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**From Land Grabbing to Sustainable Land Investments: Effects of Large-Scale Land  
Transactions on the Environment and Rural Livelihoods in Ghana**

**By**

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Over the past decade, agribusinesses, government agencies and investment funds have been acquiring large tracts of lands in developing and lower income countries. The increasing need for food to feed a growing population, the need for cleaner sources of energy and private sector expectations of high returns on land and land-based resources have been attributed to these recent land acquisitions. These transactions are expected to have long-term effects on rural livelihoods because almost all rural dwellers are dependent on lands for their livelihoods. Access to and distribution of land rights are of a contentious nature in sub-Saharan Africa including Ghana. Researching the trend of large-scale land acquisitions and their impacts on rural livelihoods is important in the Ghanaian and the sub-Saharan Africa context as a whole. There are heated debates with strong positions taken by those who view these transactions as means of economic development, while others view them as causes of environmental degradation, loss of food sovereignty and rights.

Keywords: large-scale land transactions, smallholder farmers, capacity building, food security, rural livelihoods, and galamsey.

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## **CHAPTER ONE: INTRODUCTION**

Over the past decade, agribusinesses, government agencies and investment funds have been acquiring large tracts of lands in developing and lower income countries. Large-scale land acquisitions are not a new phenomenon but the rate and scope of these current transactions are unprecedented (Kugelman and Levenstein 2013; Cotula 2012). The increasing need for food to feed a growing population, the need for cleaner sources of energy and private sector expectations of high returns on land and land-based resources have been attributed to these recent land acquisitions. These transactions are expected to have long-term effects on rural livelihoods because almost all rural dwellers are dependent on lands for their livelihoods.

Access to and distribution of land rights are of a contentious nature in sub-Saharan Africa, including Ghana. In the case of countries such as Ghana, approximately 50% of the population reside in rural areas and account for 76% of the agricultural needs of the country (MoFA 2014). The agricultural sector employs over 42% of the population and contributes 22% of the national GDP (Ghana Statistical Service 2010). Researching the trend of large-scale land acquisitions and their impacts on rural livelihoods is important in the Ghanaian and the sub-Saharan Africa context as a whole. There are heated debates with strong positions taken by those who view these transactions as means of economic development, while others view them as causes of environmental degradation, loss of food sovereignty and rights.

Much has been written about both the benefits or threats stemming from large-scale land transactions but quite a great deal has focused on land transactions as means of job creation, infrastructure development, and poverty alleviation (Deininger et al 2011; Cotula 2012; GCAP 2015a). While this argument may be true with some projects, this thesis aims to show that in the Ghanaian context, land policies are in favour of attracting land investments with less attention paid to date on the negative impacts on rural communities and the environment. While acquisitions of lands might be good for the host countries, the problem of



such deals stem from the negative impacts on small scale landowners and/or farmers. In this thesis, I will explore whether there are means by which both large-scale land investors and small scale landowners can co-exist, and if so, how?

While the issue of large-scale international land deals is taking traction, this thesis will focus on sub-Saharan Africa where the majority of these deals are taking place. The overall aim of this project is to contribute to the ongoing discussion of the effects of large-scale land transactions on rural livelihoods in SSA with examples from Ghana. Moreover, the thesis will make policy recommendations for how to pursue economic development through these land deals without compromising the livelihoods of small-scale landowners. Despite the wide range of reports on international land deals and their impacts, little information is available on the impacts of land deals on Ghana. The majority of the available information on impacts of land deals on Ghana is through media reports. Therefore, investigating the complexity of large-scale land transactions will contribute to understanding the implications for rural people in sub-Saharan Africa. Throughout this thesis, evidence of the impacts of large-scale land transactions in sub-Saharan African countries will be provided but emphasis will be placed on Ghana.

To achieve this aim, the main objectives of this project are to ascertain the trends, magnitude, impacts, and policy recommendations of large-scale land transactions in Ghana. It will identify the drivers of large-scale land transactions and the concerns of critics of these deals. Although much has been written about this topic, the voice of small-scale landowners who are impacted the most is underrepresented in the ongoing discussion. Thus, this thesis will present the views and concerns of small-scale landowners and NGOs working on behalf of this group.

## **RESEARCH QUESTIONS**

In order to achieve aims and the objectives of this project, I structured the research and analysis around three main research questions:

1. How do large-scale land transactions affect local communities and environments?
2. How do large-scale land transactions impact the livelihoods, local food security, and food sovereignty of smallholder farmers?
3. In the case of Ghana, how are these land deals tied in to broader global political economic structure and policies, and what policies should the government take into consideration, which will encourage land investments without compromising rural livelihoods or environmental protection?

## **THESIS STRUCTURE**

In terms of the structure of the thesis, I explore the research questions starting with the literature review on large-scale land acquisitions. Then I delve into the theoretical frameworks of political economy, political ecology and sustainable livelihoods framework to look at these questions from the international and national levels and eventually local level issues. The last part of the thesis includes policy recommendations offered by interviewees and focus group participants along with my own take on the issues on the ground.

## **CHAPTER TWO: LITERATURE REVIEW, THE EXTENT OF LAND ACQUISITIONS**

The concerns (food security/food sovereignty, environmental degradation and governance) central to the issue of large scale land acquisitions in Ghana are stressed in this section of the thesis. This chapter will focus on existing research on large-scale land acquisitions or transactions, sometimes referred to as land grabbing. This literature review examines the current debate from the perspectives of scholars, intergovernmental organizations, national governments, and non-governmental organizations. The phrase large-scale land transactions and large-scale land acquisitions will be used interchangeably. The phrase land grabbing has also been used in some instances and as some interviewees mentioned land grabbing is a more appropriate term because there are sides taken on the issue of land deals and can get politically charged sometimes. This review will focus on the reasons on why land deals are controversial through the scale and size of them. Then it will briefly discuss the main concerns of critics of large-scale land acquisitions especially those pertaining to the environmental, economic and social reasons.

### **WHY ARE LARGE-SCALE LAND TRANSACTIONS CONTENTIOUS?**

The past decade has witnessed the era of foreign investors developing interest in lands. Sub-Saharan Africa has been reported to be on the receiving end of majority of these investments with an estimated 51.8 percent of total global land acquisitions (Gurara and Birhanu 2012). There are several drivers to the heightened interest in land investments in Africa. The main drivers discussed in length by several scholars include, concerns about long-term food security of investor countries, the growing interest in biofuels as alternative to fossil fuels, and instability of agricultural commodity prices (Cotula 2012; German et al 2011; Zoomers 2010). Despite the extensive literature on the drivers of large-scale land acquisitions, this thesis takes as a starting point, the 2010 work of Annelies Zoomers on *Globalisation and*

*the foreignization of space: seven processes driving the current global land grab.* The author goes into detail about the main drivers of these acquisitions while critiquing the danger of focusing on just one or two drivers.

Dubbed “land grabbing” by the media, large-scale land transactions for the purpose of this thesis is considered any acquisition or leasehold of 1,000 hectares or more. These types of land transactions are usually initiated by transnational companies or foreign governments. They can be in the form of purchase, concession or leasehold for a time period ranging from 30-99 years (Cotula et al 2009). In the case of Ghana, the constitution only allows leasehold of land to non-Ghanaians for a maximum of 50 years.

Zoomers focuses on seven drivers of these land transactions but I will highlight the three drivers which applies to the Ghanaian context. The current surge in large-scale acquisitions can be traced to globalization and the liberalization of land markets. As a result of globalization, one can maintain economic, social and political ties anywhere despite their actual location. A person can live somewhere in Europe but maintain contacts somewhere in Asia or Africa easily, because the world is flatter now. Communication networks and transportation technologies have made it possible to communicate and travel quickly, while having investments in different sectors including land in distant destinations.

The starting point for the current global land grab can be traced to the market liberalization of the 1990s. During the same period, in Africa, Asia and Latin America, land and other natural resources were becoming commodified (Daniel and Mittal 2010; German et al 2011). This period also witnessed governments in Africa, Latin America and Asia prioritizing the creation of “free and transparent land markets” (Zoomers 2010, 431). In the case of sub-Saharan Africa, the end of colonialism also brought up land reform. These land reforms which occurred from the 1950s-1970s were about distributing lands to the peasantry. There were limitations to what beneficiaries of the earlier land reforms could do with the lands.

