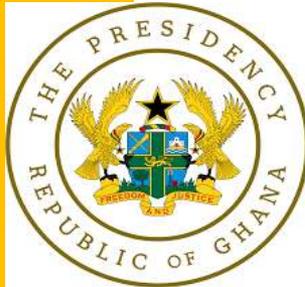


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Reforming Land Administration through Market-Oriented Interventions- Mapping Out Emerging Lessons from Ghana's Journey towards Private Sector Participation

Presentation by

Dr Eric Yeboah, Land Policy Advisor, Office of the President, Ghana

James Dadson, Executive Secretary, Lands Commission

Jones Ofori-Boadu, Deputy Executive Secretary, Lands Commission

Benjamin Arthur, Deputy Executive Secretary, Lands Commission



Thematic Outline of Presentation

- **The Context- Ghana's troubled Land Administration and the need for Reforms**
- **The Ghana Land Administration Project-
What Gains? What is outstanding?**
- **Exploring the Private Sector-What options? What benefits? What risks?**
- **The Journey-Key Steps and Accomplishments**
- **What emerging lessons for countries seeking to explore Private Sector Participation in land administration?**
- **Reflections and Conclusions**
-

Setting The Context

- **Ghana's National Land Policy of 1999 catalogued a number of challenges in Ghana's land administration**
 - Tenure Insecurity
 - Manual Transactions
 - Indeterminate Boundaries
 - Land induced disputes
 - Delays in accessing land services
 - Scattered and incoherent legislative regime
 - Fragmented and poorly coordinated institutional framework, etc

Setting The Context

The Ghana Land Administration Project (2003-2018)

- Streamlined Legal and Institutional architecture for land administration
- Uptake in improved technology through (Computers, ELIS)
- Enhanced administration of customary lands through decentralised Secretariats
- Client Service and Access Units
- Modest gains in turnaround time for land service delivery
- Spatial Planning Framework for selected region to improve urban planning and metropolitan service delivery

.....yet the structural challenges remain- the reinforcing cycle of weak land administration

Maps- duplicity of inadequate/outdated which are not fit for purpose

Manual records which make work flow processes slow and prone to alterations/fraud

Weak interface between the land registry and allied services

Low level of automation of activities of the Lands Commission which makes it difficult to supervise and ensure compliance to agreed target

