

Ghana's long-term vision is to become a middle-income country by the turn of year 2020 with significant improvements in living standards by this target period. As an agriculture-driven economy, any expected increases in human welfare must first and foremost see to the improvement of agricultural production and productivity. This is envisioned for example in the GPRS through "modernisation of agriculture and agro-based industries," and includes commodity export activities. This is not an easy task granted that population continues to increase and food production would have to be increased to feed the growing population.

Increasing agricultural production is a daunting task in view of the crucial concerns surrounding land accessibility, and security of ownership and use arrangements. Easy access to land is assuming wider dimensions with the rapid urbanization the country is currently experiencing¹. Cities and towns in Ghana have been attracting considerable numbers of people who continue to migrate to these settlements. Housing conditions for the majority of residents in the country's big cities are quite deplorable and the demand for housing is eating up agricultural land. At the same time unplanned development, land scarcity, growing tenure insecurity, and land use conflicts are increasingly threatening social and political stability. Other problems such as the evolving and unclear customary tenancy systems, indeterminate boundaries of customary-held lands, the general indiscipline in the land markets, lack of accountability, transparency in land acquisitions, and a weak land administration system.

Though governments have instituted a substantial body of land legislation and policies, these instruments have not achieved the desired goal. Indeed, improving land administration through equity and transparency in land governance has been the subject of many public discussions and policy interventions (as in the National Land Policy and the Ghana Poverty Reduction Strategy Paper). More coordinated efforts are needed to find a workable solution to the land problem and boost socio-economic development in the country.

¹ According to a recent research (Songsore, 2003) four out of every ten persons in the country live in urban areas. If current trends continue, more than half of all Ghanaians will live in urban areas by the year 2020.

The impacts of insecure access to land has particularly been very devastating for vulnerable groups such as women, migrants, and landless youth. These groups are often ill-informed of their rights or options to acquire land with assured security. They are also not included in mainstream decision-making process, and denied the benefits of other opportunities available for making critical choices affecting their lives.

Within the ICARRD initiative, the FAO is promoting greater understanding, learning and constructive dialogue to address agrarian reform, sustainable rural development, and rural poverty issues through the creation of a lasting platform of monitoring and evaluation of best policies and practices on agrarian reform and rural development. This platform will create an opportunity for the international community, governments, producer organizations, and civil society groups to share experiences and plan concrete actions to enhance international cooperation that will promote more equitable, transparent and accountable access to land and natural resources.

The exercise is to provide an avenue for sharing experiences in improving access, use and management of natural resources. In line with these objectives, the main themes to be addressed by ICARRD include the following:

- (i) Policies and practices for securing and improving access to land by the poor and promoting agrarian reform to alleviate poverty and hunger.
- (ii) Building capacity to improve access to land, water agricultural inputs and agrarian services to promote sustainable natural resources management and rural development.
- (iii) New opportunities to strengthen rural producers and communities - Facilitating people's choices in rural development, and
- (iv) Agrarian reform, social justice and sustainable development

1.2 Methods used in the preparation of this report

This study proceeded in two phases; (i) a stocktaking phase, and (ii) a thematic workshop. The stocktaking exercise was carried out with prepared interview schedules which guided in-depth interviews with identified stakeholders such as farmers, traditional authorities and community opinion leaders, officials from LAP and other land agencies, district authorities, government agencies, and field workers in agriculture, forestry, and community development. Group discussions were also held with some farmer-based organisations, women farmers, and traditional authorities. In addition, relevant secondary data was reviewed to situate the historical, cultural, and development context within which land access and tenure security were analysed. In this regard, both the state and customary land tenure regimes are discussed to enhance understanding of the pertinent issues surrounding land as a basic resource and its impacts on rural livelihoods and sustainable natural resource management.

In all, 10 in-depth interviews and 5 group discussions were conducted. A number of the interactions were electronic-based, through e-mails, and a few others through short phone conversations. These methods together formed the basis of the stocktaking report.

The second major process was a thematic workshop in which the report of the stocktaking exercise was presented to a wider audience and then subjected to discussions. The audience numbering up to fifty (50) participants were drawn from government agencies, academia, NGOs, CSOs, farmer-based organisations, producer cooperatives, traditional authorities and opinion leaders, development partners, and district authorities.

In the ensuing group discussions and plenary presentations, participants discussed in a participatory manner² the issues arising from the report and explored other relevant issues pertaining to the vision of ICARRD. The workshop also made recommendations on mechanisms through which government, NGOs, CSOs, traditional authorities, and farmer-based organizations can network and exchange resources and achieve meaningful sustainable rural development.

Though this report explores mainly issues around land access and tenure security within the socio-cultural and political context of Ghana, it also touches on other salient issues such as agricultural organisation with respect to credit and farm inputs, which together can shape rural development and natural management regimes for the benefit of the majority of Ghanaians.

1.3 General framework of land access and tenure security in Ghana

Three legal land regimes are recognised in Ghana comprising the customary, statutory, and common practice. The last category is a hybrid system resulting from both customary and statutory practice. This plural legal regime in Ghana may be attributed to the age-long consolidation of the chief's and earth priest's authority on land, long before centralised government became known. Despite the existence of plural systems governing land administration traditional authority and customary rules play the most significant influence in land ownership and use arrangements. This is expected because reliable estimates suggest that around 80% of lands in Ghana are in the custody of customary authorities.

Land control has over the years sustained the chieftaincy system in Ghana. From the colonial days to the present, chiefs have openly protested against attempts by successive governments to take control over lands in this country (Amamoo-Otchere, 1985). Thus chiefs control most of the lands up to date, and some have argued that the lack of strong political will by governments to make radical reforms to replace the traditional system are reasons for the pervasive problems confronting land productivity in Ghana today.

1.31 Customary land tenure and access to land

Customary land tenure is characterised by its largely unwritten nature, and is based on local practices and norms, flexible, negotiable and location specific. Its principles stem from rights established through first clearance of land, or conquest. Customary systems are usually managed by a traditional authority such as a chief or a family head (Bentsi-Enchill, 1975). For the majority

² At regular intervals, translation of presentations and deliberations from English to Akan was made. This was considered very necessary in view of the significant rural representation. There was increased understanding of proceedings and set a stage for lively discussions and debates

of the rural populations (and for that matter the majority of Ghanaians), decentralised customary land tenure systems are still the norm, though marked variations exist between north and south of Ghana.³

Through patrilineal or matrilineal inheritance systems, communities, families and individuals belonging to the land-owning group held the customary rights to land used for settlements, food and cash crop farming, or even rested as fallow lands. Communal rights were, and are still exercised over any grazing land and fishing grounds by community members (Benneh, 1975, Kasanga, 2002).

