

Ghana

# State of Land Information in Ghana

An Open Data Assessment

land  
portal

## About the State of Land Information (SOLI) reports

The **State of Land Information (SOLI)** research and reports seek to provide an overview of available government data and information on key land issues. The aim of the research is to uncover the many different sources of land data and information at the country-level and help to identify data and information gaps. The research also provides a technical assessment against open data criteria derived from international standards. The reports establish a baseline for targeted interventions to improve the information ecosystem.

Though SOLI reports are independent research products, they may also serve as the first step in the implementation of the Open Up Guide for Land Governance. The Open Up Guide for Land Governance is a tool for national and local government agencies with a mandate for or an interest in making their land governance data open and available for others to re-use. The Open Up Guide is the result of a collaboration between the Land Portal Foundation and Open Data Charter.

## About the Land Portal

The **Land Portal Foundation** was established to create, curate and disseminate land governance information by fostering an inclusive, open, and accessible data ecosystem. Over the last decade, the Land Portal has evolved from a simple information gateway to become a knowledge broker, a resource base, a vibrant online community of users and a trusted voice within global land governance.

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## Abbreviations

API	Application programming interface
AfDB	Africa Development Bank
CERGIS	Centre for Remote Sensing and Geographic Information Services
CS	Completeness score
dLRev	District Local Revenue
ESRI	Environmental Systems Research Institute
FAO	UN Food and Agriculture Organization
RTIA	Right to Information Act
GEIN	Ghana Environmental Information Network
GIS	Geographic information system
GhEITI	Ghana Extractive Industries Transparency Initiative
GODI	Ghana Open Data Initiative
GoG	Government of Ghana
GRA	Ghana Revenue Authority
GSS	Ghana Statistical Service
ICRISAT	International Crops Research Institute for the Semi-Arid Tropics
LI	Legislative Instrument, equivalent to a Regulation
LUSPA	Land Use and Spatial Planning Authority
MMDAs	Metropolitan, Municipal and District Assemblies
MEST	Ministry of Environment, Science, Technology (predecessor to MESTI)
MESTI	Ministry of Environment, Science, Technology, and Innovation
MLF	Ministry of Lands and Forestry (predecessor to MLNR)
MLNR	Ministry of Lands and Natural Resources
MLGRD	Ministry of Local Government, Decentralization and Rural Development
MoF	Ministry of Finance
MoFEP	Ministry of Finance and Economic Planning
NASA	National Aeronautics and Space Administration of the US
NDPC	National Development and Planning Commission
NGO	Non-governmental organization
OAU	Organization of African Unity (precursor to the African Union)
OASL	Office for the Administration of Stool Lands
OCHA	UN Office for the Coordination of Humanitarian Affairs
OECD	Organization for Economic Cooperation and Development
OGP	Open Government Partnership
OS	Openness score
RTIA	Right to Information Act
SOLI	State of Land Information
TCPD	Town and Country Planning Department (predecessor to LUSPA)
UK	United Kingdom
UNEP	UN Environment Program
URI	Unique Resource Identifier
WDPA	World Database on Protected Areas

# Introduction

Land information is critical for equitable land governance that benefits the most vulnerable and drives economic growth, sustainable development, and food security. However, land data and information sources remain highly fragmented, unstructured and do not present the full range of perspectives needed for decision making. Land governance, (laws, processes, and institutions) regulate how decisions concerning land are made, implemented, and enforced and require the best possible land data and information. Given the prominent and evolving role of social and cultural land management paradigms in Ghana, as well as changing economic and environmental imperatives, efficient land management (and associated data and information) is critical for sustainable development.

Customary land ownership and dual traditional and modern governance systems are key to understanding much about Ghana. Almost all land is owned by local communities, who are represented by their traditional leadership structures, or 'stools'. The **Constitution** is clear that "All stool lands in Ghana shall vest in the appropriate stool on behalf of, and in trust for the subjects of the stool in accordance with customary law and usage".<sup>1</sup> This means that land administration, and land information have to bridge customary systems exemplified by the **Office of the Administrator of Stool Lands** and the latest digital technologies being adopted by the **Lands Commission** and others. For 17 years a central objective of the **Land Administration Project**, supported by the World Bank and others, has been the digitization of land information, but there is little data in the public domain to show this. There are now, however, indications that land data management within different government organizations is improving, making it relatively easy to improve the availability of data.

This overview of the current status of online public access to government-held land information provides the basis for taking the necessary next steps to make this available to Ghana's citizens. Public access to information should help improve the efficiency of land administration, transparency around decision-making, and accountability for actions and other land ownership and use decisions the authorities and others take.

The assessment covers four categories: land tenure, land use, land development and land value. It prefaces this with a short section on the legislative and policy framework and key institutions responsible for land administration. For each category, a 'completeness

<sup>1</sup> Constitution of Ghana 1992, as amended 1996, Chapter 21, Article 267.1. Retrieved on 24 August 2023 from; [www.constituteproject.org/constitution/Ghana\\_1996](http://www.constituteproject.org/constitution/Ghana_1996).

score' indicates the state of public availability of government information. The open data compliance section assesses the 'openness' of the data in each category. The report ends with a short analysis and recommendations to be considered for improving land data availability in Ghana and achieving the benefits of open data in the land sector.

Open data and government assessments conducted by others are, in summary as follows:

- The **Open Data Inventory** assesses coverage and openness of official statistics on the website of the **Ghana Statistical Service** (GSS) or other websites linked to it.<sup>2</sup> It covers 25 categories of data. Ghana's overall open data score for 2022 is 41/100, described as fulfilling some "coverage/openness criteria, but many important gaps remain". Ghana is ranked eleventh out of fifteen countries assessed in West Africa. There is no land category but agriculture and land use (Ghana scores 45/100), and resource use (39/100) are summarized with others into an environment score (27/100).<sup>3</sup>
- The **Global Data Barometer – Land** is one of eight modules in this data openness index. It comprises three indicators: data on land tenure, land use, and uses of land data to support work on gender and inclusion. In 2021 Ghana scored 0/100 for the openness of data on both land tenure and land use, but 46/100 for gender and inclusion uses of data, which is based mainly on non-state actors seeking to reduce the propensity for land disputes.<sup>4</sup>
- **LANDex**,<sup>5</sup> the global land governance index supported by the International Land Coalition and "based on common people-centered indicators",<sup>6</sup> has very little data for Ghana. Its coverage of five of a possible 33 indicators does not permit any meaningful overall score.

2 Open Data Watch, 2023, Open Data Inventory 2022/23. Retrieved on 12 July 2023 from; <https://odin.opendatawatch.com/>.

3 Open Data Watch Ghana Country Profile. Retrieved on 24 August 2023 from; <https://odin.opendatawatch.com/Report/countryProfileUpdated/GHA?year=2022>.

4 Global Data Barometer. Retrieved on 24 August 2023 from; <https://globaldatabarometer.org/module/land/>.

5 LANDex. Retrieved on 24 August 2023 from; [www.landexglobal.org/en/country/288/](http://www.landexglobal.org/en/country/288/).

6 LANDex. Retrieved on 12 July 2023 from; [www.landexglobal.org/en/about/](http://www.landexglobal.org/en/about/).

# State of Data Governance in Ghana

Ghana's 1996 **constitution** provides for the right to information: "All persons shall have the right to... information, subject to such qualifications and laws as are necessary in a democratic society".<sup>7</sup> It is supported with a **Right to Information Act (RTIA)**.<sup>8</sup> In 2004 Ghana signed the African Charter on Human and Peoples Rights, which states "Every individual shall have the right to receive information".<sup>9</sup> Ghana has also ratified the **Universal Declaration of Human Rights**<sup>10</sup> and adopted the **Sustainable Development Goals**.<sup>11</sup>

Ghana joined the **Open Government Partnership (OGP)** in 2011<sup>12</sup> and is currently in its fourth **Action Plan** period (2021-23).<sup>13</sup> The 14 commitments do not include any explicit reference to land governance, but do commit to open and transparent tracking of public investments (Commitment 7), beneficial ownership transparency (Commitment 9), and implementation of the RTIA (Commitment 11), all of which build on commitments on the same themes in the previous action plan. Commitment 9 develops an online beneficial ownership portal and civil society and media training on how to make use of the data.<sup>14</sup>

Ghana's Parliament hosts a large **online catalogue** of over 350 laws dating back to the 1960s, Legislative Instruments (LI) and other documents. Every item is provided with a Unique Resource Identifier (URI), but there is no filter to search for laws on a particular topic.<sup>15</sup>

7 Constitution of Ghana 1992, as amended 1996, Chapter 5, Article 21.1.f. Retrieved on 24 August 2023 from; [www.constituteproject.org/constitution/Ghana\\_1996](http://www.constituteproject.org/constitution/Ghana_1996).

8 GoG, 2019, Right to Information Act (Act 989). Retrieved on 17 July 2023; <https://rtic.gov.gh/resource/right-to-information-act-2019-act-989/>.

9 OAU, 1981, African Charter on Human and Peoples' Rights, Article 9.1. Retrieved on 4 December 2023 from; [https://au.int/sites/default/files/treaties/36390-treaty-0011\\_-\\_african\\_charter\\_on\\_human\\_and\\_peoples\\_rights\\_e.pdf](https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_e.pdf).

10 Universal Declaration of Human Rights. Retrieved on 4 December 2023 from; [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

11 Sustainable Development Goals. Retrieved on 4 December 2023 from; [www.un.org/sustainabledevelopment/sustainable-development-goals/](http://www.un.org/sustainabledevelopment/sustainable-development-goals/).

12 OGP Ghana. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/members/ghana/](http://www.opengovpartnership.org/members/ghana/).

13 GoG OGP, 2021, 4<sup>th</sup> National Action. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/wp-content/uploads/2021/10/Ghana\\_Action-Plan\\_2021-2023\\_Revised.pdf](http://www.opengovpartnership.org/wp-content/uploads/2021/10/Ghana_Action-Plan_2021-2023_Revised.pdf).

14 OGP, 2022, Independent Reporting Mechanism Action Plan Review: Ghana 2021-2023, p.8. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana\\_Action-Plan-Review\\_2021-2023.pdf](http://www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana_Action-Plan-Review_2021-2023.pdf).

15 Parliament of Ghana Library Repository. Retrieved on 19 September 2023 from; <http://ir.parliament.gh/handle/123456789/1713>.

The 2012 **Data Protection Act** aims to “protect the privacy of the individual and personal data by regulating the processing of personal information, and provide the process to obtain, hold, use, or disclose personal information”.<sup>16</sup>

In 2012 Ghana launched an **Open Data Initiative** (GODI) intended to be a government-wide platform for data and conforming to uniform standards.<sup>17</sup> To date it holds 320 datasets provided by 22 government agencies, but there is little consistency in the data presented and it does not appear to have added any new data since 2021. The data is all published with an open data license and is machine readable. While it is mainly statistics, it includes 11 spatial datasets on administrative boundaries, forest reserves, roads, and tourism sites.