For instance, they were not allowed to sell the lands because the governments did not want people to lose their lands since they served as source of livelihoods for most people. In the 1990s, beneficiaries of the earlier land reforms were granted rights to sell their lands because the land tenure systems were transformed into private property system.

The reason behind the conversion of customary lands to freehold property was supposed to lead to more investments and also greater efficiency (World Bank 1989). These smallholder landowners could use their lands as collateral to take out loans to start other ventures if they needed to. And if a landowner did not want to make use of the land, they could sell their land. According to Zoomers (2010), although the formal titling of lands was expected to lead to greater efficiency and also promote investments in Africa, only few positive effects have been witnessed thus far, but some cases even resulted in negative effects. Land tenure in Africa focuses on the head of the household, who is usually male but majority of agricultural activities are done by women. In summary, the liberalization of the land markets is directly linked with the rapid increase in foreign direct investment (FDI) in the sector. Governments in developing countries are eager for foreign capital because it is considered to be an important path to economic growth.

With that background context to the surge in large-scale land acquisitions in developing countries, the next section will delve into the three drivers of large-scale land transactions. The first driver is foreign direct investment in food production. As population grows, there is a growing demand for cheap food crops. As mentioned earlier, the volatility and uncertainty of agricultural products are pushing investors and governments to purchasing lands for food crops in other countries (de Shutter 2011; Deninger et al 2011). Urbanization and growth in wealth are also increasing global food demand. Constrains of limited water availability and arable lands, are pushing food insecure countries such as the Gulf States to “outsource their domestic food production by buying and/or leasing vast areas of farmland abroad for their own offshore

food production” (Zoomers 2010, 434). The unfortunate irony with these investments has to do with the fact that some of these host countries such as Madagascar, Sudan and Cambodia are food insecure themselves.

The second driver of investment in large-scale land transactions has to do with the increasing interest in biofuels as means of decreasing global dependence on fossil fuels. The energy economy specifically targeted at biofuels can be attributed to the increase in land grabs. Countries in the global North have energy directives in relation to agrofuels (Neville 2015; Cotula 2012). The United States as the world’s largest oil consumer has a directive to replace 30% of its fuel needs with biofuels by the year 2030. Then there is the EU directive to replace 10% of transport fuels with renewable but 80-90% of that 10% is expected to come from biofuels. Around 2010, there were approximately 40 countries with mandates to promote biofuels. Most of these countries are in the West and exported their biofuel crop needs to countries in the South (Nally 2015).

The International Energy Agency project that biofuel production and consumption will reach 250 billion liters of oil equivalents (IEA 2011). More lands will be needed to match the supply with demand, and the IEA concluded that the demand for additional biofuels will be met by developing countries. In 2010, ActionAid calculated that EU countries had already purchased six million hectares of lands in developing countries. The study also concluded that demand for biofuels account for the largest demand in land investments at 40 percent.

Aside from national governments with biofuel targets, private entities are also investing into the biofuel sector. Private investors driven by profits are also looking into countries such as Malawi, Senegal, Ghana, Ethiopia, and Brazil (GRAIN 2008; Cotula 2012). Particular interest has been paid to the cultivation of jatropha, soya, sugarcane, oil palm. The Indonesian rainforest is widely reported in the media to be suffering from interests in oil palm production.

In West Kalimantan, investments in oil production has increased rapidly from approximately 500,000 hectares in the 1990s to over 3 million hectares presently (Zoomers 2010).

In the Ghanaian context, large-scale biofuel plantations emerged in the country as a result of the government's goal to use 10% renewable energy sources by 2020. This mandate was supposedly passed as means to meet both domestic and international energy demand. However, Hughes et al (2011) also cites the government of Ghana's pursuit of foreign direct investment (FDI) in the hopes of "job creation, economic growth, and increased competitiveness in regional and international trade" (Hughes et al 2011, 2). This need for FDI in Ghana attracted almost 20 foreign companies seeking to purchase large tracts of land for sugarcane, Jatropha and palm oil productions. There are seventeen biofuel plantations in Ghana, fifteen of them are foreign-owned while thirteen of them are specifically for production of Jatropha (Acheampong and Campion 2013). The status of all these biofuel companies in Ghana are uncertain right now, but some have converted to agribusinesses cultivating fuel crops such as oil palm and corn but as to whether they actually produce fuel is unknown.

The next driver is mostly concerned with investments in large-scale tourist complexes. Governments of developing countries encourage tourism because it is also considered to be a necessary condition to economic growth. As a result of the lucrative arrangements between international hotel chains and governments, there is a rapid increase in investments for lands for the building of all-inclusive resorts. Zoomers (2010) cites Cape Verde as an example of the expectations which attracts developing country governments to investors interested in building resorts. As a result of the liberalized economy, investments in the tourism sector have moved Cape Verde from a poor country to a middle income country. The political stability of the country can be attributed to what attracts investors to it, which has benefitted Cape Verdeans because the per capita income of the country is currently above \$1500. Zoomers however, acknowledges the disparity between different groups on the local level. Despite the increase in

per capita income, majority of Cape Verdeans live outside of the country. However, on some islands of the country, foreigners such as Italians are benefitting through investments in hotels for tourism.

## **SCALE AND RANGE OF LAND DEALS AND INCENTIVES**

How much land is purchased? And where are these land deals taking place? The exact range of large-scale land acquisitions is not very straightforward. There are different variations of how much land has been acquired by foreign investors around the world. As part of a policy brief for the African Development Bank, Gurara and Birhanu (2012) conclude that 56 million hectares of land are sought by investors with 29 million hectares (51.8%) in sub-Saharan Africa alone. German et al (2011) conclude in their paper for the Center for International Forestry Research that, there are 56.6 million hectares of large-scale land transactions with 66 percent of the targets located in sub-Saharan Africa. The Oakland Institute (2011) estimates the scale of land transactions at 56 million hectares, but places the demand on Africa at the highest percentage of 70 percent. Despite the variations in estimates of how much land has been acquired worldwide, the constant part of these figures has to do with the fact that tens of millions of hectares of large-scale land transactions are taking place globally with sub-Saharan Africa on the receiving end of majority of these acquisitions. In the case of Africa, the key target countries are Sudan, Madagascar, Ethiopia, and Mozambique (Cotula 2012; GRID-Arendal 2013).

In terms of the incentives of large-scale land transactions, there are different motivators for land investors and host countries. The incentives for land investors are somewhat related to the drivers of these land transactions discussed in length by Zoomers (2010). Land investors are motivated by the need for food to feed the continued increase in population. Also, as discussed under the drivers, the limited availability of both arable land and water is also a major incentive for land transactions. One incentive which was not discussed under the drivers'



section has to do with the need for climate change mitigation through reforestation and forest conservations. Some transnational corporations have forest conservation as part of their corporate social responsibility scheme. In conjunction with climate change mitigation, there is also the motivator of biofuel crop cultivation. Biofuels are cleaner sources of energy which serve as alternative sources of energy for the world to deviate from the dependence on fossil fuels in the age of environmental degradation and rising oil prices. Last but certainly not the least, the reform in land and taxation policies have made investments into large-scale land attractive.

The host countries on the other hand, are motivated by entirely different incentives. The main motivator is the expectation of job creation and infrastructure development. Financial institutions such as the World Bank and International Monetary Fund had a role to play in the liberalization of the land markets (German et al 2011; Zoomers 2010). Some researchers have concluded the possibility of land investments contributing towards reducing poverty in Africa (Cotula et 2009; Deninger et al 2011). Governments may use the money gained from these transactions to start up projects which may provide employment to its citizens. Employment may also be generated on the part of the investors; if an investor bought purchased land for cultivation of oil palm, they may employ locals of the host countries to grow the crops (Gurara and Birhanu 2012). In theory, land investments can make strides toward Africa's macroeconomic indices, critics view these investments as neo-colonial projects with rich countries depriving low income countries of fertile soil, land and water (Hall 2011; Leahy 2009).

On infrastructure development, some governments may require investors to invest into projects and technologies such as irrigation systems. Some studies have shown that investors also improve the living standards in communities where they acquire lands through the construction of schools, roads and clinics. Host countries are also motivated by the use of

foreign direct investment towards stimulating rural economies. There is an urgent need for rural development to counter the rapid increase in urbanization. A lot of African countries are witnessing the continued movement of working age people to cities in search for greener pastures. Government revenues could, and also creation of jobs by the investors can serve as means to counter the urbanization (GRID-Arendal 2013).