Sharecropping is a system of land use arrangement common in most parts of rural Ghana (excess land and migrants seeking land). This system of sharecropping functions in two main prominent ways, namely, *abunu* and *abusa*. Under the system of *abunu*, the completed farmland is physically divided into two with tenant and landlord taking equal shares of the cropped land. The tenant from thence enjoys the produce from his farm as long as the crop remains on the land. Tree crops such as cocoa, oil palm, and coconuts were, and still are, common crops in an *abunu* tenancy. In the case of *abusa*, the proceeds of the land are shared in the ratio of the landlord-tenant sharing of 1:3.

An important feature in the two sharecropping agreements is the relative contribution of labour and capital by the tenant farmer and the landowner. In the case of the *abunu*, the landowner is expected to contribute some capital and seedlings apart from the land; whilst in the *abusa*, the landowner contributes nothing except for the tract of land in use. The tenant farmer is supposed to use one-third of the share to defray the cost of farm operation, the other one-third as his personal remuneration, whilst the remaining one-third goes to the landlord as his rent for the land. Over time, these customary systems are continually evolving because of cultural interactions and diffusion, socio-economic change and political processes.

“Traditions” and “customary conventions” are continuously being redefined or reinvented to back conflicting claims of different social groups (Asante, 1975)⁴. Changes in demography have diverse causes and effects including urban expansion which severely limits agricultural land; fragmentation of land holdings; commercialisation of land; and land alienation by customary authorities. Government acquisitions over the years for infrastructure and conservation purposes including roads, offices, security installations, educational facilities, forests, and mineral reserves has also led to land scarcity. The efficacy of the traditional land tenure system is now being questioned, especially as most of the communal mechanisms - such as broader community consultation, social equity and safety nets - that ensured easy access to land and transparency in land administration have been lost.

³ Generally, the north differs in geography, cultural practice, and colonial impact from the south. The allodial title holders in southern Ghana, especially among the Akan, are represented by chiefs and family heads. In northern Ghana, this trend is observed by the Dagomba, Mamprusi, Gonja, and Nanumba where allodial title rests with the Skin (chiefs). The majority of community groups in the north identify Temdamba or earth priests as holding the allodial title to land on behalf of their community members.

⁴ Much of the debates on the contemporary relevance of the chieftaincy institution in Ghana have centered on the emerging interests of the institution in alienating communal land and impoverishing their people. Chiefs have become owners of land instead of exercising their traditional roles as custodians of lands.

As Benneh observes, the changing land tenure patterns in the western part of the country, the situation changed dramatically, first with the introduction of cocoa and commercialization of the indigenous agricultural economy, followed by the arrival of land hungry migrants and then an ever-increasing population in the district (Benneh, 1987; 2000). Other assertions (Alhassan 2001) indicate the growing scarcity of land and problems with its access.

1.32 Compulsory acquisition and access to land

One form of state intervention in land access has been through legislation such as the compulsory acquisition of land for public interest.⁵ Under the State Lands Act, 1962 (Act 125), any land – family, stool, or private – may be acquired where the government considers it to be in the public interest. Some of such lands have been used to build schools, hospitals, roads, and administrative offices for the functioning of the state.

As Kotey (2002) observed, the need for the state to acquire lands compulsorily for public purposes is accepted by most people. But as he elaborated further, the legal basis of this power, how it has been exercised, and whether compulsory acquisition has taken into consideration the interests of the owners of the land has been a matter of intense debate.

During the colonial times the exercise of compulsory acquisition was limited to clearly defined public purposes, and the abundance of land as at then did not pose much problems. Following independence, many acquisitions were made, sometimes for purposes which were not demonstrably public (Kotey, 2002). The case of state acquired lands at Ofankor in Accra is often mentioned as a sour reflection of government acquisition and what actually constitutes use in the public interest.⁶

In theory, access to public land is open to all Ghanaians, on a ‘first come first served’ basis. However, the process of Government land lease preparation has many stages, and can take from 6 months to 10 years or more to complete. Like the case of Ofankor, beneficiaries of state land allocations are mainly senior civil servants, politicians, top army officers, contractors, business executives and the land administrators (Kasanga & Kotey, 2001). The above categories of people, a privileged minority have the means, contacts and power to acquire land on the open market, yet use their influence to acquire lands cheaply from the state. This has led to inequitable distribution of public land to the disadvantage of the low/middle income groups who need it most to survive well.

In the same vein during the era of the Operation Feed Yourself Campaign in Ghana⁷, programmes were initiated to boost agriculture and extension services, farm credit and inputs, chemical

⁵ This, according to Campbell Black (1979), is the State’s *right of eminent domain*; the State has the right to reassert temporarily, or permanently, its allodial ownership rights over any part of its territory for the public good

⁶ An area of 1720 acres of Ofankor lands was acquired in 1977 without any prior consultation “in public interest”. By 1994 unpaid compensation was assessed at around 2 billion cedis. When the residential layout was completed, plots had been allocated to non-indigenes on ‘first come, first served’ basis. The terms of allocation appeared to be discriminatory and majority of the indigenes are now landless

⁷ Under the NRC Government under General I.K. Acheampong, a popular intervention was the “Operation Feed Yourself Programme” – a programme for achieving food self-sufficiency which was launched in 1973 and fared pretty well for the first four years

fertilizers, and marketing arrangements were put in place for rural farmers to benefit from. Professionals were encouraged to go into farming, and traditional authorities persuaded to willingly give out land for food production to make the country food self-sufficient.

The policy worked in its initial 3 to 5 years, with the country nearing food-sufficiency, but the overall performance was abysmal. High ranking people were the sole beneficiaries of these subsidised inputs, and government agencies, through relevant regional and district authorities, used the principle of compulsory acquisition to acquire lands in rural areas. The lands acquired gave these institutions access to agricultural inputs which instead of being used were resold to poor farmers who had limited opportunities for accessing these subsidised inputs.

State land policies have created difficult land access to the majority of rural farmers, and there are grounds for concern that as land becomes scarcer, poorer and more vulnerable groups will see their claims weakened, leading to their increasing marginalisation and impoverishment. Since 2002, the Government of Ghana has through its Poverty Reduction Strategy outlined comprehensive policies, strategies, and programmes to support growth and poverty reduction over a three-year period (2002-2004). It is informed by the conviction that making land easily accessible to farmers would enable wealth creation for the benefit of all Ghanaians.

