

Communique

ACCRA – Friday, 9th December, 2022

We, the participants of the National Land Conference, 2022 drawn from Government, Parliamentary Select Committee on Lands, Land Sector Agencies, Traditional Authorities, Queen Mothers, Civil Society, Farmers and Fishermen’s Organizations, Professional Associations, Religious Groups, Private Sector, Academia, Development Partners and International Non-Government Organisations (INGOs), meeting at the Accra International Conference Centre (AICC) from 06 – 09 December 2022:

Show our appreciation to the President of the Republic of Ghana, H.E. Nana Addo Dankwa Akufo-Addo for opening the Conference and calling for comprehensive digitalization of the land administration system in Ghana;

Further show our appreciation to the Minister for Lands and Natural Resources and his deputy ministers for their unflinching support towards improvement of the land sector;

Fully aware of the challenges in both the state and customary land tenure systems of Ghana, particularly, indeterminate boundaries of customary and state land boundaries, Metropolitan, Municipal and District Assembly (MMDA) boundaries, undocumented land and property rights over most lands in Ghana creating insecurity of tenure, uncontrolled sprawl of human settlements encroaching on fertile agricultural lands, destruction of water bodies through illegal mining, under-resourced land sector agencies, limitations in coordinated land sector services, land data capture, management and related security challenges;

Laud the government for the efforts made so far to address some of the challenges of the land and other natural resources sectors including the restoration of lands degraded through illegal mining, the implementation of the Land Administration Project (LAP) Phases I and II and passing of the Land Use and Spatial Planning Act, 2016 (Act 925), the Land Act, 2020 (Act 1036), establishment of the Enterprise Land Information System (ELIS) and digitalization of some of the operations of the Lands Commission;

Cognisant of the fact that the National Land Policy of Ghana launched in 1999 has been used for the reforms of the sector but the same has been overtaken by emerging challenges including climate change, women/youth access to land, the digitized nature of the world today, migration and specific requirements of large-scale land-based investments;

Note the absence of any convening platform for the key stakeholders of the land sector to periodically review, deliberate and propose solutions to improve the workings of the sector;

Further note the weak enforcement of laws on spatial planning and land development, land tenure, low capacity for effective land governance, land management and land administration, and weak collaboration among government agencies leading to haphazard and uncoordinated spatial development, poorly resourced public and customary land sector entities;

Further note that only one-third of the land-related SDGs are currently being monitored in Ghana and for which data is being collected and measured and two-thirds of the land related SDGs for which no data is being collected;

Affirm our resolve to establish a multi-stakeholder platform involving all the key stakeholders of the land and other natural resources sectors to be responsible for monitoring the implementation of the recommendations of this Conference, the transformation agenda of the land sector, and provide support to the Government in its efforts to implement the provisions in the Land Act and the Land Use and Spatial Planning Act to improve the functioning of the land sector;

Do make the following recommendations for the consideration of government:

1. Improving Security of Land Tenure

- Prioritize the systematic surveying and mapping of customary and state land boundaries and the boundaries of Metropolitan, Municipal and District assemblies to reduce the numerous land ownership disputes in the country; to set out comprehensive program for the registration of title to land as mandated by the 1992 constitution and the Land Act, 2020 (Act 1036).
- Support efforts of all key stakeholders to raise awareness of the citizenry on the Land Use and Spatial Planning Act, 2016 (Act 925) and the Land Act, 2020 (Act 1036).

- Facilitate prompt action towards the development of regulations of the Land Act and a Land Act implementation strategy.
- Provide adequate resources for the implementation/ enforcement of the land laws, land use planning laws and spatial development laws.
- Complete the digitalization of the land administration system over a three-year period.
- Provide resources for the establishment and strengthening of customary land secretariats (CLS) to effectively support customary land administration.
- Review the formula for disbursing customary land revenue to provide more resources to customary landowners for sustaining CLSs for customary land administration.
- Provide needed support to stakeholders in the land sector (public, customary, private academia, NGOs) to actively educate the citizenry on land related issues.
- Develop land specific ADR mechanisms to facilitate dispute resolution in the land sector.