Inadequate spread of COR Stations nationwide

Private Sector as an alternative

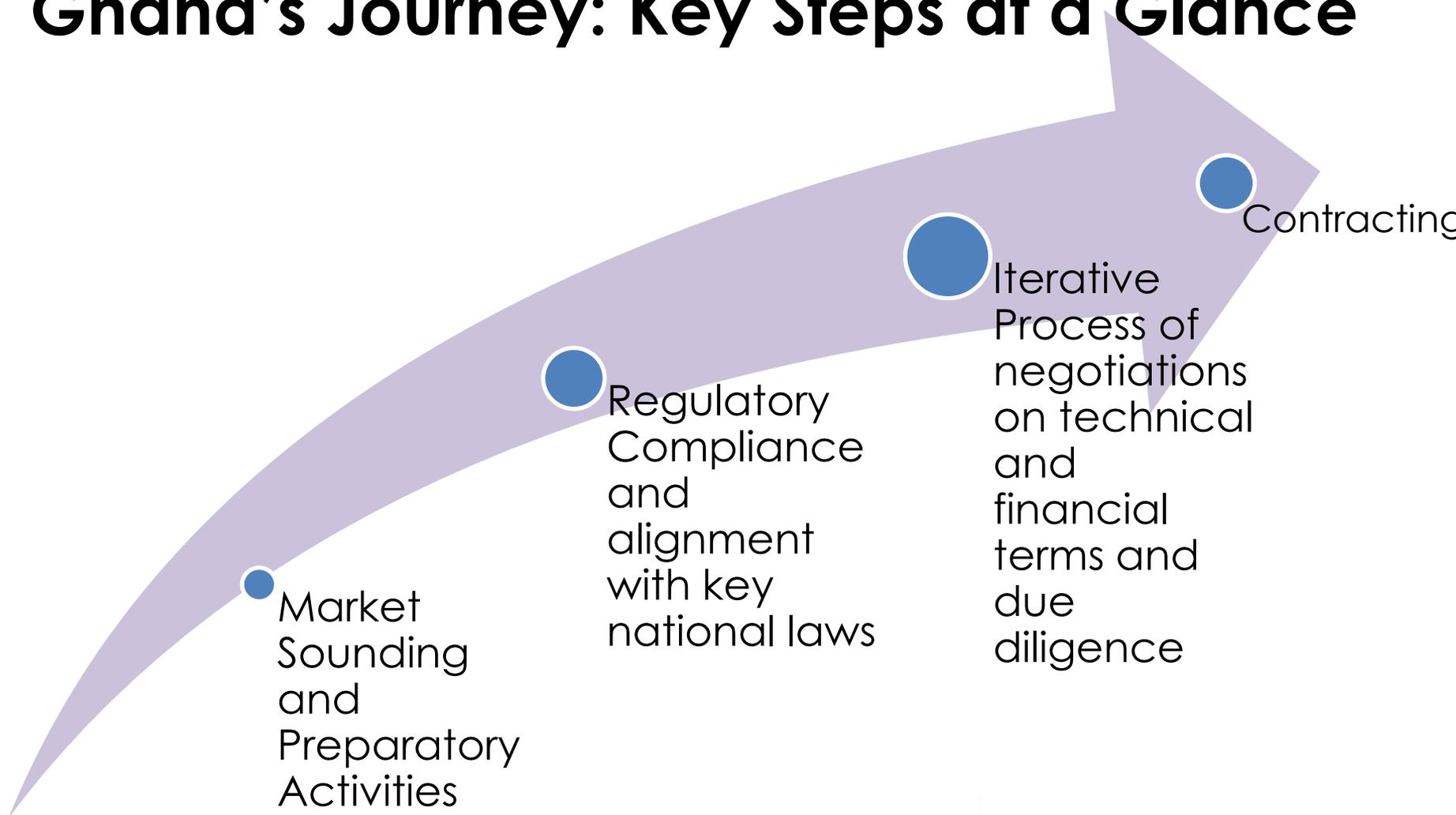
- **Injection of Private Sector capacity and corporate governance to complement existing state of play**
- **Continuous Uptake and scaling up of dynamic emerging technologies**
- **Injection of private sector capital, especially in the face of constrict fiscal space in the midst of global economic downturn of which Ghana's economy has been impacted**

PSP: Meaning and Typologies

- Private sector participation arises when a private partner collaborates with a public agency with the aim of jointly investing in an agreed project so that risks and benefits are shared in an agreed ratio
- Private Sector Participation Models
 - Concession Agreement,
 - Management Service
 - Build Operate Transfer (BOT)
 - Build Own Operate Transfer (BOOT)
 - Build, Own and Operate (BOO)



Ghana's Journey: Key Steps at a Glance



Key Steps: Market Sounding

Market Sounding
Event- April, 2018

Preparation of
terms of
reference,
Scope,
guidelines, etc

Regulatory Compliance



Iterative
Process of
negotiations-
'ticking the
terms sheet'

- (Slight) Changes in scope can result in significant changes in cost
- Return on Investment and tenor of PSP require careful considerations-
- What roles? What communication channels?

Lessons Learnt so far

- Determining the appropriate vehicle for PSP is key as each choice has its implications from both technical, legal, management and administrative perspective. There is the need for greater flexibility as the traditional models may not necessarily fit neatly
- It takes time to structure and conclude a private sector participation agreement. It is therefore important to allow for adequate time
- Clearly defining the scope and the extent of the private sector involvement is key and this must be prioritized from the onset.

Lessons Learnt so far

- Private Sector Participation in Land administration must be situated in the broader context of public administration which are guided by many laws and regulations.
- Make adequate budgetary allocation for project preparation as initial cost may be significant, especially if the required competencies are not available inhouse and must thus be outsourced
- Prioritize Multi-stakeholder management consultations with stakeholders, including addressing apprehension among staff of state land sector agencies as part of change management process.

Lessons Learnt so far

- Greater flexibility is required in order to ensure optimal outcomes and results

Reflections and Conclusion

- PSP is a viable alternative or complement to existing models of financing land administration reforms
- It is expected to gain more traction in the post COVID-19 Economic recovery of developing contexts, partly because of constricted fiscal space and the central role of land in the process outcomes and results
- The Processes involved in structuring PSP may not be clear cut or templated, thus requiring continuous refining and adjustment in order to attain deserved outcomes