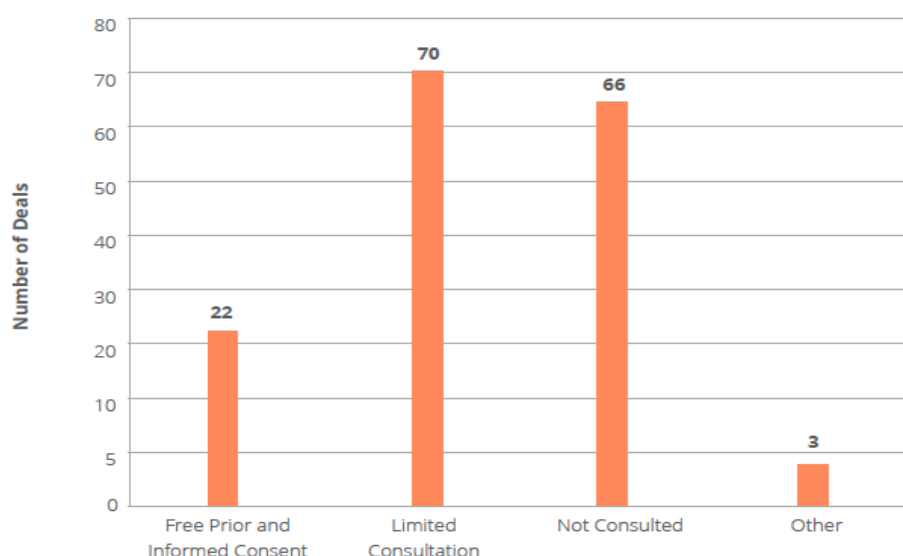
## CONCERNS OF LAND ACQUISITIONS

Due to the lax environmental regulations in the host countries, investors in large-scale land transactions usually employ methods detrimental to the environment. There are different intentions for investments in lands in foreign countries. In the case where the intent is food production, investors usually focus on cultivating cash crops for export. And in the absence of strict environmental regulations, most investors focus on industrial mono-cropping (GRID-Arendal 2013). If an investor leases about 5,000 hectares of land for cultivation of oil palm for a time period of 10 years, since the investors is only growing one crop, the nutrients of the land will deplete because of the lack of diversity. When the land is returned to the community, community members might succumb to using chemicals and abandoning the land altogether because of the time it might take to revive it.

Large-scale land transactions have gained media attention because of the environmental, economic and social risks associated with these deals. The main threat which stems from these transactions have to with the displacement of local people. These land acquisitions usually take place in rural areas but land is crucial to the rural livelihood therefore, loss of lands for the most part, correlates to loss of means of livelihood (Gurara and Birhanu 2012; Ariza-Montobbio and Lele 2010). Lands granted to foreign investors are often claimed to be “marginal” lands, which are lands considered to be unoccupied and underutilized. These arguments are made without consideration for nomadic groups or accounting for lands specifically aimed at herding. Some of these supposedly underutilized lands are usually given

fallow time to recover from the use of pesticides and other chemicals. This all boils down to the fact that most of the high value lands which interest investors are usually the irrigated and fertile lands which most often than not, are already in use by locals. There is also an environmental injustice to indigenous communities through the displacement of people. According to the United Nations Permanent Forum on Indigenous Issues, the increased investment in biofuels will put about 60 million indigenous people at risk of land loss (Daniel and Mittal 2009).

One of the main concerns of landowners, land tenure experts and farmers is in relation to the lack of prior consent from the farmers when transactions are taking place (figure 1). Specific examples of customary heads selling out lands without consulting the people making use of the lands will be discussed in detailed in chapter 4. In the case in which landowners and/or farmers are consulted during these transactions, complaints have surfaced of unfair compensation. In its report from August 2016 titled *unmasking land grabbing in Ghana; restoring rural livelihoods; paving way for sustainable development goals*, Caritas Ghana presents two different incidents of large-scale land acquisitions and the issue of prior consent to community before the deal is finalized.



*Figure 1 Land transactions by type of consultation*

Source: (Nolte et al 2016)

One of the major concern of critics of large-scale land acquisitions has to do with the potential competition with food security of the host countries. As stated in the drivers' section, some of these land acquisitions have taken place in countries with considerable food insecurity issues. In the case where lands are actually acquired for food cultivation, the foods produced are usually meant for exporting to the target countries and/or countries in the West. In this case, when acquisitions are concluded without comprehensive impact assessment, the implications on the host country's food security could potentially be costly.

## FOOD SECURITY CONTEXT

Food security dominates the development agenda in sub-Saharan Africa and developing countries in other regions, and can be heavily impacted by large scale land deals. In September 2015, countries adopted certain goals with the aim of ending poverty and ensuring prosperity for all in what is known as the Sustainable Development Goals (SDGs), which replaced the Millennium Development Goals (MDGs) adopted in 2000. The SDGs are made of 17 goals

with 169 targets with integrated outlook of achievements in the economic, social and environmental contexts. The SDGs aim to achieve these goals by the year 2030 with focus on areas particularly critical to humanity and the planet: people, planet, prosperity, peace, and partnership.

When it comes to the concept of food security, the origin can be traced to the 1970s and the World Food Conference. During the conference, food security was defined in terms of availability and price stability of food supply: *“Availability at all times of adequate world food supplies of basic foodstuffs to sustain a steady expansion of food consumption and to offset fluctuations in production and prices.”* The 1996 World Food Summit definition is more comprehensive and that is the definition I will take into account for this thesis. The original definition is based on availability and price stability but the later definition takes into account the issue of food access and use: *“Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”*

Leading up to the deadline for the MDGs and adoption of the new SDGs, sub-Saharan Africa made some progress towards MDG 1 (eradicate extreme hunger and poverty). In 2015, hunger in the region declined by 31 percent based on the 1990-92 period (FAO 2015). Despite this progress, there were significant differences on this feat among the sub-regions of sub-Saharan Africa (figure 1).

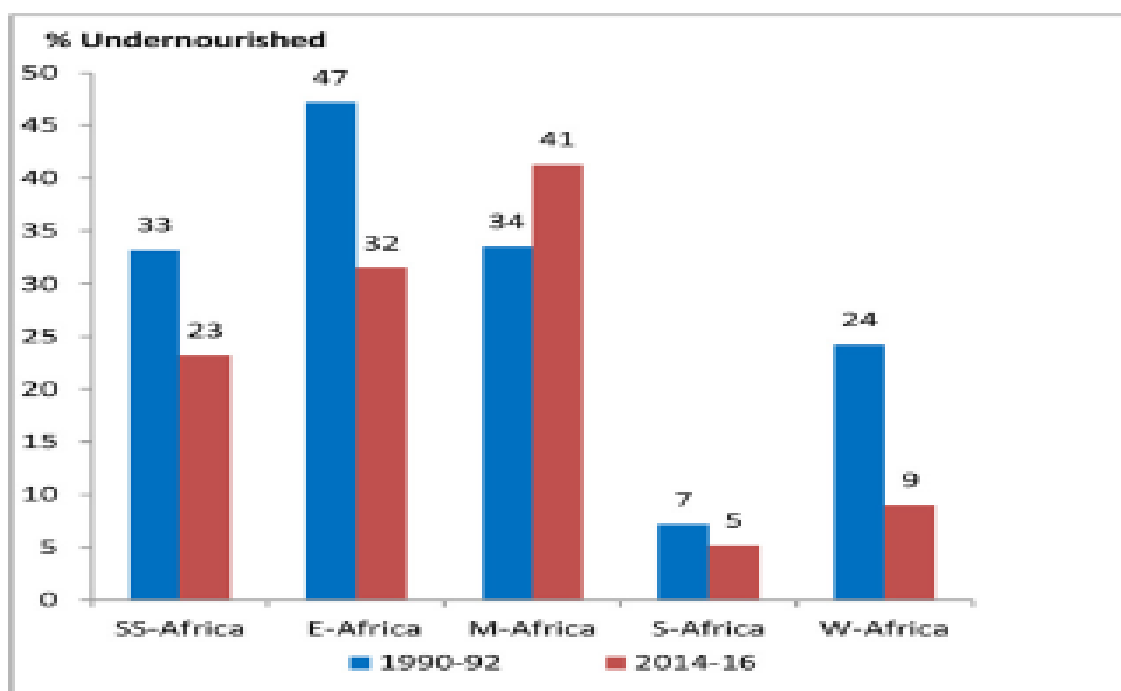


Figure 2 Undernourishment in sub-Saharan Africa (1990-92 and 2014-16)

Source: FAO 2015

Western, Southern and Eastern Africa have made significant achievements towards their respective MDG 1 target but there is still work to be done. However, Middle Africa is completely off track. Although Eastern Africa reduced its undernourished population by 15 percent, the remaining percent is still quite high (FAO 2015). It is crucial to keep in mind that Eastern and Middle Africa make up countries such as the Central African Republic, Niger, Chad, Somalia, Democratic Republic of Congo, and Cameroon. These countries are hindered by political instability, climate change (floods, droughts) and civil unrest (FAO 2016).