Supported by **World Bank loans** the Government of Ghana has, since 2013, been implementing an E-Transform Program to improve the efficiency and coverage of government service delivery through opening up government data, a national electronic identification system and using information and communication technologies to improve the quality and reach of services.<sup>18</sup>

## Legal Framework on Access to Land Information

Ghana passed its **RTIA**<sup>19</sup> in 2019. The Global Right to Information Rating ranks this law as 44<sup>th</sup> amongst the 136 countries that have a right to information law, a similar score to the UK (42<sup>nd</sup>). It scores relatively highly in five of the six criteria, but more poorly on ‘scope’, mainly due to exemptions available to the legislature, judiciary and state owned enterprises.<sup>20</sup> Although this law does not include any explicit obligation on government entities to proactively publish information, it does require each to provide a manual providing an organizational structure, the data held by each division, contact details for requests, and a means for the public to seek amendments to data held about themselves.<sup>21</sup>

The OGP’s Independent Reporting Mechanism’s **review** of Ghana’s OGP **2021-23 Action Plan** commended proposals on “training for responsible officials and the public, improved records management, and clear and standardized administrative processes”<sup>22</sup> but noted the need to “avoid [excessive] application of exemption provisions” in the RTIA.<sup>23</sup>

16 GoG, 2012, Data Protection Act (Act 843). Retrieved on 17 July 2023 from; [www.dataprotection.org.gh/media/attachments/2021/11/05/data-protection-act-2012-act-843.pdf](http://www.dataprotection.org.gh/media/attachments/2021/11/05/data-protection-act-2012-act-843.pdf).

17 GoG, Ghana Open Data Initiative. Retrieved 31 October 2023 from; <https://data.gov.gh/>. The site includes a draft National Data Sharing Policy document, <https://data.gov.gh/sites/default/files/Ghana%20National%20Data%20Sharing%20Policy%20Draft%203.0.pdf>.

18 World Bank eTransform Ghana project. Retrieved on 19 September 2023 from; <https://projects.worldbank.org/en/projects-operations/project-detail/P144140>.

19 Right to Information Act of 2019. Retrieved on 28 August 2023 from; <https://rtic.gov.gh/resource/right-to-information-act-2019-act-989/>.

20 Access Info Europe & Centre for Law and Democracy, Country Data. Retrieved on 28 August 2023 from; [www.rti-rating.org/country-data/Ghana/](http://www.rti-rating.org/country-data/Ghana/). Ghana’s scores are in the top quartile for Right of Access, Appeals, Sanctions & Protections, and Promotional Measures; the second-highest quartile for Requesting Procedure and Exceptions & Refusals; and the lowest quartile for Scope.

21 GoG, 2019, Right to Information Act (Act 989), Clause 3(2). Retrieved on 17 July 2023 from; <https://rtic.gov.gh/resource/right-to-information-act-2019-act-989/>.

22 OGP, 2022, Independent Reporting Mechanism Action Plan Review: Ghana 2021-2023, p.5. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana\\_Action-Plan-Review\\_2021-2023.pdf](http://www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana_Action-Plan-Review_2021-2023.pdf).

23 OGP, 2022, Independent Reporting Mechanism Action Plan Review: Ghana 2021-2023, p.10. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana\\_Action-Plan-Review\\_2021-2023.pdf](http://www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana_Action-Plan-Review_2021-2023.pdf).



## Legal and Policy Frameworks on Access to Land Information

Three agencies govern land information: the Lands Commission and the Office of the Administrator of Stool Lands (OASL), both overseen by the Minister for Lands and Natural Resources (MLNR); and the Land Use and Spatial Planning Authority (LUSPA), overseen by the Minister for Environment, Science, Technology, and Innovation (MESTI). Each is described below.

### Lands Commission

The **2008 Act**<sup>24</sup> to establish a **Lands Commission**<sup>25</sup> lists 19 functions, including title registration, mapping, land valuation, alignment of land use planning with national development goals, supervision of the land market, boundary dispute resolution, promoting community participation and public awareness, and “...establish and maintain a comprehensive land information system”. The Act stipulates a Land Information Unit within the commission’s secretariat, although no such unit is identifiable on its website.<sup>26</sup>

The **2020 Land Act**<sup>27</sup> makes provision for several transparency functions, including:

- Elaborating the Lands Commission’s responsibility to “establish a land information system equipped with the requisite information technology infrastructure... train and equip staff [in its use, and] ... provide education generally on the land information system... for staff of the Lands Commission, professionals who provide services in relation to land and the general public”.
- Customary Land Secretariats should record land interests, rights, and transactions, including those (traditional authorities) whose role it is to grant these, and “provide facilities for search to be conducted on the records on land”.<sup>28</sup>
- Land Registrars in the Land Registration Division of the Land Commission shall, in response to a request from any member of the public, search the land registry and registry maps and provide registry information to the enquirer.<sup>29</sup>
- In the case of scheduled land (to be expropriated by the state) the Lands Commission should calculate the compensation due and provide this to all those with an interest in the parcel to be expropriated.<sup>30</sup>

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#### Review\_2021-2023.pdf

24 GoG, 2008, Lands Commission Act (Act 767), Section 5. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1888/LANDS%20COMMISSION%20ACT%2c%202008%20%28ACT%20767%29.pdf>.

25 The Land Commission. Retrieved on 21 November 2023 from; [www.lc.gov.gh/](http://www.lc.gov.gh/).

26 GoG, 2008, Lands Commission Act (Act 767), Section 25. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1888/LANDS%20COMMISSION%20ACT%2c%202008%20%28ACT%20767%29.pdf>.

27 GoG, 2020, Land Act (Act 1036), Section 74. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.

28 GoG, 2008, Land Act (Act 1036), Sections 14-15. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.

29 GoG, 2020, Land Act (Act 1036), Section 130. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.

30 GoG, 2020, Land Act (Act 1036), Section 248. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.

## Land Use and Spatial Planning Authority

**LUSPA** was established in 2016 in an Act to “consolidate, revise and harmonize existing legislation on land use and spatial planning and provide for sustainable development of land and human settlements”.<sup>31</sup> It is a successor to the Town and Country Planning Authority that dated back to colonial times, and either repeals or consolidates several laws on national development planning. In contrast to the Lands Commission, which is concerned with land titling, the Authority covers spatial planning, particularly urban planning.

Under the **Land Use and Spatial Planning Act** LUSPA, and the Metropolitan, Municipal and District Assemblies (MMDAs), must provide to the public, on request, written records of planning decisions including maps, records of decisions and statistical analysis.<sup>32</sup> Each MMDA has a physical planning department, but none appear to offer any data on land tenure, use, development or value.

## Office of the Administrator of Stool Lands

The **OASL** is unique to Ghana’s strong legal and customary position that almost all land is owned by local communities, who are represented by their traditional leadership structures, or ‘stools’.<sup>33</sup> The functions of the OASL are set down in the **constitution**.<sup>34</sup> Its primary responsibilities include administering land revenue allocated to traditional authorities and coordinating matters relating to the administration and development of stool lands.<sup>35</sup>

Neither the **1994 Act**<sup>36</sup> establishing the OASL, or the **2019 regulations**<sup>37</sup> have any clauses relating to public access to information. An **NGO report**<sup>38</sup> in 2017 was critical of the OASL for its lack of sharing revenue sharing information with local government and traditional authorities.

Beyond these specific functions, each agency must comply with the RTIA, including providing a manual for requesting information. These manuals summaries the functions of different divisions in the organization, explain the request and approval process, lay out where fees may be applicable, offer a request form, and explain how any personal information held by the organization can be amended.<sup>39</sup> The OASL **Right to Information**

31 GoG, 2015, Land Use and Spatial Planning Bill, p.115 (Memorandum p.ii). Retrieved on 21 September 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/309/Land%20Use%20And%20Spatial%20Planning%20Bill%202015.pdf?sequence=1&isAllowed=y>.

32 GoG, 2016, Land Use and Spatial Planning Act (Act 925), Sections 178-179. Retrieved on 21 September 2023 from; <https://faolex.fao.org/docs/pdf/gha180045.pdf>.

33 MLF, 1999, National Land Policy, p.2. Retrieved on 17 July 2023 from; <https://faolex.fao.org/docs/pdf/gha163491.pdf>. This describes public or state lands as those expropriated by the government, private lands held by a stool (or in Northern Ghana, a skin) as symbol of traditional authority, and vested lands, split between the state and the traditional owners, and generally applied to natural resource concession areas.

34 Constitution of Ghana 1992, as amended 1996, Chapter 21, Article 267. Retrieved on 24 August 2023 from; [www.constituteproject.org/constitution/Ghana\\_1996](http://www.constituteproject.org/constitution/Ghana_1996).

35 MLNR, Office of the Administrator of Stool Lands. Retrieved on 24 September 2023 from; <https://mlnr.gov.gh/index.php/office-of-the-administrator-of-stool-lands/>.

36 GoG, 1994, Office of the Administrator of Stool Lands Act (Act 481). Retrieved on 24 September 2023 from; <https://oasl.gov.gh/dev/wp-content/uploads/2021/02/OASL-ACT-1994-ACT-481.pdf>.

37 MLNR, 2012, Office of the Administrator of Stool Lands Regulations (LI 2377). Retrieved on 24 September 2023 from; <https://oasl.gov.gh/dev/wp-content/uploads/2021/02/OASL-Regulations-2019-L.I-2377.pdf>

38 Civic Response, 2017, District Assembly use of royalties in Ghana. Retrieved on 1 May 2017 from; <https://loggingoff.info/wp-content/uploads/2017/05/CR-DA-Royalties-Final-2.pdf>.

39 Lands Commission, 2021, Right to Information Manual. Retrieved on 28 August 2023 from; [www.lc.gov.gh/storage/2021/06/RTI\\_Manual-LANDS-COMMISSION.pdf](http://www.lc.gov.gh/storage/2021/06/RTI_Manual-LANDS-COMMISSION.pdf).

**Manual** is on its **Acts and Policies** webpage.<sup>40</sup> The Land Commission's **Right to Information Manual** is less accessible, residing on chronological pages in the organization's **News and Articles** and its **Public Documents** websites,<sup>41</sup> which means it falls further and further into history as new items are posted. No reference to RTIA could be found on the LUSPA website. The Ghana Revenue Service (GRS), responsible for property taxes, provides a **Right to Information Application Form** under 'documents, forms, other'.<sup>42</sup>

40 OASL, 2022, Right to Information Manual; <https://oasl.gov.gh/right-to-information-office-of-the-administrator-of-stool-lands/>. Retrieved 21 September 2023 from; <https://oasl.gov.gh/acts-policies/>.

41 Lands Commission News and Articles and Public Documents. Retrieved on 19 September 2023 from; <http://www.lc.gov.gh/blog/page/4/> and [www.lc.gov.gh/category/public-documents/](http://www.lc.gov.gh/category/public-documents/).

42 GRA, Right to Information Application Form. Retrieved on 2 November 2023 from; <https://gra.gov.gh/wp-content/uploads/2023/07/RTI-Application-form.pdf>.

# State of Land Data and Information in Ghana

This section assesses the completeness of land data and information in Ghana across the five categories: legal and policy framework, land tenure, use, development, and value. It assesses the completeness of the information and scores the data as being fully, partially, little, or not complete.

Central to Ghana's land information system is the **District Local Revenue (dLRev)**<sup>43</sup> system (see Land Valuation section below). Its user-interface is "an interactive map of the district", based on a street naming and property address system also supported by the initiative and supplied by LUSPA. It operates in 90 of the 173 MMDAs. Despite its obvious value to land tenure, use, development, and value, none of its data can be found on publicly accessible government websites.

## 12 Completeness of Legal and Policy Data and Information on Land

Ghana's land sector legal and policy framework was greatly improved with the passage of the **2020 Land Act** that consolidated several previous acts and case law into a single law.<sup>44</sup> In effect this updates the **National Land Policy** as the policy document itself has not been revised for over two decades.<sup>45</sup> The Land Act, amongst other matters, codifies a range of customary rights, improves gender equity by strengthening joint ownership by spouses, and criminalizes 'Land Guards' who have become familiar in urban areas by holding land illegitimately.<sup>46</sup>

Other key land-related policies are the 2014 **Minerals and Mining Policy**,<sup>47</sup> the 2012 **Forest and Wildlife Policy**,<sup>48</sup> the 2012 **National Environmental Policy**,<sup>49</sup> the draft **National Data Sharing Policy**,<sup>50</sup> and the 2015 **National Spatial Development Framework** (see section on

43 District Local Revenue. Retrieved on 6 November 2023 from; <http://www.dlrev.org/>.

44 GoG, 2020, Land Act (Act 1036). Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.

45 MLF, 1999, National Land Policy. Retrieved on 17 July 2023 from; <https://faolex.fao.org/docs/pdf/gha163491.pdf>.

46 Ashun E., and T. Tandoh, 2022, Key highlights of Ghana's Land Act 2020. Retrieved on 10 October 2023 from; <https://lexafrica.com/2022/04/key-highlights-of-ghanas-land-act-2020/>.