2.0 Concrete modality of the intervention carried out: measures and mechanisms

2.1 Statutory land tenure arrangements and security of tenure

Like the discussions on land access, statutory land arrangements have influenced significantly tenure security in Ghana. A number of legislation and policies have been made in the past to initiate, encourage and improve registration of interest in land in Ghana in the hope that security of land holding would improve and subsequently increase agricultural productivity. Registration of deeds started in 1843. This was coined into the Land Registry Ordinance of 1895, which was repealed in 1962 but re-enacted as the Land Registry Act, 1962 (Act 122). Under the Act, any instrument affecting land could be voluntarily registered so long as it contained a description of the land.

The Land Title Registration Law, 1986 (PNDCL 152) was introduced as an effective and better system of land titling and registration. It targeted the problematic land use areas of Accra-Tema and Kumasi prescribing compulsory title registration to address the shortcomings of the deeds registration system. In effect, the land title registration process was to eventually phase-out the Deeds system that existed before it. With compulsory title registration, both individual and communal interests in land can be registered whether on freehold or leasehold.

2.2 Land registration and security of tenure

Land security is an important component in effective land management. Among other things secure rights in land can reduce the incidence of land disputes, increase land transactions, provide greater incentives for investment, and enhance the collateral value of land. It can also promote food security and protect the interests of land users with derived rights to land. Land registration has been perceived as a way of increasing land rights. In both registration systems

(title or deeds), security of tenure or ownership is ensured in that if there were some contest over a piece of land, the first of two registered deeds or titles affecting that same piece of land would prevail.

The registration processes in place in the country had made only modest gains due to the weak implementation, over-centralised nature, and the general lack of knowledge among Ghanaians of the possible benefits to be derived from registration. A note of caution, however, is that an assessment of the success of land registration, and therefore its significance in tenure security, is difficult to make. This is because the large chunk of land under customary tenure arrangements are characterised by a serious lack of documentation, and this has meant that it is virtually impossible to estimate land parcels for various developments. This is why the National Land Policy (NLP) prescribed speeding up the registration process through decentralising deed registers to ensure easy access to land and enhance security of land rights.

2.3 The land administration programme

As a follow-up to the NLP, a Land Administration Program (LAP) is currently underway to improve access to land, and ensure certainty of land rights. The pilot phase of the programme has been on-going for the last two years and, among other goals, seeks to establish pilot projects in demarcation and registration of allodial boundaries, land titling and registration offices to improve deeds and title registration, and to strengthen customary land secretariats for effective documentation and record keeping of customary land transactions. This process is expected to last well over 15 years but the first five years would focus on selective piloting of these activities before wider replication.

The project is divided into four broad components to achieve the stated objectives, and the relevant areas meant to tackle land access and tenure security include the following:

- Development of a strategy on land disputes, identifying cause of disputes and alternative methods to resolve land disputes outside the court
- Establishment of land courts in regional capitals to expedite resolution and land cases
- Revision of laws and regulations for an effective and efficient land administration, including land use planning and valuation
- Strengthening customary land secretariats
- Strengthening public and private sector land administration and management institutions
- Improving Land titling, Registration, Valuation and information systems
- Establishment of model land titling and registration offices
- Improvement of deeds and title registration, including improving access
- Pilot projects in demarcation and registration of allodial boundaries
- Pilot systematic land titling and registration

As observed from the components of the LAP, not only would the programme involve Non-Governmental Organisations (NGOs) and Civil Society Organisations (CSOs) in implementation, it is also expected to build capacities of these organisations in relevant areas to ensure that land access is made easier for majority of poor farmers. A logical extension of ease of

land access is the fact that farmers or land holders/users who have the benefits of easy access to land must also have their land rights secured within reasonable limits to exact the necessary will to invest within the appropriate environment for increased productivity.

2.4 Institutions involved in improving land access and enhancing land rights

A number of state institutions have been charged with implementing various aspects of land management in the country. These include the Lands Commission, the Land Title Registry, The Land Valuation Board, the Survey Department, the Department of Town and Country Planning, and the Office of the Administrator of Stool Lands. In addition, the decentralised District Assemblies and the Traditional Councils do play key roles to complement the proper functioning of these land management agencies.

Statutory rules on land tenure are usually based on written laws and regulations, and implemented by state agencies. In addition to managing all government lands in Ghana, the Lands Commission (LC) is the state agency charged with the responsibility of managing all stool/skins lands in the country provided for in the Administration of Lands Act, 1962. The Lands Commission (LC) is responsible for land administration, and its functions are decentralised to Regional Lands Commissions in each of the 10 regions of the country. It is the lead land agency and guides and issues certificates to registered lands, as well as keeps stock of all government lands.

Another important institution is the Survey Department (SD) which is charged with providing base maps covering the entire country even though detailed maps cover only some areas of the country. Land registration cannot be done without accurate site plans. In the area of urban and rural land use planning, the Department of Town and Country Planning (DT&CP) prepares the Master Plan, and developments are guided by the plan. The Lands Valuation Board (LVB) assesses the value of land in whatever area and helps determine stamp and other rental charges. The Office of the Administrator of Stool Lands (OASL) is charged with collecting revenues from stool/skin (and also family) lands. The Land Title Registry (LTR) plays a major role in ensuring security of tenure by issuing titles to land owners or holders in the Accra-Tema and Kumasi Planning Areas. These agencies work together to ensure that land are administered well in the country.

These land agencies were supposed to coordinate their activities to avoid duplication of efforts, as well as sharing its core competence with other relevant institutions. For instance the Survey department provides cadastral maps which enable the Department of Town and Country Planning to plan for both rural and urban land use. In the process of registration for instance, the applicant must seek some guidance and clarification in most of the land agencies before certification or titling. The current lack of coordination of activities among the land agencies is expected to be rectified by LAP which intends harmonising the activities of these land agencies.

2.5 Performance of institutions in land management

Public sector land management institutions have not performed satisfactorily, as they have not been able to satisfy all groups who use land in one way or the other. A number of constraints confront them, including:

- Understaffing, and lack of logistics including basic tools and equipment to work with;
- Over-centralization: people are not aware of the roles performed by each of the institutions engaged in land registration;
- Insufficient training and orientation (including management): many are ill-informed of the services the land agencies are expected to provide;
- Ineffective performance: disjointed work among agencies and inability to make people at the grassroots access their services and benefit from land registration;
- Lack of transparency and the lack of accountability to its wider constituents;
- The very cumbersome procedures make their services expensive and time consuming. This makes people unable and reluctant to afford their services.