Western Africa has made significant reductions in the number of undernourished people despite a high population growth and also droughts in the Sahel region. Compared to the other sub-regions, Western Africa implemented programs and policies directed at building the capacity of institutions and individuals involved in the agricultural sector. Ghana like other sub-Saharan Africa countries, and most developing countries in general, have a focus on

poverty reduction. Through poverty reduction programs, the government aims to provide different assets for its citizens including, land (natural capital), credit (financial capital), education and health (human capital), and social capital through provision for political participation at the local and national levels. Interventions by the Bretton Woods Institutions of the World Bank and International Monetary Funds in the Ghana in the 1980s were directed at poverty reduction. The Structural Adjustment Programs however created several challenges for the agriculture and led to landlessness which in turn exacerbated the poverty situation on the ground. The Structural Adjustment Programs aided the country in reducing its debt through increased in agricultural exports. Nevertheless, this occurred by taking lands from smallholder farmers and in order to cope, they encroached on forest lands. The programs also led to the state taking absolute control of making decisions pertaining to the land tenure, policies and management.

Outside of the food security argument, there are also the various other reasons for corporations to invest in large-scale land tracts which can lead to displacement of local people. There is growing global effort to conserve and protect forests and animals but in the course of such efforts, locals usually lose their lands for these designated areas for the conservation and protection zones to be constructed. When these communities do lose their lands, there is a very real threat of loss of traditional food supplies which directly correlate, to loss of livelihood in most cases.

## **CONCLUDING REMARKS**

This literature review discloses the multiple reasons which contribute to large-scale land transactions. It also presents the complication in identifying the actors purchasing lands in sub-Saharan Africa. Although majority of “land grabbers” are foreign corporations, there are firms working on the behalf of governments, local elites, and the diaspora are gaining foothold in land acquisitions. The literature review also acknowledges the lack of extensive

research on the environmental destruction from land deals. The next section will delve into the relevant theories through which the empirical chapters will be analyzed.



### **CHAPTER THREE: THEORETICAL FRAMEWORK**

This chapter will focus on the conceptual frameworks relevant to this thesis. I will analyse my findings through the political economy, sustainable livelihoods, and political ecology lenses. It is important to combine these because when it comes to the issue of land investments, different stakeholders have different priorities. This chapter will start by looking in-depth in the political economy framework because on the international level and national level, large-scale land transactions are considered to be a source of governmental revenue generation. As mentioned in the literature review, land investments could potentially contribute to the macroeconomic indices of Africa. Thus, the Ghanaian government and international financial institutions are pushing for liberation of the land markets. International political economy is also relevant because there is the inter-regional and intra-regional dynamics to land investments; most investors are from rich and developed countries and the host countries are mostly lower income countries.

The sustainable livelihoods framework comes in on the local level. The participants of my focus group are more worried about where their food, income and other livelihood concerns will come from thus, they might not be considering the revenue generation aspect of large-scale land acquisitions. The Sustainable Livelihoods Framework is important when it comes to the discussion on how to integrate economic growth through land investments, development of rural livelihoods and environmental protection to a lesser extent. The political ecology framework is important because I see it as the intermediary between political economy and sustainable livelihoods. It takes into account human interaction with the environment. Economic development through land investments is important but not at the expense of the environment.

#### **POLITICAL ECONOMY AND POLITICAL ECOLOGY OF LAND DEALS**

Political economy is defined as the interlinkage between politics and economics. The theory comes down to “the dynamics of new markets and private authority” (Neville 2015, 23). The political economy lens is important for interpreting the root causes of the surge in large-scale land investments in Africa. Who owns the land or which political party is in control can determine the level of transparency involved in land transactions. In the case of Ghana, the complex land tenure system, involving the national government, local government, different traditional groups, and individuals, makes the political economy framework as one of the best approaches to interpreting the struggle related to land control and land transactions.

Literature on large-scale land acquisitions always tends to focus on where the investors come from and for a good reason. Government-backed companies from the Gulf region, Asia and the West make up the majority of investors in land acquisitions in Africa. In the Ghanaian context, 87 percent of land deals involve foreign companies, with some having local companies as partners, while the remaining 13 percent is owned by wholly local companies (MLNR 2013). These companies have the personnel, the knowledge and are aware of what they stand to gain from these transactions, while according to some of my interviewees, rural landowners lack the capability to understand the consequences of selling their lands. This means that from the onset, the transaction is not conducted on an equal footing.

Despite the importance of Western countries and China in land investments in sub-Saharan Africa, there are roles by other players such as South Africa, Libya and India, less emphasized in media reports. Cotula (2012) highlights the involvement of Libya in land acquisitions in SSA countries including Mali and Liberia, as well as South Africa’s interest in purchasing large tracts of land in the Republic of Congo. In the Ghanaian context, Nigeria accounted for 5 percent of all land transactions in Ghana with Mauritius not very far behind at 3 percent (MLNR 2013). There is also a role played by the diaspora (locals living in other countries) in land transactions in their respective national countries. Purchasing of lands by the

diaspora through remittances is very evident in Ghana. Through informal discussions with Ghanaians living overseas, the role of the diaspora might not be as large as foreigners in land deals but they play a role nevertheless. Are there similar environmental and social effects from land acquisitions by foreigners and land acquisitions by locals or the diaspora? It is a question I could not find an answer to in existing research but Cotula (2012) critiques this lack of data on how much land is acquired by the diaspora. Purchasing lands for construction of houses and guesthouses by the Ghanaian diaspora was obvious in my hometown of Tamale. Although they may never return and live in Ghana, the diaspora build houses as an alternative source of income.

Political ecology identifies the political and social consequences of environmental (physical and biological) features of commodities and their places of production. The concept particularly pays attention to ecological aspect on which production depends but it goes further by looking at the issue of inequality. Political ecology specifies the interrelatedness between ecology, culture, geography, and economics (Little 1999, 4). As a result, it balances the somewhat more abstract outlook of large-scale land acquisitions in political economy.

Political ecology is also applicable to this project because it considers the long term effects of commodities and projects and their impacts for local communities. This is very important because as stated in the literature review, most large-scale land transactions are under leasehold for 30-99 years. Therefore, their impacts will not affect rural livelihoods for years but some impacts go on for decades. This broad outlook of the framework is crucial to the discussion on land deals, because they extend beyond just transparency during negotiations or adequate compensation. The political ecology approach provides the lens to investigate the intersection between land investments, landowning communities and the environment.

Large-scale land transactions have kindled intense international debate pertaining to their impacts on the environment, sovereignty, development, and livelihoods. However, this

trend is viewed by others, including the World Bank as means of ensuring better livelihood opportunities in lower income countries. There is another aspect of accounting for other means of food sources for food insecure countries such as Saudi Arabia in the age of rapid population growth (Cotula 2012). In conjunction with the food security argument, there is also the complexity of intra-regional and cross-regional dynamics in large-scale land acquisitions. The food insecurity of rich countries discourse provides the moral footing for unsavoury land deals to go through.

Another crucial aspect of these land deals has to do with the power dynamics among the stakeholders. Just as different stakeholders have different priorities, the relationships between them are also different in that their priorities are differently “promoted and defended within the broader political arena” which in the end, “reveal the competing discourses of cultural and political legitimacy that each of the social groups maintain” (Little 1999, 5). These land deals require the establishment of new political relations be it the North-South, developed countries versus developing countries and of late, South-South relations in the case of China, India and richer African countries investing in other African countries (Nally 2015; McMichael 2013). Investors tend to have the upper hand in these land deals, but host country communities have some power in that they can involve international and national civil society groups to promote their interests.