47 Minerals Commission, 2014, Minerals and Mining Policy. Retrieved on 20 December 2023 from; [www.mincom.gov.gh/wp-content/uploads/2021/06/Mineral-and-Mining-Policy-Ghana.pdf](http://www.mincom.gov.gh/wp-content/uploads/2021/06/Mineral-and-Mining-Policy-Ghana.pdf).

48 MLNR, 2012, Ghana Forest and Wildlife Policy. Retrieved on 20 December 2023 from; <https://faolex.fao.org/docs/pdf/gha144198.pdf>.

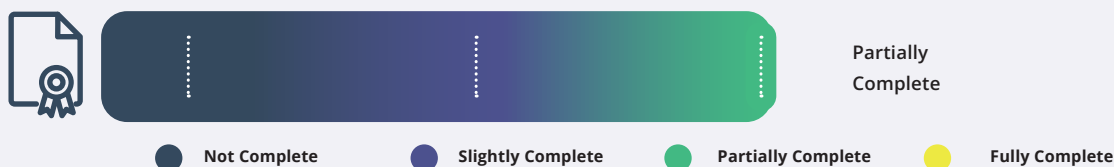
49 MEST, 2012, National Environment Policy. Retrieved on 20 December 2023 from; <https://faolex.fao.org/docs/pdf/gha174489.pdf>.

50 Ministry of Communications, 2019, National Data Sharing Policy (draft 3). Retrieved on 31 October 2023 from; <https://data.gov.gh/sites/default/files/Ghana%20National%20Data%20Sharing%20Policy%20Draft%203.0.pdf>.

Land Development, below)<sup>51</sup>. These all pre-date the 2020 Land Act and it is likely they need updating to reflect this new legislation as well as to fully respond to the climate crisis.

The **Lands Commission website** includes a range of Services pages<sup>52</sup> outlining the procedures for valuations, mapping, registration and state land, and a portal for accessing some application forms and a personal financial report, but these are a work-in-progress and lack detail. In order to be fully implemented the Land Act now requires regulations, including on land valuation, fees, expropriation, and “conditions for access to the land information system”.<sup>53</sup> The functions listed in the section above – E-conveyancing, Customary Land Secretariats, Land Registrars, and compensation – plus many other details, have yet to be fully articulated in regulations. Overall, **Ghana scores 83 out of 100 for the completeness of its legal and policy data and information on land.**

#### Legal and Policy Data and Information on Land: Partially Complete (83)

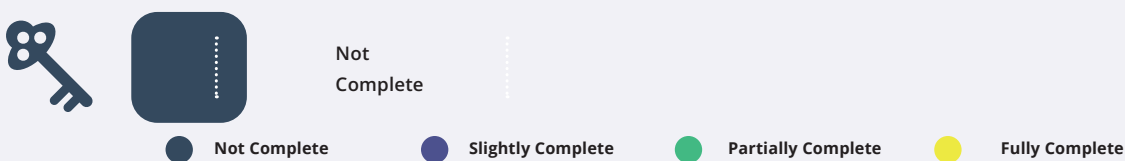


## Completeness of Land Tenure Data

Very little government digital land tenure data is publicly available online.

The **Lands Commission's** digitized land information system, supported by a World Bank **Land Administration Project** for 17 years, does not yet have an open register of land titles. The Mining and Forestry Commissions, both under the MLNR, are responsible for spatial and attribute data on mining and logging concessions respectively and. There is a good, open **Mining Cadaster** but data on **logging concessions** is more limited. Overall, **Ghana scores 15 out of 100 for the completeness of its digital land tenure data.**

#### Land Tenure Data: Not Complete (15)



51 MLNR, MESTI, TCPD, NDPC, 2015, Ghana National Spatial Development Framework 2015-2035 – Space, Efficiency and Growth, volumes 1 and 2. Retrieved 5 August 2023 from; [www.luspa.gov.gh/publications/documents/](http://www.luspa.gov.gh/publications/documents/).

52 Lands Commission Services. Retrieved on 10 October 2023 from; [www.lc.gov.gh](http://www.lc.gov.gh). Lands Commission Public Portal. Retrieved on 10 October 2023 from; <https://onlineservices.lc.gov.gh>. Pages on this site aim to offer six application forms, but only one of these is a live link.

53 Lands Commission request for information. Retrieved on 21 September 2023 from; [www.lc.gov.gh/2023/04/20/request-for-information-drafting-of-legislative-instruments-for-the-land-act-2020-act-1036/](http://www.lc.gov.gh/2023/04/20/request-for-information-drafting-of-legislative-instruments-for-the-land-act-2020-act-1036/). See also Lands Commission presentation, 2022, Digitizing Land Administration and Standards in Ghana, for a summary of Ghana's commitment to land information digitisation. Retrieved on 14 August 2023 from; [https://geospatialworldforum.org/speaker/presentions2022/land-administration/Digitizing-Land-administration-and-standards-in-ghana-Jones\\_Ofori.pdf](https://geospatialworldforum.org/speaker/presentions2022/land-administration/Digitizing-Land-administration-and-standards-in-ghana-Jones_Ofori.pdf).

It has been estimated that **78%** of all land in Ghana is owned by stools (or skins), clans or families. The state owns 20% and the remaining 2% is in shared ownership.<sup>54</sup> Although under customary ownership, “all public lands in Ghana shall be vested in the President on behalf of, and in trust for, the people”,<sup>55</sup> this and the **1962 Concessions Act**<sup>56</sup> give de facto control over forests and mining to the state. For example, “the Forestry Commission has the sole authority to manage and harvest the 317 customarily owned natural forests, and similarly pays rent to and shares income with the customary owners”.<sup>57</sup>

The **Lands Commission** is responsible for “maintaining land registers that contain records of land and other interests in land”,<sup>58</sup> but at present does not appear to offer public access to any such register. A slideshow embedded in the **dLRev** website provides an indication of the type of spatial and registry data held.<sup>59</sup> The outcomes from the **Land Administration Project**, sponsored by the World Bank between 2003 and 2020, have been modest, and “Title registration currently remains in a dysfunctional status”.<sup>60</sup> An assessment for the Organization for Economic Cooperation and Development (OECD) observed that “major gaps exist in the accuracy of the country’s land registry”.<sup>61</sup> In 2015 the Land Administration Project target of 10 customary boundary demarcations was reduced to just one.<sup>62</sup> A **conference presentation** by representatives of OASL stated that 5,188 Rural Parcel Rights had been demarcated by 2017, using a simpler approach to full customary boundary titling.<sup>63</sup> A useful community-oriented **Handbook for documenting customary land rights in Ghana** has been produced by a Ghanaian NGO, **COLANDEF land and property rights**, in conjunction with MLNR and OASL.<sup>64</sup> Despite this, there is no open spatial or register data on customary titles.

The Minerals Commission’s **Ghana Mining Repository** provides spatial data on all mining

54 Larbi, W.O., 2008, Compulsory Land Acquisition and Compensation in Ghana: Searching for Alternative Policies and Strategies. Retrieved on 14 August 2023 from; [www.fig.net/resources/proceedings/2008/verona\\_fao\\_2008\\_comm7/papers/09\\_sept/4\\_1\\_larbi.pdf](http://www.fig.net/resources/proceedings/2008/verona_fao_2008_comm7/papers/09_sept/4_1_larbi.pdf).

55 Constitution of Ghana 1992, as amended 1996, Chapter 21, Part I, Article 257.1. Retrieved on 24 August 2023 from; [www.constituteproject.org/constitution/Ghana\\_1996](http://www.constituteproject.org/constitution/Ghana_1996).

56 GoG, 1962, Concessions Act (Act 124). Retrieved on 10 October 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/2437/ACT%20124.pdf?sequence=1&isAllowed=y>.

57 Alden Wily, L. 2023, Critical Next Step in the Decolonisation of Land Relations: Restitution of Protected Areas to Indigenous Communities. Retrieved on 16 August 2023 from; [www.forestpeoples.org/sites/default/files/documents/03%20-%20English%20-%20Transforming%20conservation.pdf](http://www.forestpeoples.org/sites/default/files/documents/03%20-%20English%20-%20Transforming%20conservation.pdf).

58 GoG, 2008, Lands Commission Act (Act 767), Section 21. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1888/LANDS%20COMMISSION%20ACT%2c%202008%20%28ACT%20767%29.pdf>.

59 dLRev, ‘Screenshots’ pop-up. Retrieved on 6 November 2023 from; [www.dlrev.org/](http://www.dlrev.org/).

60 World Bank, 2020, Implementation Completion and Results Report, Land Administration Project – 2, p.30. Retrieved on 16 October 2023 from; <http://documents1.worldbank.org/curated/en/359771593704416028/pdf/Ghana-Second-Land-Administration-Project.pdf>. The Bank’s Independent Evaluation Group scored ‘modest’ for achievement against each of the three project objectives. IEG, 2020, Implementation Completion Report Review, Land Administration Project – 2, pp.7-8. Retrieved on 16 October 2023 from; <http://documents1.worldbank.org/curated/en/460521609406326577/pdf/Ghana-GH-Land-Administration-2.pdf>.

61 OECD and Lincoln Institute of Land Policy, 2022, Ghana Country Note – Land Value Capture, p.2. Retrieved on 14 August 2023 from; [www.oecd.org/cfe/cities/Land\\_value\\_capture\\_Ghana.pdf](http://www.oecd.org/cfe/cities/Land_value_capture_Ghana.pdf).

62 World Bank, 2020, Implementation Completion and Results Report, Land Administration Project – 2, p.12. Retrieved on 16 October 2023 from; <http://documents1.worldbank.org/curated/en/359771593704416028/pdf/Ghana-Second-Land-Administration-Project.pdf>. This contrasts with the NDPC’s Implementation of the Medium-Term National Development Agenda – 2021 Annual Progress Report, p.69, which asserts “customary boundary demarcation of a selected customary area” has been piloted in ten Regions. Retrieved on 10 August 2023 from; [https://ndpc.gov.gh/media/2021\\_National\\_Annual\\_Progress\\_Report7530.pdf](https://ndpc.gov.gh/media/2021_National_Annual_Progress_Report7530.pdf).

63 Akwensivie, G.A., and Coleman, C.B., 2018, Rural Parcel Rights Demarcation in Ghana – Exposition and Critique, presented at *Annual World Bank Land and Poverty Conference, March 19 – 23, 2018, Washington D.C.* Retrieved on 31 October 2023 from; [www.oicrf.org/documents/40950/0/828\\_HA%7E1.pdf/423a911b-27db-8195-54bd-5089d7bfde16?t=1655375999637](http://www.oicrf.org/documents/40950/0/828_HA%7E1.pdf/423a911b-27db-8195-54bd-5089d7bfde16?t=1655375999637)

64 COLANDEF, 2019, Handbook for Documenting Customary Land Rights in Ghana. Retrieved on 11 August 2023 from; <https://static1.squarespace.com/static/5b69957a1aef1d6f59dab3ae/t/5f56617a6cd6b40f39c070d7/1599496644602/Handbook+for+Documenting+Customary+Land+Rights+in+Ghana.pdf>.

license areas, together with a register of licenses and index of license holders. It lists 1,705 licenses (163 full mining leases) and 5,893 companies or individuals, each downloadable as XLS files, along with an online map that can be downloaded as a KML file or embedded HTML. The map and tables can be filtered prior to download. It does not appear to provide access to individual license documents or financial information,<sup>65</sup> but a small proportion of mining lease agreements, each including a map, can be downloaded from the **Minerals Commission**.<sup>66</sup> The Commission has also provided a downloadable spatial dataset of mineral resources on the cross-government **Open Data Initiative**<sup>67</sup> platform.