The Survey Department lacks the personnel and logistics to demarcate rural land holdings to facilitate registration and security of tenure. Surveyors use very old and slow technology and must visit the site to physically survey the land. With few surveyors in the system, this kind of technology takes a considerable length of time⁸. The research revealed that there are very few qualified surveyors in the many rural districts to undertake demarcation and preparation of site plans for rural farmers. In fact, some of the surveyors also charge some fees to facilitate the registration process for prospective applicants. The few farmers who make use of such services claim the fees they pay are higher than the officially stipulated transaction fees.

2.6 Traditional practices for registering customary lands

Government alone cannot institute structures and processes for regulating land rights. Traditional authorities have played key roles in the administration of land, especially as they control most lands in the country. To date, ownership data and boundary identification are based on oral tradition and memory. Boundaries are defined according to physical land marks, some of which shift over time and a fruitful source for the numerous land litigations found presently in many parts of the country. The introduction of cocoa and commercialization of the indigenous agricultural economy, the increasing number of tenant farmers, expanding population, and increasing land scarcity in the Western Region have all acted to bring to light the traditional practices of land management and raised concerns of transparency and land security. These and

⁸ As at the time of our visit to the Wasa Amnfi West District, credible evidence gathered is that there is only one qualified surveyor in the district in the fiscal year 2003. It is not surprising that few farmers resort to licensed surveyors, most of whom we are told are unqualified and produce maps without locations. Where locations are indicated, the coordinates are often wrong and difficult to plot on a Master Sheet.

other problems underpin the problems associated with land access and tenure security. This has prompted some interventions with institutional and logistic support mechanisms. These are discussed in the next section.

With the absence of the Lands Commission in the district, and the inability of the land agencies to help many farmers in the management of their land and other natural resources, it cannot be said that the people are involved in decision making and participate in decisions affecting land management at the official level. The agencies are not decentralised enough, or where they exist in districts lack the requisite personnel and logistics to be able to cater for the needs of the public. This is particularly a serious challenge as the majority of poor rural farmers who together produce the bulk of the national wealth live in very small settlements where accessibility to centres of information is difficult.

PART TWO: HIGHLIGHTS FROM THE THEMATIC DIALOGUE

Ethiopia's Thematic Dialogue Workshop took place on 24 January 2006. During this workshop, the stocktaking exercise (detailed above) was presented to a wider audience of 50 participants drawn from government agencies, academia, NGOs, CSOs, farmer-based organisations, producer cooperatives, traditional authorities and opinion leaders, development partners, and district authorities. In the ensuing group discussions and plenary presentations, participants discussed in a participatory manner issues arising from the report and explored other relevant issues pertaining to the vision of ICARRD. The workshop also made recommendations on mechanisms through which government, NGOs, CSOs, traditional authorities, and farmer-based organizations can network and exchange resources and achieve meaningful sustainable rural development. Its findings are explored below.

3.0 Land access and tenure security: customary practices and interventions

Two basic problems confronting efficient use of land in Ghana have to do with the increasingly difficult access to land in both urban and rural areas, and the insecurity associated with land holding and use arrangements. All respondents in interviews and group discussions rated these two problems as serious with severe constraints on agricultural production. In the thematic workshop deliberations, participants acknowledged the seriousness of these problems and suggested some remedial actions. There were other land-productivity related issues such as access to credit, farm inputs, marketing facilities, and extension services

Historically, there are deep-rooted problems associated with accessing land in Ghana. Members of a farmer-cooperative in Fotobi near Nsawam said customary principles formerly guided access and use rights to land by community members and outsiders. However, following increasing commercialisation of land for farming and residential purposes, land has attained a higher value and can readily be traded for money. The tendency currently is that chiefs and family heads who hold land in trust for their communities sell or lease these lands to land acquirers without either consulting their fellowship, or sharing the proceeds with them.

Demographic pressures were mentioned as root causes of land scarcity and the resultant difficulty for majority of farmers to access land for eking a livelihood. Associated with this is the problem of land fragmentation, which impedes traditional agriculture. Adequate land is desired since some of the land must be left fallow after active use for soil nutrient regeneration. In the Nsawam area in the Akuapem South District, many community members left the area in the 1960s following the decline of cocoa for better opportunities elsewhere. Some of these farmers have returned after four decades but have no lands to farm because most of the lands have been sold/leased out to other land developers who offer enticing sums of money for land.

In the Western Region, population increase, both amongst the indigenous people and migrants, was equally mentioned as the primary cause of land fragmentation and increasing difficulty to access land. Nana Ntiakor Ababio, an ex-chief of Anyinabrim emphasized that the situation is seen differently by different people. In the eyes of policy makers' population is not an issue, a fact supported by the relatively low population density in the district (GSS, 2002). This he notes

is not reflected in reality because some migrants travel to their home towns during enumerations, then return to their farming areas after the census is over. This practice has serious implications for development planning and resource allocation in the area.

Workshop participants agreed with traditional authorities' assertion that the root cause of inaccessible land for farming is a result of land alienation by families. Over the years, families have appropriated community lands because as indigenes, they had rights to virgin or unoccupied lands, and could work on such parcels without the consent of the chief. These family members are supposed to inform the chiefs and stools of all share cropping contracts with tenant farmers but most of them refuse to acknowledge this partly because they do not want to share the benefits with the stools. The farms from such transactions are eventually passed on to family members upon the death of the original owner/holder of the land and does not revert back to the community or stool.

Government's compulsory acquisition of land for public use is also noted as a serious problem confronting farmers' access to land, especially in many parts of the Western region where large areas are under large oil palm and rubber plantations, forest reserves, and mineral prospecting and mining. These acquisitions made land easily accessible to government and big time investors in agriculture, forestry, mining, etc. A traditional ruler observed that large tracts of lands under forest and mineral reserves are out of the reach of rural farmers even though it is clear many young people have no land to farm and make a living.

For instance, large-scale mining operations are gradually expanding into the Amenfi area. A mining firm at Bogoso has recently obtained mineral prospecting rights over a tract of land in the Anyanabrim stool area of Amenfi. Prospecting limits land available to rural dwellers, thus increasing their landlessness and poverty. In addition to increasing land scarcity is pollution of surface water sources often sparking social unrest. In many instances it is poor farmers, including women who are denied access to land. This increases their poverty as land is the basic productive resource in rural areas. In addition, access to land guarantees the user some access to water, fuel, medicinal, and meat resources. Farmers without easy or adequate access to land lose these resources and may remain in poverty.