## **SUSTAINABLE LIVELIHOODS APPROACH**

The sustainable livelihoods framework dates back to the Brundtland Commission on Environment and Development and the 1992 United Nations Conference on Environment and Development. The notion of a sustainable livelihood approach was then adapted into practice by the British Department for International Development (DFID). Different development organizations and agencies have somewhat similar definition of the framework with some slight variations but this project will use the definition of DFID as follows:

“A livelihood comprises the capabilities, assets (including both material and social resources), and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base.”

The livelihoods framework is relevant to this topic because one of the end goals of the project is to make policy recommendations for improving rural livelihoods because the land deals will have short and long term effects, which could be both negative and positive. Thus, this approach is most appropriate because it is people centered. It aims to discover the strengths of the poor which they can transfer to positive livelihood outcomes. There is the acknowledgement that there are different assets needed to achieve these positive outcomes. If a person has one asset in abundance but lacks other assets, it makes it difficult to achieve the desired outcomes. Therefore, the assets are interdependent on each other. In the case of poor people (the focus group of the approach), their access to any one of the assets are usually limited. Poor people is the phrase I am borrowing from the framework guidelines but a definition for the phrase is not provided<sup>1</sup>. However, poor people will not be used for the purposes of this project but rather, the target group of this research is rural residents of Ghana. These are people living in the rural areas whose livelihoods are based on agriculture and other land-based activities.

There are five different assets required to achieve a sustainable livelihood namely, human capital, social capital, natural capital, physical capital, and financial capital. The next sections will delve into each of these assets but examples of how they are applicable and can be improved to increase positive outcomes in the Ghanaian context will be provided in chapters 4 and 5. One crucial thing to keep in mind however is that, one asset can be the source of

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<sup>1</sup> Department for International Development (DFID). 1999. *Sustainable Livelihoods Guidance Sheets*: 1 London: Department for International Development.

several benefits. An example is the case of land which is considered a natural capital but landowners can use them as source of income generation or as collateral to take out loans, which is considered financial capital (DFID 1999).

Human capital is the skills and knowledge people acquire to pursue and achieve their desired livelihood objectives. Human capital also includes access to labor and health which are needed to achieve positive outcomes. Human capital can be considered the building blocks of the other assets. Poverty can sometimes be attributed to a person's lack of formal education. Schooling was not a priority for girls in rural Ghana because they were supposed to be taking care of the household chores such as cooking, fetching water and firewood. Schooling of rural girls has improved throughout Africa but there are still limitations because completing secondary education is seen as high enough. If an investor wants to acquire land from an uneducated female landowner (quite rare in the rural areas), she might not know what her rights are and might not even know which agency she can reach out to about her rights or inquire about the adequate compensation. Support to increase the human capital of the female landowner then will be through advocating for educating women and also building their capacity (DFID 1999).

Social capital are the social resources (networks, social status, affiliations associations) that people can tap into in order to pursue different livelihood strategies. For instance, when people already share the same norms and traditions, it is easier for them to join forces in pursue of a common interest. According to DFID, social capital is particularly crucial as a "resource of last resort." If a small-scale farmer loses their farm land to foreign investors or the state, through their social capital, there is a small possibility for them to gain new land to continue farming, albeit, they might not be owners of the new land. Social capital contributes significantly to people's sense of well-being and identity (DFID 1999). Social capital can be improved through several means but what I observed as the best approach to accumulating this

asset in Ghana, is through the presence of a strong civil society group. The participants of the focus group I conducted in Assorku Assaman (to be discussed in detail in chapter 3), representatives of several organizations and a policymaker, all attest to this claim.

Natural capital is related to this topic because it represents all the natural resources such as land, forests, water, marine life, etc. Natural capital is the most vulnerable among the assets needed for achieving sustainable livelihood. Most of the shocks that impact poor people are naturally occurring processes, such as floods and earthquakes. Natural capital is also the most important asset to the target group (rural landowners) of this project because they derive at the very least part of their livelihoods from natural-based activities including farming, fishing and mining. Although all the assets are interconnected, natural capital plays a crucial role on human capital (health) because drinking polluted water or poor air quality will have negative effects on people thereby, making it difficult for a farmer to clear their land for planting crops (DFID 1999). Similar to other assets, support for accumulating natural capital can be achieved through several means. But the means which will achieve immediate results for my target group is through changes in institutions which manage natural resources and their management strategies as well as the implementation of adequate and effective enforcement mechanisms.

Physical capital consists of the physical infrastructure needed to achieve a sustainable livelihood. Physical capital include transportation, shelter, water and sanitation, source of energy, and access to information. Infrastructure is a critical component needed for the poor to achieve their objectives. The poor for the most part live in rural areas so roads are crucial if they want to have access to markets in the urban areas (DFID 1999). If the physical capital is available, the poor will have access to information about where they can find suitable lands for farming. In the case of the target group of this study, their physical capital in terms of communication are lacking because participants of the focus group were not aware of what their rights were and some were not sure how to seek assistance. Lack of adequate water supply

can also be detrimental to the poor which was also the case of what happened with some of the focus group participants.

The last capital needed to achieve positive outcome is financial capital. Financial capital comprise of all the financial resources needed for the sustainable livelihood. A stable source of income is a component of financial capital but if a landowner loses a farmland without adequate compensation, they lose an important component of their source of financial capital. This asset also happens to be the least available to the poor therefore, the other four assets are needed to make up for this inconvenience. Also, it is because of the lack of financial capital that makes access to the other assets particularly important. It is very difficult to build financial capital for the poor because financial institutions are not in the habit of lending out loans to the poor. Landowners can use their land as collateral for a loan if need be but when that land is no longer available, then it becomes difficult for them to try other ventures because they lack the financial capital (DFID 1999).

## **CONCLUDING REMARKS**

This chapter delved into the theoretical frameworks which best explains the macro and micro level interactions of large-scale land transactions. Political economy framework looks at the issue of what is important to stakeholders on the international and national levels. The sustainable livelihoods framework zooms in to the local level and what is happening on the ground with particular attention on how rural livelihoods are impacted. The political ecology framework acts as a bridge between the other two because it studies the intersection between political, economic and social factors and how those affect the environment. The next chapter will be on the methodology which explains the means by which I used for data collection and analysis as well as reasoning for using qualitative approach for the thesis.



## CHAPTER FOUR: METHODOLOGY

I arrived in Accra, Ghana on the night before a nationwide blackout and it was a reminder of the long way ahead for the country in terms of infrastructure improvement. Although I arrived at night, I could see the developments in the country after eight years of not setting foot in the country. In the car ride to my aunt's house, I noticed all the new high-rise buildings scattered along the road sides. The last time I was in Accra, there were kiosks and small shops spread on those same roads for petty trading but eight years later, none of them seem to exist. Another noticeable detail in Accra and neighboring regions was different variations of, *this land is not for sale* (figure 3). The coincidence between my research topic and this sign did not escape me.



*Figure 3 Typical Sign Posted on Vacant Lands*

This thesis examines the effects of large-scale land transactions on rural livelihoods particularly pertaining to their food security. I am interested in researching this topic for several reasons. I was born in Ghana and although I have been living in the US for the past decade, I

remember quite well the importance of land and the contentious nature of land ownership in Ghana. Land is everything in Ghana. Other than the obvious reason of farming to feed oneself, several other uses make land crucial to Ghanaians. In the case of rural residents, they depend on land for growing crops to sell for their livelihood. Ghana, like most sub-Saharan African countries have a complex land tenure system with customary lands accounting for majority of land ownership in the country.

My research interests on large-scale land acquisitions in Africa stems from my curiosity on the potential food insecurity issues through the cultivation of biofuel crops. This project is for a master's program which requires each and every student to present a topic on *The Intersection of Crisis and Transition: Sustainability in the Age of the Sustainable Development Goals* during the first semester. For my presentation, I presented on the intersection between biofuels and food security in Ghana. In the preparation for the presentation, I discovered that land grabbing for biofuel production is one of the means by which food security is affected.

Initially, I went to Ghana to interview food security experts, policymakers and farmers about food insecurity and biofuel production. However, upon arriving, I quickly discovered large-scale land transactions for crop production either for fuel or export is not the only problem. One has to adapt when conducting fieldwork so I decided to broaden the topic to include other reasons for large-scale transactions. I remember criticism of *galamsay* (illegal small scale mining) when I was still living in Ghana. A deeper presentation on how large-scale land transactions widely known as land grabbing in Ghana will be explored in chapters four and five.

## RESEARCH DESIGN

In order to answer my research questions, I initially started with literature review of the appropriate journal articles but I also established communication with an organization (ActionAid), which had previously worked on land grabbing and biofuel investment in Ghana.