The Forestry Commission holds data on logging concessions, and public access to it is through an innovative **Timber Transparency Portal**<sup>68</sup> that offers the total area under license as well as lists of **forest reserves** and of **logging companies**. No spatial data is presented and none of the information can be downloaded. There is a **login for industry users**,<sup>69</sup> and, separately, an **Internal Information System**<sup>70</sup> for the Commission, but no indication on what information these might hold.

The cross-government **GODI** includes a downloadable spatial dataset of all forest and game reserves, provided under an open license.<sup>71</sup> The World Database on Protected Areas (WDPA) also provides spatial and attribute data for **Ghana's 313 protected areas**, 286 of which are forest reserves where logging is permitted.<sup>72</sup>

The **Ghana Environmental Information Network** (GEIN) has published some spatial datasets as part of a UNEP Africa Environmental Information Network, which **states** as one principle, "Open access to information relating to the environment will be ensured".<sup>73</sup> It lists 24 participating government institutions<sup>74</sup> and offers 27 maps and 51 layers covering 18 topics, including 'Planning Cadaster',<sup>75</sup> but appears to be dormant as the maps and downloads since 2017 are no longer accessible.<sup>76</sup>

65 Minerals Commission, Ghana Mining Repository. Retrieved on 16 October 2013; <https://miningrepository.mincom.gov.gh/map>. The repository is supported by the Revenue Development Foundation; <https://revenuedevelopment.org/>.

66 Minerals Commission, Mineral Rights/Concessions Agreements. Retrieved on 16 October 2023 from; [www.mincom.gov.gh/list-of-mineral-rights-concessions/](http://www.mincom.gov.gh/list-of-mineral-rights-concessions/).

67 Minerals Commission, 2019, Shapefile – Mineral Resources Ghana 2010. Retrieved on 31 October 2023 from; <https://data.gov.gh/dataset/shapefiles-mineral-resource-ghana-2010>.

68 Forestry Commission, Ghana Timber Transparency Portal. Retrieved on 16 October 2023 from; <https://ghanatimbertransparency.ghwts.org/>.

69 Forestry Commission, Ghana Timber Transparency Portal, Industry Portal. Retrieved on 16 October 2023 from; <https://timberindustry.ghwts.org/login>.

70 Forestry Commission, Internal Information System. Retrieved 16 October 2023 from; <https://fcis2.fcghana.org/login.php>.

71 Forestry Commission, 2019, Shapefile – Forest and Game Reserves 2010. Retrieved on 31 October 2023 from; <https://data.gov.gh/dataset/shapefiles-forest-and-game-reserves-ghana-2010>.

72 UNEP-WCMC, 2023, Protected Area Profile for Ghana from the WDPA. Retrieved on 16 October 2023 from; [www.protectedplanet.net/country/GHA](http://www.protectedplanet.net/country/GHA).

73 UNDP, 2004, Africa Environment Information Network Implementation Guidelines, p.24. Retrieved on 14 August 2023 from; [https://wedocs.unep.org/bitstream/handle/20.500.11822/9232/-Africa%20Environment%20Information%20Network%20\(AEIN\)%20Implementation%20Guidelines-2004558.pdf?sequence=2&amp%3BisAllowed=](https://wedocs.unep.org/bitstream/handle/20.500.11822/9232/-Africa%20Environment%20Information%20Network%20(AEIN)%20Implementation%20Guidelines-2004558.pdf?sequence=2&amp%3BisAllowed=).

74 GEIN, List of institutions. Retrieved on 16 October 2023 from; [http://18.156.129.19/?page\\_id=283](http://18.156.129.19/?page_id=283).

75 GEIN, Categorized maps. Retrieved on 16 October 2023 from; [www.ghanaein.net/maps/categorized-maps/](http://www.ghanaein.net/maps/categorized-maps/).

76 A representative of the Norwegian Environment Agency, which provides financial and technical assistance to this initiative, assured the Land Portal that updating the webpages and the GeoNode spatial database that drives them is scheduled to take place in October 2023. (Pers. Comm., July 2023).

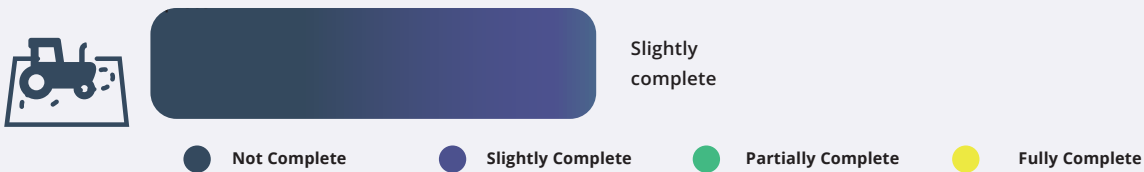
## Completeness of Land Use Data

Very little government digital land use data is publicly available online.

The **Lands Commission** has a mandate to survey and demarcate land for the purpose of land use but offers no land use maps or other data. Limited nation-wide land cover and land use spatial information is available from a public-private collaboration with the Forestry Commission and map visualizations for more local or thematic purposes are published by specific initiatives. No information on enforcement or public land could be found.

Overall, **Ghana scores 33 out of 100 for the completeness of its land use data.**

### Land Use Data: Slightly Complete (33)



The **Lands Commission** has the mandate to “supervise, regulate and control the survey and demarcation of land for the purposes of land use and land registration”,<sup>77</sup> but is yet to make any information available online to the public.

16

A comprehensive map visualization of land cover, known as **Ghana Forest Compliance**,<sup>78</sup> is published by a private service provider in partnership with a public university and the Forestry Commission to support cocoa traders to assess compliance with eight climate and land commitments under the **Cocoa and Forests Initiative**.<sup>79</sup> It includes a visualization of Forestry Commission data on land use from 2021, including settlements, forests, grasslands, cocoa and other crops, but additional access is behind a paywall. The UN Food and Agriculture Organization (FAO) global land cover data includes a **specific dataset** for Ghana and appears to be the only such dataset that is machine readable.<sup>80</sup> It is based on a **Globcover** database of 2005, which uses satellite imagery collected by the European Space Agency. It has not been updated since 2005.<sup>81</sup>

The **Centre for Remote Sensing and Geographic Information Services (CERGIS)**<sup>82</sup> is a university-led data initiative using satellite images (and in some cases community monitors) to offer spatial and attribute data for specific, often local, purposes. These include: **land**

77 GoG, 2008, Lands Commission Act (Act 767), Section 20. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1888/LANDS%20COMMISSION%20ACT%2c%202008%20%28ACT%20767%29.pdf>.

78 Ecometrica, MLNR, Kwame Nkrumah University of Science and Technology, and Forestry Commission, Ghana Forest Compliance. Retrieved 16 October 2023 from; <https://ghana-national-landuse.knust.ourecosystem.com/interface/>.

79 MLNR, Cocoa and Forests Initiative. Retrieved on 16 October 2023 from; <https://cfighana.mlnr.gov.gh/>. See also Geospatial World, 2 August 2019, Ghana steps up commitment to end cocoa farming deforestation with GIS partnership. Retrieved on 7 November 2023 from; [www.geospatialworld.net/news/ghana-steps-up-commitment-to-end-cocoa-farming-deforestation-with-gis-partnership/](http://www.geospatialworld.net/news/ghana-steps-up-commitment-to-end-cocoa-farming-deforestation-with-gis-partnership/).

80 FAO. Retrieved on 17 July 2023 from <https://data.apps.fao.org/catalog/dataset/68f12101-c75a-45d0-9d85-5bb49859040d/resource/332f72fa-89df-4902-9a3c-e4a5b169ac08>.

81 European Space Agency. Retrieved on 17 July 2023 from; [http://due.esrin.esa.int/page\\_globcover.php](http://due.esrin.esa.int/page_globcover.php).

82 CERGIS. Retrieved on 16 October 2023 from; <https://cersgis.org/home/>.



**cover maps**; for northern Ghana;<sup>83</sup> **land use / land cover** in two protected wetlands;<sup>84</sup> **charcoal production** in one District;<sup>85</sup> **informal gold mining** (no data yet);<sup>86</sup> **tropical forest loss and gain** in southern Ghana;<sup>87</sup> and **basic sanitation** in northern Ghana.<sup>88</sup> All these are part of the **SERVIR** program led by ICRISAT, NASA and the United States, using earth observation to inform climate-sensitive land use decisions in six West African countries.<sup>89</sup>

LUSPA, the government agency leading on spatial planning in urban areas, provides statutory **Zoning Guidelines and Planning Standards**, an authoritative table of land use classes, comprising a reference list of 58 land uses to be referred to in local, sectoral and structural planning.<sup>90</sup> Reports indicate there are widespread infractions of these guidelines<sup>91</sup> but no data on the extent of enforcement or penalties incurred could be found in the public domain.

## Completeness of Land Development Data

Despite a large volume of plans and budgets in Ghana, as well as considerable investment in improving digitization and data management in government authorities, there is very little spatial or statistical land development data in the public domain. What exists tends to be in text documents, difficult to extract from other data, and/or out of date. Ghana has an elaborate **national development planning system**, encompassing a long-term (40 year) national plan and medium-term (5 years) plans from 173 MMDAs, along with periodic progress reports. The national plan identifies a number of spatial and land administration objectives but there is no evidence on websites of public data to show progress. There is considerable case-study academic research into land disputes but no government data on could be found online on the extent of enforcement of land use permits, obedience to land development measures, readjustment of land parcels, land disputes or restitution of rights. Spatial data on expropriations for forest reserves and mining licenses is available (see Land Tenure section above) but this does not include details of the number of people affected or compensation. Overall, **Ghana scores 11 out of 100 for the completeness of its land development data.**

83 CERGIS, Land cover maps for northern Ghana. Retrieved on 16 October 2023 from; <https://cersgis.org/staticmaps/>.

84 CERGIS, Static Maps for Owabi and Sakomo Ramsar sites. Retrieved on 16 October 2023 from; [http://gmes.cersgis.org/static\\_maps/](http://gmes.cersgis.org/static_maps/).

85 CERGIS, Charcoal production Site Monitoring Portal. Retrieved on 16 October 2023 from; <http://servir.cersgis.org/charcoalportal/>.

86 CERGIS, Informal Artisanal Gold Mining Monitoring Portal. Retrieved on 16 October 2023 from; <http://servir.cersgis.org/map>.

87 University of Oklahoma, CERGIS and Forestry Commission, Monitoring Tropical Forest Landscapes in Ghana. Retrieved on 16 October 2023 from; <https://mcwimberly.users.earthengine.app/view/wafordd22>. See also EcoGRAPH Research Group at the University of Oklahoma. Retrieved on 30 October 2023 from; <https://ecograph.net/degradation/>.

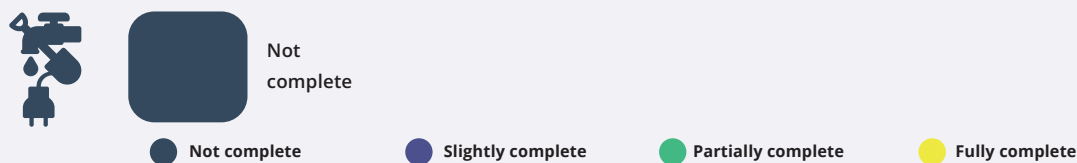
88 CERGIS, Basic Sanitation Information System. Retrieved on 16 October 2023 from; <https://sanitationghana.org/map/>.