Group discussants during the stocktaking exercise and workshop participants said higher rents result in more land conflicts, and consequently lower productivity of land in the Western Region. This has been a source of worry for government and land rents regulation is seen as a way out of the problem. There are approved land rents for rural land use though these vary from place to place. There is no mechanism to ensure compliance with this stipulated rental levels, hence some landlords charge the rents they want. An example cited by respondents was the situation in the Manso Amenfi area, where rents are perched at around ₵60,000 per acre per year. Yet tenants recount that some of them pay rents in the area of ₵150,000 per acre per year. The result is that such lands are inaccessible to poor farmers who cannot afford to use them.

The same story was told in the Nsawam area by both tenants and landlords. Farmers of two cooperatives in different locations: the (i) Adonten Cooperative Pineapple Growers and Marketing Association in Poukrom, and (ii) the Apesika Pineapple Growers Association in

Fotobi. Rent payments are not only arbitrary and unregulated; it is also unfair to poor tenants in the face of competing demands for land in the pineapple growing areas. Rent charges range from ₵100,000 to ₵250,000 per acre per year. In addition to the high land rents, advance payments are demanded before tenants are given the nod to use the land. While tenant farmers are expected to provide 2 to 4 years “cash down” advance rent payments for lands leased from landlords, members of the cooperative are often not paid immediately when their produce is sold. For instance, many farmers still have outstanding balances of up to 40% of the pineapple bought from them since February 2005 by buyers.

During the thematic dialogue, group discussants said the poverty cycle that pervasively plagues rural producers was due to the lack of credit facilities which could enable tenant farmers make advance payments for land and make it productive. Since the inception of structural adjustment and economic liberalisation, no extension services are available and facilitating transport and marketing of food produce becomes a problem during times of bumper harvest. The need for producer associations to network more closely and support each other in this liberalised economy was emphasised by participants.

This situation is very unfair to tenant farmers and exposes them to weaker bargaining capabilities in their bid to access land for non-traditional export crop production. Large to medium scale pineapple producers have no problems with land acquisition because they can double or triple the amounts charged. The consequence is that over the last decade, many small scale pineapple producers have been forced out of business because they cannot be competitive enough in accessing land, procuring inputs, and having ready markets for their produce.

From the thematic dialogue it became clear that the position of women as members of cooperatives is even weaker, as many of them have to rely on their husbands or brothers for part of the leased land. In Ghana, women’s immense role in agriculture has been acknowledged. But the majority of these women who contribute immensely to the country’s development have secondary or derived rights; the right to own or use land for food and cash crop production is a result of women’s relationship with men or status in their family.

Commercialisation of land has increased the spate of chiefs and family heads who sell out parcels of land without consulting other members, or sharing the proceeds from the sale. Because of this development, many indigenes in the Western region are deprived of land that they hitherto have utilised as a birthright. Though accessing land is comparatively competitive, migrants have a relatively easier access to land than indigenes because landowners alienate land for economic reasons. The temptation is to sell or lease land, and in many instances migrants buy or lease is stronger than the need to bequeath land to descendants.

At Anakum in Wasa Amenfi, individual members within the extended family consider the lands they currently occupy as personal property. Every member zealously guards against any intrusion even when the land lies idle. This development is the result of increasing land fragmentation and increasing difficulty to access land to expand farming as families grow.

It is thus clear that traditional mechanisms that were put in place to ensure legitimacy of “approved” transactions by family heads and other members who held land on behalf of other community members are no longer adhered to even if they are purported to still be in place. Some current researches, like that of Janine Ubink, found that in Kumasi market production, as population growth and urbanisation have combined to enhance the market value of land, many chiefs in peri-urban Kumasi are changing the customary rules which date back to the past when communities were involved in subsistence farming in relatively land abundant areas (Ubink, 2005). Some traditional authorities are enacting new laws to reinforce their land rights and enable them to appropriate land for their own gain. They justify their actions by claiming that these customary rules are outdated and need to be adjusted to suit modern circumstances.

The old customary land tenure rules found relevance in the fact that people, but not land, were of significant value to chiefs and communities. Now that land has become a source of power and wealth, traditional authorities no longer hold it in trust for their people. Another evidence abound here that most of the traditional mechanisms that assured community members access to land are no longer practiced, and that the majority of community members are without land.

Recording of land transactions remains very poor in the majority of the secretariats except very few best practice areas such as the Gbawe Lands Secretariat in Accra, and the Asantehene’s Land Secretariat in Kumasi. For the majority of traditional areas, land is accessed and paid for without any documentation to attest the transaction. Knowing of this lapse, some traditional authorities use the lack of documentation to dispose of lands they have already sold/leased out. In some areas it is common practice for individual family members to single-handedly dispose land without the notice of other members. These have created serious problems of double (or rightly put multiple) sales, disputes and litigations in Ghana.

A female farmer said a married woman has a better edge than an unmarried woman over land in rural Ghana since the married woman has access to land from both her husband, and the extended family through male successors. This is why when men lose land it affects a lot of women. This is especially true for widows, divorced and unmarried women whose chances of accessing land decreases when their land rights are not recognised by society, or “fronted for” by spouses. In communities where land is the basis for survival, the generality of women may suffer, but the truth is that widows and unmarried men may bear a bigger brunt⁹.

Tenant farmers in Ghana acknowledge that customary tenancy of Abunu and Abusa has in the past contributed to increased agricultural production, and therefore to the economy of the country. The stark reality though is that customary tenancy as practiced presently creates insecurity of title and frustrates tenants. Tenure insecurity though also arise from conflicts surrounding land boundaries, share cropping/rents payable, lack of documentation of their leases, double sales of land by landlords, competing demands for land resulting in farmers being ejected from their holdings because landlords have sold/leased the land to residential developers for higher gains. All these problems are expected to be resolved by LAP through easy access to land and improved tenure security.

⁹ It is important to note that many so-called legal (in both customary and formal sense) land rights women are purported to enjoy are actually in practice difficult to access.