ActionAid is an international non-profit organization in over 45 countries working on poverty alleviation and social injustice issues. Initial phone and email modes of communication was established and the organization had an idea of what I wanted to work on.

Days after arriving in Ghana, I was finally able to setup a face-to-face meeting with the organization and from then, I relied on the snowball strategy in order to develop and increase my expert network. Snowball sampling in the simplest form has to do with a researcher identifying one respondent or participant (in this case, ActionAid) who is then used to identify subsequent respondents (Atkinson and Flint 2001). My first meeting with ActionAid resulted with a conversation with Ms. Ama Yira<sup>2</sup>, a Project Coordinator at the organization. After discussing my project objectives and aims with her, she provided contact numbers of land tenure and food security experts and also organizations working on the topic. This initial introduction by ActionAid was very useful because I soon discovered everything works based on word of the mouth. The snowball strategy was used to gain even more contacts after speaking with the initial interviewees.

Although all interviewees agreed to be recorded and named in the thesis, I decided to give them pseudonyms instead. This is a contentious and sensitive topic, plus the final project will be freely available online for years to come. The stakes surrounding this issue may change in the future so I want to protect the informants.

The main reason why I chose a qualitative approach to the project was to present the perspective and stories of the different actors about large-scale land acquisitions or land grabbing. The goal of the project was never about quantifying land transactions in the country or providing a representative sample, although it is very important. The idea was then to tell the different perceptions on these land deals, for instance, how do government officials view large-scale land transactions compared to representatives of civil society organizations. And

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<sup>2</sup> Names have been changed to protect anonymity of respondents.

even more importantly, how are the individuals whose lands were acquired think of the process of the land deals in retrospect.

## **DATA COLLECTION AND ANALYSIS**

The data used were gathered through internet research, fieldwork interviews and documents collected in Ghana. I made use of academic articles, books, thesis and dissertations, reports by international NGOs and think-tanks, reports by the government of Ghana and some newspaper reports to gain knowledge of what was happening on the ground. I had several informal discussions with NGOs, policymakers, individuals and academics working on the issue. I conducted five formal interviews with three representatives of civil society organizations and two government officials, lasting anywhere between 35 minutes and one hour. The interviewee breakdown for the formal interviews is as follows: one policymaker from the Lands Commission of Ghana, food security expert with the Ministry of Fisheries and Aquaculture Development, two members of the Peasant Farmers Association and a representative of Caritas Ghana. The individual interviews were conducted in English and recorded. Before all the interviews, I explained what my project was about and provided interviewees with the research consent form. The informal discussions were not recorded but I took notes during and after the conversations. I had an off the record discussion with two officers at the Ghana Investment Promotion Centre. There were other informal conversations with strangers about their experience in terms of land acquisitions.

I also organized a focus group with ten people who all provided informed consent. The discussion lasted about two hours at the house of the Shama district representative of the Peasant Farmers Association, John Eduafo. Eduafo was my liaison and organizer of the focus group discussion; I requested the participants to be both men and women. Participants included three farmers, six landowners, and one agricultural extension officer; three of the participants were women. The participants of the focus group spoke Fante (local language spoken in the

Western region of Ghana), which I have limited knowledge of therefore, the agricultural extension officer also acted as a translator. Some participants spoke English so they answered some questions in English and others in Fante. During the focus group, I recorded everything and took notes but after responses from any of the respondents, the agricultural extension officer would repeat what the person had said to make sure I did not miss any important details.

Due to time constraints, I was able to spend only five weeks in Ghana, but it was very crucial to go in person to learn about the issues first hand. Most importantly I needed to be in Ghana to have access to some reports published by different governmental agencies. Information as minute as the percentage on arable land in Ghana was difficult to find on government websites, but I was able to gather some of this information upon arriving in Ghana. Some government websites do not work, so despite the availability of reports pertaining to this topic, I could not access them from my desk. A crucial aspect of this thesis will be based on three reports published by the Ghana Commercial Agriculture Project, a project I was not aware of its existence until I arrived in Ghana. I also needed to be in Ghana to gain access to reports published by different NGOs and I also needed access to local newspaper reports on this topic. In total, I gathered twelve documents by different government agencies and NGOs.

*Table 1 Summaries of Collected Documents*

DATA TYPE	SUMMARY
INTERVIEWS	5 semi-structured interviews, recorded with notes taken during the interviews. They were then transcribed and coded.
FOCUS GROUP	10 participants; 9 farmers and/or landowners and agricultural extension officer of the district. Discussion was recorded and notes were taken but not transcribed. However, sections with relevant themes were transcribed.
DOCUMENTS	12 documents; 3 GCAP publications, National Land Policy, Lands Commission Guidelines, MoFA Facts and Figures, and MoFA Land Use document. Majority of these documents are included in the thesis

	thus, those were coded. And the rest were for reference purpose.
INFORMAL DISCUSSIONS	Government officials, representatives of NGOs and individuals. Notes were taken during some of the discussions and further research was conducted on some ideas that came up during conversations.

All the individual interviews were transcribed and coded. Any reoccurring themes or phrases were highlighted with notes jotted down about them. During the interviews, gender dynamics, policy incoherence, sensitization of community members, and capacity building were consistently uttered. Therefore, I started coding by searching phrases and sentences related to those themes. I also wanted to include food security and food sovereignty in the thesis so that was also taken into account during the coding process. In the case of the focus group discussion, it was impossible to transcribe it because the location was a bit loud and also, participants were talking over each other. However, I did transcribe and jot down important themes that came up during the discussion with relevant quotes. All the documents included in the thesis were coded with different colours. The coding method was similar to that of the interviews in that, reoccurring themes were highlighted. However, there were also topics I had wanted to touch on so I specifically highlighted those with important information written about them.

## LIMITATIONS

As stated earlier, for the fieldwork I only spent five weeks in Ghana therefore, there was very limited time to conduct an in-depth ethnographic research. With the traffic in Accra and time it took to set up the interviews, I could only interview a limited number of people. I tried to interview a representative from the Environmental Protection Agency but I was not granted an interview and the Lands Commission official tried to get in touch with them as well

but to no avail. I also tried to interview someone at the Civil Society Coalition on Land but it did not happen because of difference in schedule. To a lesser extent, the issue of traveling between different cities and towns took quite some time so that also factors in how many people I could interview. Overall, there was difficulty in making contacts with potential interviewees because they were constantly traveling.

Since I relied on contacts provided by the different NGOs I worked with, the trust between myself and interviewees was established by whomever made the introduction. The analysis and conclusions from this thesis are based on as much data and information as I was able to gather. Based on that knowledge, the conclusions and policy recommendations may only be applicable to the Ghanaian context or the particular cases mentioned. Both primary and secondary data on large-scale land transactions in Africa is limited and the reliability of the available data is questionable. To reiterate, the evidence and conclusions drawn from this study should be treated as a first set of insights into the issue, which should be followed up with more in-depth research. Other than the questionable nature of government data in Ghana, there is also the issue of some data being outdated. I received a report from an Agricultural Economist at the Ministry of Food and Agriculture and in that report, they cited documents from 1990. It is very difficult to make accurate conclusions and recommendations with data from nearly three decades ago, given the many large-scale changes that have happened since.

## **CHAPTER FIVE: THE MACRO-LEVEL ISSUES (LAND TENURE, VOLUNTARY GUIDELINES, AGRIBUSINESSES, AND ILLEGAL MINING)**

In this chapter, I highlight Ghana's land governance, policies, regulations and laws relevant to understanding how large-scale land transactions occur. It starts with an overview of the country's land tenure system, the numerous local, national and international guidelines to ensure sustainable land deals as well as discussion about relevant stakeholders. This section also provides examples of some of the highlights in the literature review, including the role of multinational agribusiness and land management. As discussed in the literature review, large-scale land transactions have environmental, economic, and social impacts, and for the most part, landowning communities bear these impacts.

As a result of the power dynamics involved in these deals, large land deals are favoured because of monetary reasons but these deals occur at the expense of smallholder farmers. As agribusinesses make up the majority land acquirers in Ghana, the issue of industrialized and large-scale farming and the associated environmental effects will be dealt with in detail later in the chapter. Subsequently, large-scale land acquisitions have led to the displacement of young men who are the main actors involved in galamsey (illegal small-scale mining). Although there are guidelines and policies which seek to address some of these issues associated with the land deals, the scattered policies and legislations, weak institutional capacity and overlapping mandates by different governmental agencies in charge of land management are making the task of achieving sustainable land investment difficult, if not impossible. Therefore, a coherent policy framework is needed to address the problems. I will present cases which represent the need for policies and regulations that consider the economic, political and social complexities that must be taken into account before a sustainable land investment that protects the environment can be achieved.