89 ICRISAT, NASA and the US, **SERVIR**. Retrieved on 16 October 2023 from; [www.usaid.gov/west-africa-regional/fact-sheet/servir-west-africa-2](http://www.usaid.gov/west-africa-regional/fact-sheet/servir-west-africa-2).

90 LUSPA, 2011, Zoning Guidelines and Planning Standards. Retrieved 10 August 2023 from; [www.luspa.gov.gh/media/document/ZONING\\_GUIDELINES\\_final\\_DESIGN.pdf](http://www.luspa.gov.gh/media/document/ZONING_GUIDELINES_final_DESIGN.pdf).

91 For example, Offei, E., M. Lengoiboni and M. Koeva, 2018, Compliance with Residential Building Standards in the context of Customary Land Tenure System in Ghana. Retrieved 14 August 2023 from; [https://research.utwente.nl/files/76804527/Volume\\_6\\_compliance\\_with\\_residential\\_building\\_standards\\_in\\_the\\_context\\_of\\_customary\\_land\\_tenure\\_system\\_in\\_ghana.pdf](https://research.utwente.nl/files/76804527/Volume_6_compliance_with_residential_building_standards_in_the_context_of_customary_land_tenure_system_in_ghana.pdf), and numerous local news articles.

## Land Development Data: Not Complete (11)



The **National Development Planning Commission** (NDPC),<sup>92</sup> overseen by the Ministry of Finance and Economic Planning (MoFEP), has the lead responsibility for land development planning. Its 2017 **Long-term National Development Plan**<sup>93</sup> looks ahead to 2057, the centenary anniversary of Ghana's independence, and recognizes the need to reduce income and spatial inequality, as well as achieving gender equality. It presents 13 strategic interventions to achieve spatial development including, as the first of these, a coastal urban 'megaregion' across four countries, from Lagos to Accra, to stimulate economic activity.<sup>94</sup> It presents a further seven strategic interventions regarding land administration, covering property rights to underpin a property market, reducing land disputes, effective land use planning, valuation and taxation, compulsory purchase, eminent domain, and mapping.<sup>95</sup> Although it provides no data to back these up as priorities, the list suggests all these areas are currently weak.

Prior to the Long-term National Development Plan, the NDPC and other agencies produced a **National Spatial Development Framework**, published in 2015.<sup>96</sup> This includes a number of map visualizations and a wealth of other data, but only as images in pdf reports. These focus on population trends, economic development, agriculture, forest and mining land use, health, education, roads, and other transport infrastructure. Required investments in land and infrastructure development to fulfil the aims of the plan were estimated to total US\$ 100 million over a 20-year period.<sup>97</sup>

Since 2010 Ghana has adopted program-based budgeting and a decentralization policy. Together these generate **49 separate budgets** from government ministries etc.,<sup>98</sup> and over **1,600 detailed budgets** from MMDAs.<sup>99</sup> In the absence of any interactive database it is hard to separate out the total allocation to a land development budget, but **collectively** the 2023

92 National Development Planning Commission. Retrieved on 10 August 2023 from; <https://ndpc.gov.gh>.

93 NDPC, 2017, Long Term National Development Plan 2018-2057, Strategic Objectives 1 and 2, pp.240-241. Retrieved 10 August 2023 from; [https://ndpc.gov.gh/media/Long-term\\_National\\_Development\\_Plan\\_2018-2057.pdf](https://ndpc.gov.gh/media/Long-term_National_Development_Plan_2018-2057.pdf).

94 NDPC, 2017, Long Term National Development Plan 2018-2057, Strategic Interventions, pp.255-261. Retrieved 10 August 2023 from; [https://ndpc.gov.gh/media/Long-term\\_National\\_Development\\_Plan\\_2018-2057.pdf](https://ndpc.gov.gh/media/Long-term_National_Development_Plan_2018-2057.pdf).

95 NDPC, 2017, Long Term National Development Plan 2018-2057, Strategic Interventions, pp.284-286. Retrieved 10 August 2023 from; [https://ndpc.gov.gh/media/Long-term\\_National\\_Development\\_Plan\\_2018-2057.pdf](https://ndpc.gov.gh/media/Long-term_National_Development_Plan_2018-2057.pdf). The NDPC also produces medium-term development plans at sectoral (ministerial) and MMDA levels. Altogether it has published 216 plans and 296 progress reports, including from 173 Municipal and District Assemblies (local governments); [https://ndpc.gov.gh/resource\\_and\\_publications/downloads](https://ndpc.gov.gh/resource_and_publications/downloads).

96 MLNR, MESTI, TCPD, NDPC, 2015, Ghana National Spatial Development Framework 2015-2035 – Space, Efficiency and Growth, volumes 1 and 2. Retrieved 5 August 2023 from; [www.luspa.gov.gh/publications/documents/](http://www.luspa.gov.gh/publications/documents/).

97 MLNR, MESTI, TCPD, NDPC, 2015, Ghana National Spatial Development Framework 2015-2035 Volume 2, Chapter 6 p.150. Retrieved 5 August 2023 from; [www.luspa.gov.gh/media/plan/NSDF\\_Final\\_Report\\_Vol\\_II\\_Final\\_Edition\\_TAC.pdf](http://www.luspa.gov.gh/media/plan/NSDF_Final_Report_Vol_II_Final_Edition_TAC.pdf).

98 MoFEP, 2023 Budget Estimates of Ministries, Departments and Agencies. Retrieved on 30 October 2023 from; <https://mofep.gov.gh/index.php/publications/budget-estimates/2023>.

99 MoFEP, 2023, Ministry Local Government and Rural Development – Budget Detail. Retrieved 11 August 2023 from; [https://mofep.gov.gh/sites/default/files/budget-estimates/2023/2023-Budget-by-Detail\\_011\\_MLGRD.pdf](https://mofep.gov.gh/sites/default/files/budget-estimates/2023/2023-Budget-by-Detail_011_MLGRD.pdf). Figure in US\$ estimated at 1 US\$ = 8.3 GHS.

MMDAs' budgets include US\$ 105 million for 'Local Level Development and Management', 98.9% of which is from donor assistance.<sup>100</sup> The **2023 Appropriations Act** lists US\$ 208 million for the Ghana Infrastructure Investment Fund,<sup>101</sup> a sovereign wealth fund to support "increasing infrastructure service penetration and hence the quality of life of the citizens".<sup>102</sup>

Ghana utilizes three of the five **land value capture instruments** considered by the OECD: building permit fees (used frequently), public land acquisition (occasionally), and infrastructure levies (legislated for but not used to date). These are all implemented mainly at the MMDA level. Expropriation of land is primarily for the construction of social housing. The assessment states that Ghana has no legal definition of land value capture, and that "The main obstacles that limit broader use of land value capture include lack of administrative capacity, lack of financing for the acquisition of land, resistance from landowners, and an inadequate land registry".<sup>103</sup>

There is considerable case-study academic research into land disputes, typically concerning the multiple sale of the same (farm or urban) plot, and/or **customary boundary disputes**.<sup>104</sup> In urban development, "uncontrolled developments are a common sight... socio-cultural reasons, political interferences, limited public knowledge on the essence of development controls, and an under-resourced building inspectorate division are responsible".<sup>105</sup> There are reports that the Judicial Service has "established a number of specialized Land Courts and improved the operations of the courts through automation".<sup>106</sup> Nonetheless, no government data could be found online on the extent of enforcement of land use permits, obedience to land development measures, readjustment of land parcels, land disputes or restitution of rights.

The requirement for compensation of expropriated land is stipulated in the **Constitution**,<sup>107</sup> but there are longstanding concerns of non-compliance, such as:

- 100 MoFEP, 2022, Appropriation Bill – Summary of Expenditure by Sub-Programme, Economic Item and Funding. Retrieved 11 August 2023 from; [https://mofep.gov.gh/sites/default/files/budget-estimates/2023/2023-Budget-by-Sub-Prog\\_011\\_MLGRD.pdf](https://mofep.gov.gh/sites/default/files/budget-estimates/2023/2023-Budget-by-Sub-Prog_011_MLGRD.pdf). Figure in US\$ estimated at 1 US\$ = 8.3 GHS
- 101 GoG, 2022, Appropriation Act (Act 1090), p.4. Retrieved 11 August 2023 from; <https://mofep.gov.gh/sites/default/files/budget-statements/The-Appropriation-Act-2022-Act-1090-for-2023.pdf>.
- 102 AfDB, The Ghana Infrastructure Investment Fund. Retrieved on 30 October 2023 from; <https://projectsportal.afdb.org/dataportal/VProject/show/P-GH-KE0-002>. Figure in US\$ estimated at 1 US\$ = 8.3 GHS.
- 103 OECD and Lincoln Institute of Land Policy, 2022, Ghana Country Note – Land Value Capture. Retrieved 14 August 2023 from; [www.oecd.org/cfe/cities/Land\\_value\\_capture\\_Ghana.pdf](http://www.oecd.org/cfe/cities/Land_value_capture_Ghana.pdf).
- 104 See for example Akwensivie, G.A., and A.M. Abedi-Lartey, 2022, Appraisal of thirty-three Customary Land Secretariats in Ghana, in *African Journal on Land Policy and Geospatial Sciences*, Vol.5 Issue 3 p.553-570. Retrieved 31 October 2023 from; <https://doi.org/10.48346/IMIST.PRSM/ajlp-gs.v5i3.31467>.
- 105 Boamah, N.A., C. Gyimah and J.K.B. Nelson, 2012, Challenges to the enforcement of development controls in the Wa municipality, in *Habitat International*, Vol.36, Issue 1, pp.136-142. Retrieved on 31 October 2023 from; <https://doi.org/10.1016/j.habitatint.2011.06.010>. See also Asaaga, F.A., 2021, Building on "Traditional" Land Dispute Resolution Mechanisms in Rural Ghana: Adaptive or Anachronistic?, in *Land* Vol.10, Issue 143. <https://doi.org/10.3390/land10020143>.
- 106 NDPC, 2022, Implementation of the Medium-Term National Development Agenda – 2021 Annual Progress Report, p.69. Retrieved 10 August 2023 from; [https://ndpc.gov.gh/media/2021\\_National\\_Annual\\_Progress\\_Report7530.pdf](https://ndpc.gov.gh/media/2021_National_Annual_Progress_Report7530.pdf)
- 107 Constitution of Ghana 1992, as amended 1996, Chapter 5, Article 20.2.1. Retrieved on 24 August 2023 from; [www.constituteproject.org/constitution/Ghana\\_1996](http://www.constituteproject.org/constitution/Ghana_1996).