2. Improving Survey, Mapping, Spatial Planning, and Development

- Provide resources to comprehensively map the country at large, medium and small scales to facilitate land use planning and spatial development for rapid economic development and provide resources for a holistic and participatory approach to land tenure management and land use planning.
- Urgently resolve all outstanding issues for the establishment of a single geodetic framework, the geoidal determination, and the necessary parameters associated with the Geodetic Reference Network (GRN) for the country to facilitate surveying and mapping for all purposes in the country.
- Ensure that the minerals cadastre of the Minerals Commission, the land information system of the Lands Commission, and the records of the Timber Utilization Contracts of the Forestry Commission are networked for effective and sustainable management of Ghana's lands and other natural resources. Lands Commission should be supported to lead the process.
- Create seamless collaboration between landowners and Metropolitan, Municipal and District Assemblies to develop spatial plans to facilitate land allocation and spatial development.
- Metropolitan, Municipal and District Assemblies should commit more funds from their internally generated funds to spatial planning and development to ensure orderly human settlement development.

- Urge MMDAs to recognize the existence and operations of CLS as an extension of the land administration infrastructure and work with them to improve land administration in their Metropolitan, Municipal and District assemblies.

3. Biennial National Land Conference

- Convene a national land conference every two years to enable effective assessment of the work done by the multi-stakeholder platform and to provide opportunity for national level dialogue to further improve the functioning of the land and other natural resources sectors.

4. Human Settlement development

- Promote an enabling environment for the private sector to play its role in housing delivery to persons of all income categories with relative ease.
- Undertake comprehensive upgrading of informal settlements to improve the quality of housing for the poor.

5. Restoration of Lands Degraded through Illegal Mining

- Institute an immediate comprehensive assessment of the local environmental impact of activities of small-scale mining which is detrimental to water bodies, sustainable livelihoods and rural development with a view to imposing a moratorium on small scale mining, noting that ‘water cannot accommodate mining’.

6. Capacity Development

- Government and partners should systematically develop the capacities of all key stakeholders and institutions in the built environment for efficient functioning of the sector and to attract investment into the sector.
- Provide opportunities for the ‘unemployed graduates of the built environment’ to improve the capacity for land service delivery.
- Academic institutions to review their curricula to address capacity gaps in existing knowledge and on emerging land governance and land tenure issues to produce all round graduates who will be able to improve governance and management of all lands in the country.

7. Land Related SDGs

- Professional associations, civil society organizations in the land sector, and the land sector agencies should partner with the National Development Planning

Commission (NDPC) to capture data needed for the remaining two-thirds of the land related Sustainable Development Goals (SDGs) for which no data is currently being collected. Support of development partners will be required in this regard.

8. Support of Development Partners

- Development partners should continue to support efforts at developing capacities and infrastructure to improve the governance of tenure, security of tenure, mapping and effective spatial and land use planning.

9. Review of National Land Policy 1999

- Provide resources to review the 1999 National Land Policy and formulate a new one that takes on board the new challenges and emerging issues of the sector and in conformity with international standards and instruments including the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Framework and Guidelines on Land Policy in Africa (F&G).

10. Targeted Engagement with Traditional Authorities

- Metropolitan, Municipal and District Assemblies should have targeted engagement with the chieftaincy institution, heads of landowning clans, heads of landowning families, Tendana and other customary authorities in all matters related to land governance, land management, land administration reforms, spatial planning and human settlement development in the country.

11. Support for the Operationalization of the Multi-Stakeholder Platform

- Provide leadership for the operationalization of the multi-stakeholder platform established at the Conference and host the secretariat of the platform. The platform will spearhead the implementation of the recommendations of the Conference and provide support for sustaining the land sector reforms.

We further call on:

- Both the public and customary land sectors to take steps to promote good land governance and ensure greater transparency and accountability in their dealings in land.
- Land sector professionals and other stakeholders to establish more civil society organizations (CSO) with clear focus on land with performance indicators (KPI)

designed to improve security of tenure and orderly development of human settlements.

- Ghanaians for a change of mindset at all levels including leadership positions, as a fundamental shift in the approach to land governance in accordance with the land laws of the country and international instruments.

Surv. Maxwell Adu Nsafoa
Co-Chairperson, NLC Steering Committee