### **LAND TENURE IN GHANA**



During one of my informal discussions, the other party uttered something along the lines of “Ghana, we are very good at passing laws.” This might seem like a simple statement but it is not because upon further discussions, the same person concluded: Ghana is good at coming up with policies because the international community either suggests it or some NGO or IGO provides the funds for coming up with these policy documents. The informant also added that government agencies lack the finances to actually implement the policies they pass. Later on in this chapter, the issue of guidelines that investors are supposed to follow during these land deals will be discussed but first I provide a brief background on the land tenure system.

Ghana has a complicated land tenure system which includes state and vested lands, stool/skin lands, clan/family lands and private lands. The 1999 National Land Policy was prepared in part to address these complications and all the problems pertaining to land management in the country. Before this document, the country lacked a coherent policy direction in terms of land management. The policy also made provisions for the involvement of all relevant stakeholders in the land development process. Finally, provision was also made for review and adjustment of the policy to mirror current challenges associated with land management in the country (Ministry of Lands and Forestry 1999).

Despite these different land titles, the land tenure system is broken down into two main ownership types: public or state lands and private lands. State lands are lands acquired through the State Lands Act of 1962 and also lands obtained by the state through vesting. The state/vested lands account for approximate 20 percent of all lands in Ghana. Vested lands are lands owned by both the state and customary communities. The state has majority of the power in the dual ownership since it has the power to lease, sell or collect rents for said lands in the interest of providing benefits to the customary community. State lands are vested in the

President and held in a trust for the benefit of all Ghanaians (Ministry of Lands and Forestry 1999).

Private lands on the other hand are mostly communally owned for the benefit of a community vested in a stool or skin. The stool and skin represent the symbols of different groups; the stool exists in most of southern Ghana and the skin in the north. In the south, the chief sits on a stool while northern chiefs sit on animal skins, hence the stool and skin titles. The 1992 Constitution establishes the conditions under which stool/skin landownership occurs. These particular lands are divided between people who originally cleared the lands (indigenes) and those who came later to make use of the lands (migrants or settlers). Although there is a clear distinction between state lands and stool/skin lands, the government still has some administrative power over stool/skin lands (Ministry of Lands and Forestry 1999; GCAP 2015a; GCAP 2015b).

In the case of clan/family lands, the head of the family or clan has the vested power over the land. These are lands belonging to groups that do not recognize a stool or skin as the vested holder of communal lands. These lands also fall under customary rules and unlike stool/skin lands, the state has very limited authority over them. The categories of land interests in Ghana as established by the 1999 National Land Policy are the following: allodial, common law freehold, customary freehold, customary tenancy, and leasehold (Ministry of Lands and Forestry 1999).

Allodial interest, also referred to as paramount title is the highest title under customary schemes of land interest. All other interests in land under customary scheme is derived from the allodial title. Under the allodial title, land is held in a trust for the community. Allodial title for the most part is held under or vested in the stool, skin, clan, family and to a lesser extent, individuals (Ministry of Lands and Forestry 1999). The small percentage of private lands in Ghana are held under common law freehold. Freehold lands are in existence in regions where

the stool or skin gave customary lands to private individuals before the 1992 constitution. The constitution places a ban on freehold interests on customary lands. Thus, freehold interests can only be created under family or clan lands (GCAP 2015a).

*Table 2 Land Categories and Definitions in Ghana*

Land Categories	Definitions
State Lands	Lands held by the state include those obtained through vesting and those compulsorily acquired (primarily under the State Lands Act of 1962). The state owns approximately 20 percent of the land in Ghana.
Vested Lands	Vested lands are subject to split ownership between the state and customary communities. The state manages them (holding authority to sell, lease, and collect rents from them) as a trustee for the benefit of the customary community from which the lands were taken.
Stool/skin Lands	Rights with Stool lands are distinguished between those related to those who first cleared the land in the area (indigenes) and those who have come later (strangers, settlers, or migrants). The government has a significant degree of administrative authority over stool/skin lands, including the ability to collect a ground rent.
Clan/family Lands	Land rights vest in the head of the family, and customary rules govern the exercise of these rights. The state has limited authority over clan and family lands, and does not have the authority to collect a ground rent.
Private Lands	Lands held in private title—not common in the country

Source: GCAP 2015a

Customary freehold also known as customary usufruct refers to the rights granted to individuals or groups over land by the allodial title-holding community. Although the rights of the land are granted to the individual or group, the allodial title holder is still vested landowner. However, the allodial owner cannot transfer the rights of the land to a new person or group without the consent of the previous interest holder. Customary tenancy is a type of contractual

agreement between landowners and farmers to allow the farmers to farm on a portion of the landholder's farm. In exchange for allowing the farmer to use the land, the landholder gets a payment in monetary form or part of the farmer's output. Leaseholds are interest bounded by time, parties interested in leasehold agreements are constitutionally allowed to lease a land for maximum of 50 years. Allodial and freehold title owners are allowed to grant leaseholds to interested parties (GCAP 2015a).

*Table 3 Types of Land Tenure in Ghana*

Land Tenure Types	Definitions
Allodial Title	Allodial title is the absolute permanent title from which all other interests in land derive. Customary lands are held under allodial title, with the title vested in stools, skins, clans, or families. These entities hold the land in trust for the community
Customary freehold (usufruct)	Customary freehold, also called customary usufruct, refers to use rights over customary land held by individuals or groups within the allodial title-holding community. Usufruct rights may be acquired directly, through an express grant from the allodial community, or implicitly, through the occupation of vacant land.
Community's common property rights	Customary communities often hold some rights in common, such as the rights to secondary forest products (such as shea nuts, fuel wood or wild mushrooms), grazing areas and water.
Common Law Freehold	Private land in Ghana is held under common law freehold. Freehold title derives from an express freehold grant by an allodial rights holder. Freehold land exists mainly in areas where chiefs made grants of customary land to private individuals prior to the 1992 constitutional ban on the creation of freehold interests on stool and skin land.
Leaseholds	Leaseholds are time-bound interests in land. Both allodial and freehold titleholders can grant leaseholds to individuals. Leasehold agreements with non-Ghanaians are constitutionally limited to a term of no more than 50 years.

Customary Tenancy	Customary tenancy refers to a type of contractual agreement between landholders and farmers in which the farmer is allowed to farm on some portion of the landholder's land, usually in exchange for payment or a share of the farm output, although in some cases the farm itself will be shared.
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Source: GCAP 2015a

With these clear definitions as to which lands fall under what title, the National Land Policy provided the first ever framework for addressing problems of land allocation and aimed to ensure a stable environment for economic development. The “polluter pays” principle was added to the policy specifically pertaining to land for mining and timber operations. The rule as stated in the document is that, if a land is taken for mining or timber operations, all efforts must be made to ensure no destruction to the land, water resources and the environment as a whole and in the case of destruction, the party responsible should take every effort to improve the situation (Ministry of Lands and Forestry 1999). From all the discussions, conversations and interviews I had with different people while in Ghana, I noticed the existence of policies regarding sustainable land acquisitions and management, but enforcement mechanisms were lacking. Regarding the “polluter pays” principle and mining companies, the Pra River is densely polluted in the Western region because of both large-scale mining operations and galamsey (figure 1). I will delve further into galamsey operations in later sections of this chapter but some of the participants of the focus group had to stop farming on their lands because of the polluted river.

Another provision in the policy is in regards to preventing landowners and their descendants from becoming landless. But through the interviews with the Peasants Farmers Association, I discovered some small-scale farmers are denied lands. In an interview in May 2017, Charity Tetteh of the Peasant Farmers revealed some of the small-scale farmers PFA works with are denied the lands “because they want to sell to people who want to invest in

large portions of land” (pers.comm.). This contradicts what is stated in the Land Policy because the stool or skin is supposed to make decisions which benefit the whole community and denying small-scale farmers land is not beneficial to the community because, as I will discuss in the next chapter, these farmers provide the majority of the food in the country.