“compulsory acquisition of about 20% of the lands in the country for the state... far in excess of actual requirements, unpaid compensation in respect of some of the acquisitions, encroachment on acquired lands, lack of intergenerational equity in the utilization of paid compensation, change of use of compulsorily acquired land as against the purpose of the acquisition... another category of lands occupied by the state without any acquisition, depriving the land owners the opportunity to demand compensation”.<sup>108</sup>

**This paper**, by the then-director of the Land Administration Project, offers some data from 2005 on compensation, for the Central Region only. It identifies 573 outstanding compensation claims totaling nearly US\$ 66 million.<sup>109</sup> The **2020 Land Act** reinforces the constitutional commitment by stating no compulsory acquisition can be undertaken unless funds for the payment of compensation have been paid into an interest yielding escrow account.<sup>110</sup>

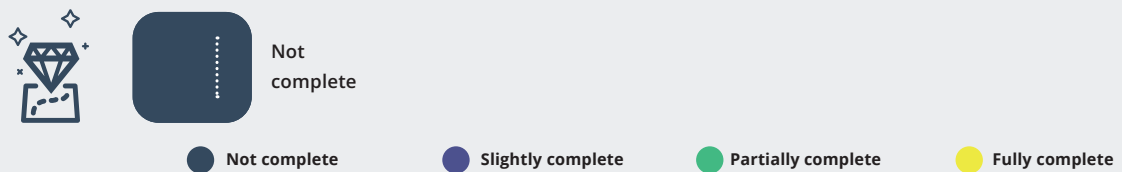
Ghana’s judiciary has made steps towards a digital portal of case law, said to contain over 61,000 cases,<sup>111</sup> but this is not publicly accessible, and it is unclear whether it is intended to be.<sup>112</sup> It is not currently possible to obtain login credentials to explore if the contents can be filtered for land-related cases. The **Ghana Legal Information Institute**<sup>113</sup> publishes information provided by the Judicial Service and its online document library contains 694 Supreme Court judgments, 90 from the Court of Appeal and one High Court judgement, but there is no way to filter for rulings regarding land issues. Compendia of historic land cases from 1937 to 1955 were once available from the Judiciary website, but can now only be found on the **Internet Archive**.<sup>114</sup>

- 108 Larbi, W.O., 2008, Compulsory Land Acquisition and Compensation in Ghana: Searching for Alternative Policies and Strategies, p.1, presented at *Fédération Internationale des Géomètres Annual Meeting 2008 and Open Symposium on Environment and Land Administration, 11-15 September 2008, Verona, Italy*. Retrieved on 14 August 2023 from; [www.fig.net/resources/proceedings/2008/verona\\_fao\\_2008\\_comm7/papers/09\\_sept/4\\_1\\_larbi.pdf](http://www.fig.net/resources/proceedings/2008/verona_fao_2008_comm7/papers/09_sept/4_1_larbi.pdf).
- 109 Larbi, W.O., 2008, Compulsory Land Acquisition and Compensation in Ghana: Searching for Alternative Policies and Strategies, p.16, presented at *Fédération Internationale des Géomètres Annual Meeting 2008 and Open Symposium on Environment and Land Administration, 11-15 September 2008, Verona, Italy*. Retrieved on 14 August 2023 from; [www.fig.net/resources/proceedings/2008/verona\\_fao\\_2008\\_comm7/papers/09\\_sept/4\\_1\\_larbi.pdf](http://www.fig.net/resources/proceedings/2008/verona_fao_2008_comm7/papers/09_sept/4_1_larbi.pdf).
- 110 GoG, 2020, Land Act (Act 1036), Section 238. Retrieved on 17 July 2023 from; <http://ir.parliament.gh/bitstream/handle/123456789/1875/LAND%20ACT%2c%202020%20%28ACT%201036%29.pdf>.
- 111 Judicial Service, Judicial Digest volume 13, August 2022, p.16. Retrieved on 14 August 2023 from; <http://judicial.gov.gh/js/judicialdigest/vol13/JudicialDigestVol13.pdf>.
- 112 Judicial Service, E-Judgements portal. Retrieved on 1 November 2023 from; <https://ejudgment.judicial.gov.gh/>. The Judicial Service, 2019, Annual Report of the Judicial Service 2017-18, p.33 states the “e-Portal [is] for external stakeholders such as the Attorney General, Lawyers, Prisons Officers, Police, Auctioneers and Citizens [although] the portal is not fully functional”. Retrieved on 14 August 2023 from; <https://judicial.gov.gh/jsfiles/annualrep20172018.pdf>. But the website itself states “All external users of the justice delivery system can access the portal. They include Lawyers in good standing, State Attorneys, registered Bank officials and other legal officers of institutions involved in the criminal justice system”, Judicial Service Frequently Asked Questions. Retrieved on 1 November 2023 from; <https://judicial.gov.gh/index.php/e-services/ejustice/f-a-q>.
- 113 Ghana Legal Information Institute, Judgements. Retrieved on 1 November 2023 from; <https://ghalii.org/judgments/>.
- 114 Judicial Service (archived). Retrieved on 1 November 2023 from; <https://web.archive.org/web/20220616111845/http://elibrary.jsg.gov.gh/fg/GHANA%20LAND%20CASES/inter%20face/INTERFACE.htm>.

## Completeness of Land Value Data

There is almost no transparency around land or property valuation data. The **dLRev** system is primarily a mechanism to enhance land value capture through providing cross-government spatial data for, amongst other matters, all the authorities with a mandate to collect property, rent and other taxes, and ground rent due to traditional authorities.<sup>115</sup> It is described as “cloud-based software [as] a one-stop-shop for the whole revenue management cycle: data collection, printing and electronic billing, revenue collection, mobile payments and reporting”.<sup>116</sup> It has been under development since 2013 with support from Germany, Switzerland, Canada and the US, and is a collaboration between the Ministry of Local Government, Decentralization and Rural Development (MLGRD), Ghana Audit Service, Ministry of Finance, Ghana Revenue Authority (GRA), OASL, LUSPA, and MMDAs. Despite this, none of the data can be found on publicly accessible websites and there is reportedly no transactions database. The use of revenues generated from property taxes is not, in public documents, disaggregated from other revenue streams. Overall, **Ghana scores 19 out of 100 for the completeness of its land value data.**

### Land Value Data: Not Complete (19%)



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The Land Commission includes a **Land Valuation Division**<sup>117</sup> with the mandate to provide land and land related valuation services: assessing rating and estate valuations, stamp duty and compensation for expropriations; valuing government-rented, leased, sold or purchased property; and other property for a fee. However, it does not offer any data on these valuations.

Some data on urban land values is available in studies conducted for government agencies, for example a **2016 report** by the University of the West of England and the Local Ghana Service includes a table of land value estimates for Accra between 2011 and 2016, showing growth between 15 and 47% over the five year period depending on the district.<sup>118</sup> The same report also contains some data on urban housing values.

The **dLRev**, the integrated spatial, registry, and payment database under the auspices of the MLGRD, has, according to the website, the ability to collect and manage property revenue due to the GRA, OASL and MMDAs.<sup>119</sup> Yet, no data has been found on government websites regarding the extent of property transactions, including their value or associated revenues

- 115 dLRev, ‘Screenshots’ pop-up. Retrieved on 6 November 2023 from; [www.dlrev.org/](http://www.dlrev.org/).
- 116 dLRev, ‘What is dLRev?’ pop-up. Retrieved on 6 November 2023 from; [www.dlrev.org/](http://www.dlrev.org/).
- 117 Lands Commission, Land Valuation Division functions. Retrieved on 2 November 2023 from; [www.lc.gov.gh/about-us/organizational-structure/land-valuation-division-lvd/](http://www.lc.gov.gh/about-us/organizational-structure/land-valuation-division-lvd/).
- 118 Awuah, K.G.B., 2016, Leveraging Rising Urban Land Values to Finance Urban Infrastructure Development in Ghana: A Case Study of Accra, p.35 (Table 5.1). Retrieved on 5 August 2023 from; <https://lgs.gov.gh/wp-content/plugins/download-attachments/includes/download.php?id=4739>.
- 119 dLRev, ‘Applications’ Pop-up. Retrieved on 6 November 2023 from; [www.dlrev.org/](http://www.dlrev.org/). See also GhanaWeb, 25 October 2020, Minister launches Digital Solutions for revenue mobilisation for MMDAs. Retrieved on 7 November 2023 from; [www.ghanaweb.com/GhanaHomePage/business/Minister-launches-Digital-Solutions-for-revenue-mobilisation-for-MMDAs-1092577](http://www.ghanaweb.com/GhanaHomePage/business/Minister-launches-Digital-Solutions-for-revenue-mobilisation-for-MMDAs-1092577).

generated. An **academic study from 2020** confirms there is database of transactions:

Consistent with anecdotal evidence, a relatively high level of variation in valuation is documented... Since one of the likely causes of the high level of variation is the lack of accurate and reliable data, it is important that urgent steps are taken to create a database that would allow for the gathering of transaction data in a systematic way and in line with the requirements for reliable market data.<sup>120</sup>

Public information is limited to presenting the rate of various taxes, as follows:

- The **2005 Stamp Duty Act**<sup>121</sup> specifies rates for the conveyance and the leasing of property. These increase from 0.25% to 1% of the property sale value, depending on its value.
- Property taxes until 2022 were set and collected at local level and rates were published in individual Local Government Bulletins, making it difficult to examine rates across numerous authorities and time periods.<sup>122</sup> From 1 January 2023 the **GRA** offers a **Unified Common Property Rate Platform**.<sup>123</sup> A note on the website says “The valuation list is being updated. Visit your Assembly’s premises to view the printed Valuation Roll”.<sup>124</sup>
- Rent tax is set at 8% for residential premises and 15% for non-residential premises.<sup>125</sup>
- Ground Rent is “tax paid on revenues received from activities such as natural resource exploitation, for example stool lands, building permits, royalties, concessions and cemetery fees”.<sup>126</sup> PricewaterhouseCoopers reports the rate for natural resource royalties is 15%,<sup>127</sup> and some further data is available on other government websites, see below.
- Some reports state 5% real estate VAT was imposed on hotels (not private residences) from 2015,<sup>128</sup> but no information on this could be found on the GRA website.

120 Gyamfi-Yeboah, F. and K.G.B. Awuah, 2020, Variation in Property Valuation and Market Data Sources in Ghana, in *Responsible and Smart Land Management Interventions - An African Context*, edited by W. Timo de Vries, J.T. Bugri, and F. Mandhu. Retrieved on 6 November 2023 from; <http://dx.doi.org/10.1201/9781003021636-4>.

121 GoG, 2005, Stamp Duty Act (Act 689). Retrieved on 2 November 2023 from; <https://gra.gov.gh/wp-content/uploads/2020/11/ACT689StampDutyAct.pdf>.

122 One report on Accra from 2014 presents rates between 0.5 and 1%. See Rentchamber, Property taxes and Rent taxes – What is the current situation in Ghana?. Retrieved on 2 November 2023 from; <https://rentchamber.com/property-rates-and-rent-taxes-what-is-the-current-situation-in-ghana/>. See also Rentchamber, What are the Property Taxes in Accra?. Retrieved on 2 November 2023 from; <https://rentchamber.com/what-are-the-property-rates-in-accra/>.

123 GRA, Property Rate Portal. Retrieved on 2 November 2023 from; <https://myassembly.gov.gh/>. See also GRA, Commencement of Implementation of Unified Common Property Rate Platform in Conjunction with the Metropolitan, Municipal and District Assemblies (MMDAs). Retrieved 2 November 2023 from; <https://gra.gov.gh/commencement-of-implementation-of-unified-common-property-rate-platform-in-conjunction-with-the-metropolitan-municipal-and-district-assemblies-mmdas/>.

124 GRA, Property Rate Valuation List. Retrieved on 2 November 2023 from; <https://myassembly.gov.gh/view-valuation/>.

125 GRA, Rent Tax. Retrieved on 2 November 2023 from; <https://gra.gov.gh/domestic-tax/tax-types/rent-tax/>.

126 GRA, Property Rate Portal. Retrieved on 2 November 2023 from; <https://myassembly.gov.gh/>.

127 PWC Ghana, 2023, Navigating Taxation – Ghana Tax Facts and Figures. Retrieved on 2 November 2023 from; [www.pwc.com/gh/en/assets/pdf/pwc-ghana-tax-facts-and-figures-2023.pdf](http://www.pwc.com/gh/en/assets/pdf/pwc-ghana-tax-facts-and-figures-2023.pdf).