4.0 Lessons learned and challenges: experiences from land rights interventions (land access and secure tenure)

At present there are few NGOs and CSOs involved in land rights administration or even in advocacy work related to land access and tenure security. However, some observations from NGOs, CSOs, and Producer Organisations such as Apex Farmers' Organisation (APFOG), Centre for Indigenous Knowledge and Organisational Development (CIKOD), Land for Life, Grassroots Africa and Rights and Voice Initiative (RAVI) indicate that issues concerning land access and tenure security have not been properly managed in the country for various reasons. The reasons for the modest gains or failures are many, and some major ones as identified by CSOs, NGOs, rural farmers, traditional authorities, and government agencies are as follows:

1. The lack of personnel and logistics have been major constraint to delivery of relevant land management services. Very limited budgets have meant limited impacts on society and few Ghanaians are aware of any kind of formal registration, let alone seek registration and enhance their land rights.
1. Policy interventions have also been over-centralised where no effective services exist at district levels. Failure of land agencies to make access to land easier has eroded the confidence in these institutions and subsequently affected their performance.
2. Compulsory acquisition of land for public interest has not improved land access for the majority of Ghanaians. While some of such lands have been used to build some social infrastructure for the functioning of the state, access to public land is not really open to all. So far, only powerful and wealthy people with contacts have been able to benefit from public land administration.
3. Currently, the talk about communities creating land banks for facilitating foreign investments is likely to impoverish small holders. The issue is in the interest of investors, whose presence in the business setting of Ghana is over-glorified because of the anticipated benefits investments will bring to communities. But judging from the experience with compulsory acquisitions, communities are not likely to take the plea seriously because the creation of land banks may end up impoverishing local communities.
4. Land access has experienced some changes in the pineapple growing areas. The system that exists now is 'cash down' advance rent payment for lands leased. This is done irrespective expected produce the tenant farmer is likely to obtain from the farm. Most tenants pay the rents in advance but are yet to be paid for their produce.
5. In practice, some landlords are not willing to do written documents. They ask tenants to prepare formal documents with site plans at the tenant's expense. The cost involved is not worth parting with because the leases are short and many tenants do not have money to make cash down advance payments and prepare documents at the same time.
6. Conflicts over landownership rights between chiefs often trickle down to migrant farmers who occupy disputed land. To maintain their rights to the land, migrant farmers are compelled to pay tributes to either party to the conflict. This is a serious drain on the resources of migrants.

PART THREE: POSSIBILITIES FOR FUTURE COOPERATION

5.0 Suggestions for improvements in land access and tenure security

The views of respondents and group discussants during the stocktaking exercise, together with the thematic dialogue deliberations are presented in this section. The suggestions are on possible ways by which partnerships can be built to address issues related to land access and tenure security, and also credit, information, marketing, and other infrastructure necessary for rural development. Suggestions on new ways to involve rural producers who need land most with capacities that would help promote their choices in natural resource management were also made. Since the Government, through the LAP and its parent Ministry, has a new land administration reform process on course, most suggestions are on how credible partnerships can be built and work effectively through increased stakeholder consultations and participation in the implementation of the already started land administration reform process.

5.1 The way forward for enhanced land access and tenure security

This is particularly the case as specific social priority areas of the LAP have been presented to CSOs and NGOs to see where these organisations can support the programme.¹⁰ Further, the Project Appraisal Document of the LAP recognises the fact that CSOs and NGOs are expected to play active roles in implementing components of the communication strategy; assist in mobilizing and/or building capacity of communities; developing and encouraging the use of ADR; contracted to undertake studies and analysis on various issues; and finally ensuring that monitoring, evaluation and impact assessments are participatory.

Recommendations from participants on the way forward preceded by discussions on the role of the LAP. These are recapped as follows. It is recommended that the following tasks be undertaken:

- Facilitating and engaging civil society in capacity building and training on land rights issues and awareness raising.
- Setting standards and monitoring for performance and compliance within the framework of the desired outcomes in land administration.
- Building partnerships with mutual respect and trust.
- Facilitating and coordinating dialogue between government and other stakeholders.
- Organising national and local fora on land and broader natural resource management.

The LAP has engaged CSOs and NGOs in consultations on building partnerships to effectively execute programmes. As part of such efforts, a workshop was organised in June on the specific social

¹⁰ Some of the social priority areas of the LAP include land rights and access to land; good governance; gender, land administration and sustainability of natural resource management; and monitoring and evaluation.

priority areas of LAP including; Land Rights and Access to Land; Good Governance; Gender and Land Administration and Sustainability, and Monitoring and Evaluation. Thus these organisations are contributing towards charting the way forward for each of the priority social concerns of the LAP. This is also in recognition of the fact that under the Project Appraisal Document of LAP, it is hoped that the CSOs and NGOs will play active roles in implementing components of LAP.

5.2 Policy/programme recommendations

1. Create awareness on contemporary developments in the administration of land, for the benefit of the farmer at the village. The land administration reforms being carried out through the LAP would also create avenues for the dissemination of land-based information to the grassroots. This it can do through the national media as well as through selected NGOs, Community Based Organisations (CBOs), and other community groups such as farmer cooperatives. The media was recognised as a potent force to carry land-based information and education to the local level. However, there is need for programmes to train media men to build their capacity in this regard. The media training institutions could put their training in sharper perspective or context to raise the level of enthusiasm of media men and women in land issues.
2. To ensure effective execution of the LAP's objectives, LAP should facilitate and engage civil society in capacity building depending on its competence. Currently, it is envisaged that NGOs and other civil society actors would play key roles in outreach and capacity building of communities using participatory techniques. By developing such partnerships with relevant community groups with specific core competences, LAP would strengthen both local and national capacities and ensure ownership and inclusion of marginalised individuals or groups such as women and migrants in local and national land administration reform policies.
3. Members of the Apex Farmers' Organisation of Ghana (APFOG) indicate that there is weak collaboration among producer organisations. The same problems of weak networks exist among other NGOs and CSOs in Ghana. Individual efforts within specific organisations must be harmonised to make them accessible to others. Through networking, an environment for learning would be created enabling sharing of experiences which will improve information, enhance decision making, and increase capacities of various organisations. For many farmer organisations, this would enhance their chances of harnessing their scarce resources into a critical pool and be able to advocate for credit, farm inputs, and representation at national level. This would promote "voice and choice" among local communities and build consensus on issues governing land access and security of tenure between government, traditional authorities and the range of local community members
4. Rural farmers and cooperatives have weaker capacities; information, credit, organisation, collaboration, and inclusion in decision making. The LAP should take the lead in building relevant and appropriate capacities of rural producers through trainer of trainers' programmes to have a wider reach and coverage. Supporting farmers' organisations across gender, youth, occupational, and religious lines in basic organisational and management practices such as data gathering and information recording will improve capacities at local levels and would

translate into effective engagement in community affairs, ensuring accountability, supporting awareness raising and strengthening rights-based initiatives. This way communities will have stronger voices and choices in issues surrounding land access and security of tenure.