128 See Devtraco Plus, 17 February 2021, A Guide To Property Tax In Ghana. Retrieved on 2 November 2023 from; <https://devtracoplus.com/news/a-guide-to-property-tax-in-ghana/>. And Real Estate Times, 4 August 2021, Property Tax in Ghana. Retrieved on 2 November 2023 from; <https://realestatetimesafrica.com/news/housing/936/Property+Tax+in+Ghana>.

The annual income from property taxes **in 2022**, as estimated in the national budget, was US\$56 million.<sup>129</sup> This was at a time when this tax was administered by MMDAs and revenue did “not form part of central government revenues”.<sup>130</sup> The lack of any more detailed MMDA reporting prevents any assessment of how this revenue is utilized, but it appears to make up only a small proportion of the US\$ 1 billion described in the same national budget as total internally generated revenue by the MMDAs. It is unclear if the change from the start of 2023 will lead to a rate fixed for the whole country, or how funds raised will be available to the respective MMDA.

The OASL is central to the management of ground rent and royalties payable to the customary owners of the land. The rates for the mining and logging sectors are determined by the relevant ministers, and ground rent and farm rent are assessed by the OASL.<sup>131</sup> For mining, the OASL **states** “Pursuant to the Minerals and Mining (Ground Rent) Regulations, 2018 (LI 2357), the current rate for Large Scale mining is GH¢ 38 [US\$ 4.6] per Cadastral Unit. This amounts to GH¢ 3,707 [US\$ 447] per square kilometer”.<sup>132</sup> The **OASL section** of dLRev has a payment button under construction.<sup>133</sup> A mobile App has also been advertised,<sup>134</sup> but this has not been found on Google Play.

The OASL and MLNR have published mining revenue disbursement reports, **since 2019** and **between 2017 and 2019** respectively, which tabulate the distribution to individual MMDAs, stools/skins, and Traditional Councils.<sup>135</sup> The equivalent reports from the logging sector no longer appear to be available online. OASL also offers **15 images** of community infrastructure built using the revenue it manages.<sup>136</sup>

The annual **Ghana Extractive Industries Transparency Initiative (GhEITI) reports** are audited reports on concession-holders, fees and taxes, and beneficial owners, primarily for the mining, oil and gas sectors (it does not include the logging sector).<sup>137</sup> Currently only one pair of annual reconciliation reports is available, covering 2020. Together these narrative reports tabulate payments made by mining, oil, and gas industries to the state, as well as the types of expenditure the government then implements with these revenues.<sup>138</sup> This includes

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- 129 MoFEP, 2022, Fiscal data January – July 2022. Retrieved on 11 August 2023 from; <https://mofep.gov.gh/sites/default/files/fiscal-data/2022-Fiscal-Data-Jan-Jul.xlsx>.
- 130 Institute for Fiscal Studies and MoF, 2021, A Survey of the Ghanaian Tax System, p.11. Retrieved on 8 August 2023 from; <https://mofep.gov.gh/sites/default/files/reports/revenue/A%20Survey%20of%20the%20Ghanaian%20Tax%20System.pdf>.
- 131 OASL, 2019, Regulations (LI 2377), Second Schedule. Retrieved on 24 September 2023 from; <https://oasl.gov.gh/dev/wp-content/uploads/2021/02/OASL-Regulations-2019-LI-2377.pdf>.
- 132 OASL, Assessment of Stool Land Revenue. Retrieved on 7 November 2023 from; <https://oasl.gov.gh/signature-process/>. Figure in US\$ estimated at 1 US\$ = 8.3 GHS.
- 133 OASL, OASL Public Portal. Retrieved on 7 November 2023 from; [https://oasl.dlrev.org/oasl\\_portal/](https://oasl.dlrev.org/oasl_portal/).
- 134 Ghana Today, 27 October 2022, OASL launches Revenue App. Retrieved 7 November 2023 from; <https://ghanatoday.gov.gh/business/oasl-launches-revenue-app/>.
- 135 OASL, Disbursement of Mineral Royalties & Ground Rent, 2019 to 2022. Retrieved on 7 November 2023 from; <https://oasl.gov.gh/eiti/>. And MLNR, OASL Mineral Royalty Disbursements [January 2017 to January 2019]. Retrieved on 7 November 2023 from; <https://mlnr.gov.gh/index.php/office-of-the-administrator-of-stool-lands/>.
- 136 OASL, Funded Projects. Retrieved on 7 November 2023 from; <https://oasl.gov.gh/funded-projects/>.
- 137 GhEITI Publications. Retrieved on 7 November 2023 from; [www.gheiti.gov.gh/site/index.php?option=com\\_phocadownload&view=category&id=71&Itemid=74](http://www.gheiti.gov.gh/site/index.php?option=com_phocadownload&view=category&id=71&Itemid=74).
- 138 GhEITI, 2022, Report on the Mining Sector 2020. Retrieved on 16 August 2023 from; [www.gheiti.gov.gh/site/index.php?option=com\\_phocadownload&view=category&id=71&Itemid=74](http://www.gheiti.gov.gh/site/index.php?option=com_phocadownload&view=category&id=71&Itemid=74). And GhEITI, 2022, Report on the Oil and Gas Sector 2020. Retrieved on 16 August 2023 from; [www.gheiti.gov.gh/site/index.php?option=com\\_phocadownload&view=category&download=461:2020-gheiti-mining-report&id=35:mining-oil-a-gas-reports&Itemid=54](http://www.gheiti.gov.gh/site/index.php?option=com_phocadownload&view=category&download=461:2020-gheiti-mining-report&id=35:mining-oil-a-gas-reports&Itemid=54).

payments of land rental to the OASL for onward distribution to the traditional authorities as landowners, i.e. similar data to that described in the paragraph above. The reports also publish Ground Rent, Royalties and Property Tax payments by individual mining, oil, and gas companies. The GhEITI website also offers a number of spreadsheets, but these do not contain data relating to payments of fees and taxes to the government or other authorities.

The fourth OGP **Action Plan**, covering 2021-23, committed Ghana to improve beneficial ownership transparency “through an online portal and civil society and media training on how to make use of the data”.<sup>139</sup> GhEITI does appear to have been constructing an **interactive database** since 2018. It states that it offers “data from GhEITI’s annual reports accessible with explorable dashboards and interactive visualizations, but currently is not able to show any data.”<sup>140</sup>

## Other Relevant Land Data Types

Ghana’s 2021 census included data on agriculture, crop farming, tree growing, and property tenure. The GSS is processing the data and **anticipates** some spatial data becoming available.<sup>141</sup> It has published an **overall report**<sup>142</sup> on population and household data, and currently offers “**10% microdata**”.<sup>143</sup>

As described in the State of Data Governance section above, **GODI** provides spatial datasets on administrative boundaries, forest reserves, roads, and tourism sites.<sup>144</sup> Registered ArcGIS users can **access** 1,234 items for Ghana including spatial datasets and documents. Of the 43 contributors only a handful appear to be from Ghana, and none from a government agency.<sup>145</sup> The UN Office for the Coordination of Humanitarian Affairs (OCHA) also **provides** some 21 open license administrative and humanitarian spatial datasets, including on food security, health, financial services, and transport, a number of which are extracted from Open Street Maps.<sup>146</sup>

139 OGP, 2022, Independent Reporting Mechanism Action Plan Review: Ghana 2021-2023, p.8. Retrieved on 28 August 2023 from; [www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana\\_Action-Plan-Review\\_2021-2023.pdf](http://www.opengovpartnership.org/wp-content/uploads/2022/04/Ghana_Action-Plan-Review_2021-2023.pdf)

140 GhEITI; Data Analysis of Ghana’s Extractive Sector. Retrieved on 7 November 2023 from; <http://data.gheiti.gov.gh/>.

141 GSS, Geospatial Products. Retrieved 7 November 2023 from; [https://census2021.statsghana.gov.gh/dissemination\\_details.php?disseminatereport=NzKxNzQyNjEuMTI5NQ==&Geospatial-Products](https://census2021.statsghana.gov.gh/dissemination_details.php?disseminatereport=NzKxNzQyNjEuMTI5NQ==&Geospatial-Products).

142 GSS, 2021, Ghana 2021 Population and Housing Census Volume 3, General Report Highlights. Retrieved on 7 November 2023 from; <https://census2021.statsghana.gov.gh/gssmain/fileUpload/reportthelist/Volume%203%20Highlights.pdf>.

143 GSS, Ghana – Population and Housing Census 2021. Retrieved on 7 November 2023 from; <https://www2.statsghana.gov.gh/nada/index.php/catalog/110>

144 GoG, Ghana Open Data Initiative. Retrieved on 31 October 2023 from; <https://data.gov.gh/>.

145 ArcHub. Retrieved on 7 November 2023 from; <https://hub.arcgis.com/search?collection=Dataset&q=Ghana>.

146 OCHA. Retrieved on 7 November 2023 from; [https://data.humdata.org/group/gha?groups=gha&res\\_format=SHP&q=&sort=if\(gt\(last\\_modified%2Creview\\_date\)%2Clast\\_modified%2Creview\\_date\)%20desc&ext\\_page\\_size=100](https://data.humdata.org/group/gha?groups=gha&res_format=SHP&q=&sort=if(gt(last_modified%2Creview_date)%2Clast_modified%2Creview_date)%20desc&ext_page_size=100)



# Open Data Compliance Assessment in Ghana

## Ghana's SOLIndex Score

State of Land Information (SOLI) reports assess and score the completeness and openness of the information about a country's legal framework for land governance, its land tenure data, land use data, land development data and its land value data. They examine each land data type in detail, identifying which elements are available in a digital format and how they comply with international open data criteria, assessing them against four aspects for their completeness and openness. From these results they calculate a country's SOLIndex score. Ghana has a completeness score (CS) of 32% and an openness score (OS) 46%. **The overall SOLIndex score for Ghana is 14.8%**  $(32\%CS \times 46\%OS) / 100$ .

## Detailed SOLIndex Scoring Results

### Completeness Scoring

SCORE	DESCRIPTION
3	All land legislation, tenure, use, development, or value data is digital
2	A substantial amount of land legislation, tenure, use, development, or value data is digital.
1	Little land legislation, tenure, use, development, or value data is digital
0	No land legislation, tenure, use, development, or value data is digital

## Completeness Results

COMPLETENESS SCORES FOR EACH LAND DATA TYPE	CS SCORE	CS %
How complete is the digital legal and policy framework?	5/6	83
How complete is digital land tenure data	4/27	15
How complete is digital land use data	4/12	33
How complete is digital land development data	3/27	11
How complete is digital land value data	7/36	19
<b>Total land data completeness score</b>		<b>32%</b>

## Openness Scoring

Ten open data criteria are used to assess the openness of land data across each of the five land data types. These criteria are drawn from the principles and methodologies used by the **Open Data Charter**<sup>147</sup> and the **Open Data Barometer**.<sup>148</sup> For each criterion and each land data types the following openness scoring system is used:

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SCORE	DESCRIPTION
3	The digital data meets all or most of the open data criteria
2	The digital data meets more than half of the open data criteria
1	The digital data meets few of the open data criteria or there is digital land governance
0	There is no evidence of digital or open data

Table 1 presents the open data assessment for Ghana.

147 Open Data Charter Principles. Retrieved on 17 August 2023 from; <https://opendatacharter.net/>.

148 Open Data Barometer: methodology, 4th ed. 2016. Retrieved 17 August 2023 from; <https://opendatabarometer.org/4thedition/methodology/>.