5. While LAP has set standards for performance and compliance within the framework of the desired outcomes in national land administration, CBOs/NGOs/CSOs are better placed to execute some of the activities within the land administration framework. These organisations as implementing partners in the land administration process should be encouraged through effective networking with the LAP to execute programmes such as community land demarcation, launching land secretariats, among others. These organisations are in constant touch with rural communities and have established the necessary links to make them effective. A farmer-based organisation such as APFOG has a wide membership across the country and could use this network as a channel for vital information dissemination on the LAP's objectives and modalities for achieving these objectives. However, effective monitoring is needed from the LAP unit to ensure that tasks are performed on time and that different categories of stakeholders have their activities coordinated effectively for meeting overall desired objectives.
6. One strong recommendation made by workshop participants is that the objectives of the new land administration reform can be met if the LAP treats its partners with mutual respect and trust. This means transparency in collaborative activities where major decisions affecting other partners (or stakeholders) must be seen to be arrived at through dialogue and openness. This is important to build trust among various stakeholders in order that commitment and unity of purpose prevails. This is also a necessary condition for stakeholder commitment and involvement in collective action. In the same vein, weaker groups should be supported to play roles that are equal and vital
7. More than ever before, the pressure is on to prove the effectiveness of efforts that claim to lead to more sustainable development. This calls for more dialogue and consultation to be able to identify stakeholders and assign responsibilities for action. The LAP can facilitate the implementation of the new land administration reforms through national and local fora on land and broader natural resource management since there is an intricate relationship between access to land and security of tenure on the one hand, and sustainable natural resources management and rural development on the other. They are important for reaching promoting empowerment, ensuring inclusion and reaching consensus on key issues, as well as for generating useful information on land access and tenure security leading to effective, appropriate planning and implementation of rural development programmes. The LAP should assist in this process by initiating and facilitating processes of information exchange, networking, consultation, and above all coordination of all core competences. National and local fora would provide both the space and audiences that matter in land and natural resource administration thus providing opportunities of exchange of ideas and reflect on progress in the light of expected outcomes. It would bring together policy makers/implementers, traditional authorities, rural producers, women's associations, and development workers. These groups will be in the position to appreciate each others' roles, and thus facilitate the building of a level playing field for allowing expression of views and concerns.

8. The workshop in Ghana recommended a proposal to ICARRD (as attached in the Annexes) on ways of facilitating partnership building to improve land and natural resource management, which would positively impact on rural farmers and producer organisations through enhanced incomes and improved living standards.

6.0 Proposal from Ghana To ICARRD on ways of improving land access and tenure security in Ghana

Access to land and security of tenure are key concerns for the majority of rural farmers and other natural resource users in Ghana. In fact many of the urban dwellers in towns equally face daunting problems with land access and tenure security. For the majority of poor income earners, land productivity remains low because of problems associated with its acquisition and security of tenure. This is unfortunate since the focus of sustainable livelihoods in the country is on land resource management.

Ghana's long-term vision is to become a middle-income country by the turn of year 2020. As an agriculture-driven economy, any expected increases in human welfare must first and foremost see to the improvement of agricultural production and productivity. Though this is envisioned in the GPRS through "modernisation of agriculture and agro-based industries," and includes commodity export activities, civil society and community engagement are necessary to address the development needs of the country.

It is in this light that concerns from both the stocktaking and thematic dialogue exercises recommended partnership building to bring about sustainable land and natural resource management. This partnership would include NGOs, CSOs, traditional authorities, district administrations, identified community groups, and central government.

6.1 Objectives and related activities

The objectives and the activities of the programme would include the following:

1. Building partnerships at local and national levels for regular dialogue and consensus building on land and natural resources related issues. Related activities to the above objective are regular consultations such as meetings, briefing sessions, workshops, etc
2. Information dissemination (information on land rights) – what to do and where to get the information on what to do. Related activities include information dissemination – workshops, radio programmes, posters, drama and theatre, etc.
3. Ensuring broad community/stakeholder participation in rules (both statutory and customary) associated with land rights (ownership and use). These can be done through workshops and meetings to disseminate information on land legislation and policies; and monitoring progress of stakeholder dialogue through meetings and reviews.

4. Build capacities and strengthen stakeholder groups' access to land information such as public acquisition and benefits they stand to gain. Training workshops (trainer of trainers), training programmes on community land management such as data collection (on used and unused land, type of land use, ownership and use boundaries, accessing data from other relevant sources for use in planning and execution of land rights activities, information collation, dissemination and use of information regular meetings

5. Build data bases on land ownership, boundary demarcation, and ensure ease of accessibility of this information to users through lodging documents at palaces, district court or other places collectively agreed by community. Community land demarcation exercises and adoption of informal but security-enhancing documentation of land.

6. Decentralised local arrangements such as meetings and activity schedules broken into local, district, regional and national levels. Local levels should have specific schedules that take cognisance of local peculiarities and realities. Such as meetings and seminars that serve as learning processes where simple and standardised procedures for land documentation can be adopted to enhance security of ownership or tenure

6.2 Key actors

Key actors to be involved in this programme would include government land/natural resources agencies, NGOs, CBOs, CSOs, traditional authorities, district authorities, and other identifiable community groups such as migrant, women and youth groups.

6.3 Methods

Participatory methods would be used to achieve the set objectives. These will be rural appraisal methods which will identify key stakeholders in land management through interviews and group discussions. Also, information dissemination, through radio and community open places (such as markets and durbars, festivals and ceremonies), should occur.

In conclusion, it is significant to note that this proposed programme would draw synergies from outcomes of the ICARRD initiative, namely the promotion of learning and constructive dialogue among actors/partnerships to address agrarian reform, sustainable rural development, and rural poverty issues through the creation of platforms for monitoring and evaluation of best policies and practices on agrarian reform and rural development.

7.0 Conclusion

Both the stocktaking and thematic workshop acknowledge that easy access and security of tenure would promote the productive use of land and improve the general well-being of the citizenry. This is particularly true for rural areas where close to 90% of the population derive their sustenance from land-based activities including agriculture, forestry and mining.

Indeed, it is true that equitable access to land is strongly advocated because land is a key asset for many rural and urban dwellers everywhere in the world (IIED, 2005). There is therefore strong links

between democracy and equitable access to land. “Control over land is a means by which the rich can exert power over their poorer neighbours. ... where land distribution is very unequal, programmes to title land will further entrench such unequal property rights” (IIED, 2005: p.5).

Ghana’s long-term vision to become a middle-income country by the turn of year 2020 with significant improvements in living standards depend greatly upon improvements in agricultural production and productivity. But demographic pressures, customary and state policies and practices, and the increasingly liberalised economy continue to undermine agricultural production and rural development. Increases in food production and export revenues would come only if easy land access and tenure security are guaranteed.

Though a number of interventions have, since the last one-and-a-half centuries, been undertaken to streamline land administration in the country, these interventions (both policy and legal instruments) have only partly addressed problems associated with land rights, especially land access and security of tenure.

The vision of the FAO through ICARRD would go a long way toward supporting the redefinition of policies associated with land administration in Ghana. This is particularly important at the time when the land administration programme is on course, and seeking closer collaboration and partnership with CSOs, NGOs, and traditional authorities who could contribute immensely towards charting the way forward, including in the priority social concerns identified by the LAP. Aspects of policy definition and, notably, policy implementation that involve community stakeholders is particularly important to achieve results anticipated, learn lessons, and integrate past experiences and the diversity of existing concerns and interests.

The recommendations provided by the consultations in Ghana identify both stakeholders, key tasks involved, and modalities for achieving those tasks. Government and civil society must act together to move forward sustained rural development to reduce poverty to tolerable levels. It is hoped that this report would provide useful inputs to ICARRD deliberations and finally provide a process that will assist the LAP reshape the agrarian reform programmes in Ghana. Any intervention that seeks to help propel Ghana to achieve anticipated living standards for the majority of its people is most welcome. But as we understand it, it is the strength of the partnerships in Ghana that will sustain its development, and also promote a global platform of exchange and iterative lesson learning among countries worldwide.

ANNEXES

Annex 1: Workshop program

Ghana Thematic Workshop on Land Access and Security of Tenure in Ghana

Miklin Hotel, East Legon, Accra

Tuesday, January 24th, 2006

- | | | |
|-----------------|---|--|
| 8.30 am | - | Arrival and Registration of Participants |
| 9.00 am | - | Introduction of Chairperson/Chairperson's Remarks |
| 9.15 am | - | Brief Review of ICARRD and Objectives of Ghana Thematic Workshop by Country Consultant |
| 9.35 am | - | Findings of Stocktaking Exercise in Ghana (by Country Consultant) |
| 10.15 am | - | Plenary Discussions of Issues Raised in the Report |
| 10.45 am | - | Snack Break |
| 11:00 am | - | Group Thematic discussions |
| 12:30 pm | - | Lunch |
| 1:30 pm | | Presentations from Plenary Discussions |
| 2.30 pm | - | General Discussions on Presentations and conclusive Remarks on each group thematic issue |
| 3:45 | - | The Way Forward: Recommendations for Finalization of Ghana Thematic Contribution for ICARRD and for Project Proposal/s |
| 4.45 pm | - | Final remarks/ Wrap-up of Discussions/ |
| 5.00 pm | - | Closing/Refreshment |

Annex 2: Group thematic discussions

Guide for plenary discussions – five key areas were anticipated for group discussions to complement as well as reshape the findings from the stocktaking exercise.

1. Customary land access

- Which institutions are involved in governance of customary lands?
- What are customary modes of access to land (past and current methods of land governance)?
- How accessible (affordable in term of cost, etc) is customary lands?
- What land rights do women and other vulnerable groups have?
- How equitable is women's access to customary lands?
- What can be done to ensure participation by land users in decision making and accountability concerning land access
 - efforts needed now based on past experiences (policies and programmes)
 - who should be included in the efforts (relevant stakeholders)
 - what roles should they play (organizational, capacity building, advocacy, etc)
 - how can collective actions by stakeholders succeed (what does it take to achieve desired goals/objectives)
- Other comments/suggestions

2. Access to state lands

- Which institutions are involved in governance of state lands?
- How is state/public lands accessed in Ghana (past and current methods of land governance)?
- How accessible (affordability in term of cost, connections, etc) is public lands
- How equitable is access to state lands (by women, youth, migrants, etc)
- What can be done to ensure effective management of public lands
- How do we ensure broader accountability of public institutions in land management to society
 - Re-organizational efforts (institutional, policies, programmes, etc)
 - capacity building
 - awareness creation, etc
 - closer monitoring, etc
- Other comments/suggestions

3. Customary tenure security

- What are the main problems confronting tenure security in Ghana
- Who (or what groups of people) are most affected by tenure security
- What avenues exist for improving tenure security (documentation of transactions?)
- Under what conditions is tenure security guaranteed?

- How do we ensure broader societal participation and accountability in issues surrounding secure tenure (periodic reporting, review of regulations, etc)
- How would women and migrants assert their rights over land?

4. Policy reforms

- What policies are needed to improve land access and tenure security?
- Who should be responsible for such policy?
- How should decisions/discussions on land policy proceed? (bottom-up, all inclusive, etc)?
- What role should traditional authorities play in such policy formulation and execution?
- What role should LAP play in land policy formulation and implementation?
- How would policy/programmes be disseminated? (And by whom?)
- What are the requirements for implementing land policy at community levels (policy dissemination, capacity building, local/national level advocacy work, etc.)?
- What are the levels of resolution at local, district and national levels?
- How would efforts at various levels be resolve/ How would they link?
- What yardsticks should be used to measure performance?

5. What role should LAP play in fostering partnership in the ongoing reform?

- Outreach activities
- Capacity building
- Information dissemination
- Decision making/ implementation of programmes
- Coordination of activities
- Promoting dialogue through land fora

Annex 3: Workshop participants

No	NAME	ADDRESS	TELEPHONE/EMAIL
1	Nashiru Kadri	Northern Livestock Farmers Association (NLFA) (N/R)	0243-664548
2	Patrick A. Apullah	National Cotton Farmers Association (NCFA) (N/R)	0244-542197
3	Kwasi Owusu- Boadi	Cocoa Grower and Marketing Association (COGMAG) (C/R)	0244-406617
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7	Mary Bukari	Box 8, Nkakaa	
8	Alex Bogyia	Box 19, Manso-Amenfi	
9	Abass Mohammed A.	Agricultural Extension Agent, Manso-Amenfi	0243-114696
10	Kojo Kyeremiah	Anwiatutu	
11	Graham A. Kissi	Antobam	
12	Seth Appiah	Chichiso	0242-527654
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14	Joseph F. K. Oppong	Customary Lands Secretariat, Wasa-Akropong, Wasa Amenfi	020-8602344
15	S. Alberto Tekyi	District Chief Executive, WAWDA, Box 50, Asankrangwa	020-28155894
16	Nana Kojo Bogyah II	Box 9, Manso-Amenfi, Anakum	031-27098
17	Auntie Aba	Pineapple farmer, Yawkrom	0243-134672
18	Mercy Atieomo	Calvary Christian Centre Women Farming Group, Kwakyikrom, Nsawam	
19	Dzableokor Abbey	Calvary Christian Centre Women Farming Group, Kwakyikrom, Nsawam	
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