Table 1: Overall score of the Open Data Compliance Assessment for Ghana



	Legal	Land Tenure	Land Use	Land Development	Land Value	Overall Score	Index Score
<b>Online</b>	Fully online	Partially online	Slightly on-line	Partially online	Slightly online	Slightly online	60%
<b>Accessible</b>	Fully accessible	Partially accessible	Partially accessible	Partially accessible	Slightly accessible	Partially accessible	67%
<b>Free</b>	Fully free	Fully free	Partially free	Partially free	Slightly free	Partially free	73%
<b>Timely</b>	Partially timely	Slightly timely	Slightly timely	Partially timely	Slightly timely	Slightly timely	47%
<b>Metadata</b>	Partial use of metadata	Partial use of metadata	Partial use of metadata	Partial use of metadata	Slight use of metadata	Partial use of metadata	60%
<b>Standards</b>	Slight use of standards	Partial use of standards	Partial use of standards	Slight use of standards	No use of standards	Slight use of standards	40%
<b>Downloadable</b>	Partially downloadable	Slightly downloadable	Slightly downloadable	Partially downloadable	Slightly downloadable	Slightly downloadable	47%
<b>Open License</b>	Partial use of open license	No use of open license	No use of open license	No use of open license	Slight use of open license	No use of open license	20%
<b>Machine Readable</b>	Slightly machine readable	Partially machine readable	Slightly machine readable	Not machine readable	Slightly machine readable	Slightly machine readable	33%
<b>Linked Data</b>	Partial use of URI	No use of URI	No use of URI	No use of URI	No use of URI	No use of URI	13%
<b>Overall</b>	Partially open	Partially open	Slightly open	Slightly open	Slightly open	Slightly open	
<b>Percentage</b>	<b>70%</b>	<b>50%</b>	<b>40%</b>	<b>43%</b>	<b>27%</b>		<b>46%</b>

**Online (score 60%)**

Almost all legislation relating to the land sector is available from government websites, including the parliamentary library. Thus, most information necessary to explain policies, responsibilities and procedures can be found. The online public availability of government data and information for the remaining land administration categories is low. There is no land registry or overall dataset of land tenure. Existing public domain land data is provided by specific initiatives concerning **mining** and **logging** concessions and the **cocoa industry**. Any other available information is mainly in static bibliographic text formats, not databases or spatial representations. It has not been possible to find an authoritative land use map, comprehensive data on transactions, data on land-based revenues accruing to different levels of government and traditional authorities, or how this revenue is then used.

**Accessible (score 67%)**

Many of the online resources are openly accessible without the need for any registration or login credentials. Almost all legislative information is accessible, and one non-state website offers this in HTML format to facilitate text searches. The three nationwide spatial datasets – the **Mining Repository**, **Forest Reserves** and concessions and the cocoa sectors **Ghana Forest Compliance** data – are accessible to view but two of these require registration in order to access all available information. Similarly, a login is required for data from the 2021 census and the database of court cases, both of which potentially are key sources of statistical information.

**Free (score 73%)**

The free (of charge) results closely mirror the accessibility results above, indicating that in all cases where information is accessible it is at no cost. While it is not possible to assess sites that require prior registration, these sites do not mention costs.

**Timely (score 47%)**

Most of the available legislative texts are static and less time-critical than other data, but none of the three libraries of legislation appeared to be fully up to date. In the other categories there are bibliographic texts and periodic reports, such as the national annual budget, and GhEITI reports for which new editions are regularly published, but in other cases the information seems to be generated by a one-off project that has since ended. It is not possible to assess sites that require prior registration.

**Metadata (score 60%)**

As almost every resource that could be found online had the minimum of metadata: author, date and publisher/source, as individual items they fully met this criterion. However, as discussed in the Online section above, few datasets were available, so overall scores for metadata are marked down to 'partially available'. It is not possible to assess sites that require prior registration.

**Standards (score 40%)**

Data standards are typically more suited to datasets and spatial information than to bibliographic texts but given the paucity of these types of data covering land issues in Ghana it is not unexpected that almost no information followed a standard format. Spatial data generally followed global standards such as the Environmental Systems Research Institute

(ESRI) ArcGIS platform, which publishes information on its standards [here](#),<sup>149</sup> and the **Mining Repository** is supported by the Revenue Development Foundation, which **states** the “design is refining a standard set”.<sup>150</sup>

#### Downloadable (Score 53%)

Most bibliographic data and information are downloadable. The very few datasets that were found either do not offer downloads (for example the **Tropical forest loss and gain monitor**), or it is not possible to assess without prior registration. None of the downloadable information could be captured in bulk or automated through an application programming interface (API).

#### Open License (Score 20%)

Most government websites do not offer open license information beyond a copyright symbol in the footer of each webpage. The **GODI, which** is explicit about its Creative Commons attributions, holds a large number of statistical datasets provided by 22 government agencies. The attributions are variously described by the individual government source uploading its datasets, as ‘Creative Commons Attribution’, ‘Open Data Commons Open Database License (ODbL)’, ‘Open Data Commons Attribution License’ or ‘Creative Commons Non-Commercial (2.5)’. The GhEITI states it strives to follow the **Open Data Charter**.<sup>151</sup>

#### Machine Readable (Score 33%)

Very little of the land information identified and published by the Government of Ghana is machine-readable. The spatial data based on ESRI shapefiles should be machine-readable; and some **GODI** data is available in CSV; some legal texts are offered as HTML; and the **Mining Repository** comprises downloadable as XLS files along with an online map that can be downloaded as a KML file or embedded HTML.

#### Unique Resource Identifier (URI, Score 13%)

The only land data sources that appear to have a URI are those from the parliamentary **library of legislation**, where each item is listed with its URI.

#### Overall (Score 45%)

As little land data is available online, the overall score is only Slightly Open in Ghana. This scarcity is particularly the case for data as distinct from bibliographic texts – the latter are generally free to access, do not require prior registration, include a minimum of metadata, and are downloadable. Of the few datasets that are available, many present obstacles to openness and interoperability, such as information being out of date, a lack of standard formats, absence of open licenses, no ability for bulk downloads, APIs, machine-reading, and no URIs. Furthermore, some key sources, especially of spatial data, require prior registration, if not to view the data, then to download it.

149 ESRI ArcGIS Standards. Retrieved 17 July 2023 from; [www.esri.com/en-us/arcgis/open-vision/initiatives/standards-specifications](http://www.esri.com/en-us/arcgis/open-vision/initiatives/standards-specifications).

150 Revenue Development Foundation. Retrieved 17 July 2023 from; <https://eiti.org/blog-post/eiti-mainstreaming-and-government-online-repository-portals>.

151 Open Data Charter. Retrieved on 17 August 2023 from; [www.opendatacharter.net](http://www.opendatacharter.net).

# Conclusions

Ghana has an extensive legal framework for land governance and for data openness, rooted in its constitution and embracing its mix of customary and codified legal norms. The key legislation to support access to information was not passed until 2019.<sup>152</sup> The 2020 **Land Act**, passed over a decade after the establishment of a Lands Commission, contains important clauses (see the section on Legal Framework on Access to Land Information above), but does not commit the authority to making data proactively available.

Legal and policy information in Ghana is nearly complete and partially open but improving all the time. The procedures for land administration are well documented, including online access to some application forms and personal financial reports. Ghana's parliament provides a large online catalogue of over 350 laws, (including land laws), regulations and other legal documents.

Land tenure data and information is only slightly complete with some data on mining and logging concessions being online. Cadastral data on formal land and stool land is not publicly available. Currently, there is no online land title register or single online interactive, up-to-date map showing individual or aggregated land parcels and associated tenure (ownership or leasehold) data. It is promising to see evidence that the Lands Commission and LUSPA are developing these digital datasets. For example, under the **dLRev** system, land parcel data will be collected and published to support an interactive online map that will become the primary user-interface to locate properties for the payment of relevant taxes. This could also include land development information such as transaction history.

Digital land use data and information is incomplete. The Lands Commission website has no land use maps or other data and a public-private collaboration with the Forestry Commission provides limited nation-wide land cover and land use spatial information.

Land development data and information is only slightly available, despite considerable investment in improving digitization and data management in government authorities. Development plans and budgets are generally available as text documents. No government data was found online on land disputes, the extent of enforcement of land use permits, obedience to land development measures, readjustment of land parcels, land disputes or restitution of rights.

Land valuation data is only slightly available. While the **dLRev** system is meant to facilitate access to information on land value functions, none of the data is on publicly accessible websites and there is no property transactions database or data showing the use of revenues generated from property taxes or disaggregated from other revenue streams in the budget.

The **Ghana Mining Repository**, driven by the requirements of the EITI, has supported

152 Commonwealth Human Rights Initiative, 2019; Right to Information – Ghana's Journey 1992-2019. Retrieved 4 December 2023 from; [www.humanrightsinitiative.org/download/1570075247RTI%20GHANAs%20JOURNEY%20\(1992%20-%202019\).pdf](http://www.humanrightsinitiative.org/download/1570075247RTI%20GHANAs%20JOURNEY%20(1992%20-%202019).pdf).

increased openness of land data. As described in the section on Land Tenure Data above, this offers spatial and attribute data for 1,700 licenses and nearly 6,000 companies or individuals and is a good example that other holders of land tenure, land use, development and value data could follow.

It is of concern that many websites originate as outcomes from projects that then end. The **Land Administration Project** supported by the World Bank ended after 17 years and yet fell short of its original ambitions. The dLRev system has been under development since 2013 and is yet to meet its full potential. Many smaller initiatives, such as the work of the environmental information network **GEIN**, the open government **GODI**, or the university GIS research team **CERGIS** all show signs of falling into neglect. This suggests that there is inadequate local ownership to drive the sustainability of these sites once external financial and technical support ends.

Overall, we may conclude that there is significant goodwill that has been extended in improving land data governance at various levels of government as well as other actors. While the completeness and openness of data is still at a low level, efforts have been made for all data categories to increase the quantity and openness of land data. However more needs to be done to implement and consolidate open land data gains and cement the progress made thus far.

# Recommendations

This section offers recommendations to improve land data availability in Ghana and achieve the benefits of open data in the land sector. If implemented, Ghana could move more quickly to use open land data to create a more enabling environment for innovation.

## Legal and Policy Reforms

- Develop and implement clear and accessible procedures to enable government agencies and citizens to access the improved public information on land administration and revenue collection.
- Implement the constitutional obligation to openness by establishing frameworks and procedures to publish land governance data routinely and proactively on government websites.
- Clarify and minimize the opportunities for legislature, judiciary, and state-owned enterprises to apply exceptions in the RTIA.
- Include a clear and achievable land data openness commitment in the next 2024-26 OGP action plan.

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## Publish Available Land Data

- Develop online portals to share the other land datasets held by Government of Ghana agencies.
- Apply the lessons from the registry and map of mining permits hosted by the Minerals Commission to other land holdings.
- Publish land value and land development data to support government decision making and inform development planning.
- Monitor compliance with the RTIA and government guidance on the right to information and drive improvements in the performance of agencies.



## Data Release Frameworks

- Ensure the GODI initiative integrates and updates datasets to achieve its potential as a valuable cross-government resource.
- Draft all-of-government frameworks and agreements to coordinate access to land data. Consider integrating information from GhEITI with that from the Minerals Commission to provide more complete accountability and transparency for those developing Ghana's natural resources.

## Prioritize Land Data Need and Objectives

- Seek out and identify data across diverse public sector entities that could support land governance objectives in order to create a more robust and effective open data ecosystem in Ghana.
- Identify, prioritize, and publish a minimum set of open land data and information resources corresponding to governmental and public needs for data.

In order to plan for and implement these recommendations, Ghana may consider developing an open land data action plan to structure engagement with stakeholders and identify key actions, resources, and opportunities in support of a comprehensive land data ecosystem. Ghana has benefitted from significant financial and technical support to improve land information management. It is well-placed to make non-personal land information publicly available to meet its sustainable social and economic development goals through the provision of readily available land data and information to support land management and the provision of land related services in Ghana.



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