*Figure 4 Galamsey Activities in the Pra River in the Western Region*

## **POLITICAL ECONOMY OF IMPLEMENTATION OF GUIDELINES FOR LARGE-SCALE LAND TRANSACTIONS**

The National Land Policy document provided the guidelines and definition of the different land title holding for Ghana. Although it is comprehensive in terms of aims and objectives, it does not take into account guidelines for large commercial land acquisitions. Under the *Ensuring Sustainable Land Use* policy guidelines section of the policy, there is a stipulation as follows “In general, land use involving mining, other extractive industries, mechanized agriculture, cattle ranching, dairy farming and manufacturing industry will have to conform to prescribed environmental conservation principles and guidelines.” However, the

policy does not describe the environmental guidelines or principles for the above listed industries to follow (Ministry of Lands and Forestry 1999, 12).

The Ghana Commercial Agriculture Project (GCAP) took the task of drafting guidelines concerning large-scale land acquisitions. GCAP came about as a result of the combined effort between the World Bank and United States Agency for International Development (USAID) request by the Government of Ghana. The project was approved in 2012 with the aim of supporting agricultural development specifically, providing increasing agricultural productivity, improving the productivity of smallholder farmers and their incomes and also increasing the contribution of agriculture towards the GDP of Ghana. GCAP aims to achieve these objectives through engagement of smallholder farmers in the Accra Plains and Savannah Accelerated Development Authority (SADA) by focusing on increasing their access to land, financing, and markets. The guidelines were produced in conjunction with two other documents: *Recommendations for Large-Scale Land-Based Investment in Ghana*, and the *Model Lease Agreement* (GCAP 2015b).

The guidelines were drafted in part to implement the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forest*, developed by 96 countries and endorsed by the United Nations Committee for World Food Security with regional consultations held on every continent in (2012a). The voluntary guidelines are similar to other FAO guidelines in that they are voluntary but they do serve as international principles for acceptable standards for responsible investments on land, fisheries and forest. The voluntary guidelines are relevant to this project because they aim to improve land governance for all but with emphasis on the vulnerable with hopes of achieving several goals. The goals particularly relevant to this project are those regarding achieving food security, poverty eradication, achieving sustainable livelihoods, rural development, environmental protection, and sustainable economic development.

The international and the national guidelines are very important because over the past few years, interest by investors (foreign and domestic) in acquiring lands in Ghana has grown significantly. Global demand for investment in farmlands is driven by the need for food to feed a growing population, price fluctuations, and the need to address energy insecurity through biofuel production. Information regarding the nature of land investments is unknown and the exact amount of lands acquired by investors is also unknown. However, the Ghana Investment Promotion Center (GIPC) data shows that \$322.7 million of \$13.5 billion foreign direct investment (FDI) went into agriculture. There are several reasons for the vested interests of investors in Ghana but the main reasons have to do with the political stability of the country as well as the access to European and US markets and the large quantities of arable lands (GCAP 2015a).

## **CHALLENGES ADDRESSED THROUGH THE GCAP GUIDELINES**

Apart from the objective above, the GCAP guidelines aim to address three challenges that occur during land and land-based investments. The first challenge is on the issue of expectations by community members as well as the investors. The gap in expectations between the two groups can result in substantial costs either on the part of the landowning community or the investors. For example, during the interview with the representative of Caritas Ghana, he mentioned the case of AgDevCo (more details later) and the fact that the activities of the company “will not affect the community” and also “made promises about how they will repair the roads, how they will provide other social facilities such as schools and clinics and that was not done” (Alhassan pers.comm.). During my interview with Abigail Acheampong at the Ministry of Fisheries and Aquaculture, she mentioned the case of Biofuel Africa and supposedly, during this transaction, there was considerable cooperation between the investor and the Kpachaa community in the Yendi district of Northern Ghana. And according to



Acheampong, the “Yendi one didn’t work because the promises that were made to the community were not fulfilled”.

During the same interview, we also discussed the expectation gap between Caltech Ventures Ghana Limited<sup>3</sup> and members of the Hodzo community in the Volta region. Caltech originally started out a biofuel company to produce ethanol from cassava. The company expanded to producing cassava, cassava flour, and gari<sup>4</sup>. When the company started the venture, they called upon farmers to work for them, some farmers stopped farming for themselves and instead started working for the company because “they are assured of a monthly payment” (Acheampong pers.comm.). While some farmers were contracted as outgrowers with the agreement that Caltech will purchase their produce after harvesting. The tenure contract between the company and the farmers is similar to the customary tenancy. But according to Acheampong, when she interviewed some of the farmers who contracted as outgrowers, they claimed Caltech did not buy their cassava.

Evidence to support contractual breach could not be obtained but Caltech has also raised frustrations about outgrowers and considered taking “some outgrowers to court” because they are not making payment on production loans (Tinsley 2010, 29). The farmers then decided to sell their cassava but that was problematic because as Acheampong stated, it “was outside their agreement” (Acheampong pers.comm.). I present this Caltech example because the NGO representatives and focus group participants all raised frustrations about unfulfilled promises. During the focus group discussion, one of the participants who had lost his land to free zone enclaves<sup>5</sup> raised the issue that “companies promised to fix the roads, clinics and schools but so far, they are just promises” (Kwesi Adjei pers.comm.). Free zone enclaves are export processing zones established for the promotion of economic development. Free zones are

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<sup>3</sup> <http://www.ghanatrade.gov.gh/Food-Beverage/caltech-ventures-limited.html>

<sup>4</sup> <https://en.wikipedia.org/wiki/Garri>

<sup>5</sup> <http://www.gfzb.gov.gh/faqs.php>

exempted 100 percent from paying taxes and levies on imports and exports for production within free zones. Free zones must export at least 70 percent of their produce and the remaining 30 percent are authorized for sale within the country.

The second challenge that the guidelines aim to address has to do with the issue of investors not acquiring social license from the communities where they want to conduct their business. The guidelines indicate that investors have a hard time gaining social license because of the means by which they gain entry into communities. Since the majority of Ghana's land is under customary title, investors must deal with the chief representing the stool or skin when they want to purchase land. This aspect is problematic because "once the chief gives the nod, the transaction proceeds...once they [the companies] think they have finished with the chief, nobody else matters" (Tetteh pers.comm.). The window to gain social license is gone at this point because as Tetteh puts it "getting the nod from the chief means they have the mandate to go ahead and proceed with whatever they want to do" (pers.comm.).

Another reoccurring issue raised during the interviews and discussion is in part to do with investors going directly to the chief with less effort taken to interact with farmers using the lands they want to acquire. Some participants reported that investors went straight to the chief or landowner, especially in the case of those who farmed on the lands without actually owning them. And the investors have the legal right to go to the chief first because the chief is the allodial title holder. The chiefs are in charge of the land for the communal good so they should consult or invite relevant stakeholders including farmers using the land that an investor is interesting in leasing. In a conversation with Matthew Alhassan, a representative of Caritas Ghana, he revealed some chiefs were given money and other financial incentives in return for selling or leasing lands to foreign investors. In a scenario like this, the small-scale landowner cannot do much since they do not have the money to compete and some even lack the funds to hire lawyers. The small-scale farmer also lacks the ability to negotiate with the chief or

convince them not to sell the lands because leasing large tracts of land is seen as good for the entire community. Large-scale land transactions are breaking down previous social contract between communities and chiefs, which impact the social capital (more examples in the next chapter) because chiefs prefer the relationship with investors because of the benefits they will gain.

The third challenge GCAP aims to improve is in relation to the negotiation process for large-scale land transactions. The negotiations for land deals tend to exclude certain community stakeholders such as women and youth. I will discuss the issue of women in agriculture and the impacts from large-scale land transactions in the next chapter but I do want to bring in some of Matthew Alhassan's comments during our interview. When I asked Alhassan if he sees a gender component to the impacts of land acquisitions, he brought up the issue of lack of women during negotiations. The majority of family heads, chiefs and religious heads are men and these are the people acting as land title holders therefore, when investors come in, they negotiate with the men and the women are left out. Although women might be making use of the lands, in rural Ghana, "women hardly have land titles" (Alhassan pers.comm.). And in the case of leaving out the youth in decision-making concerning land deals, there are unintended consequences such as galamsey (to be discussed in the next section).

The majority of investors interested in large-scale land transactions are foreign agribusinesses. Also, the Government of Ghana has prioritized the modernization of the agriculture sector as a development strategy through policies aimed at increasing commercial agriculture. The government aims to achieve this goal through "increased access to land, private sector finance, and input and output markets through engaging smallholder farmers in public-private commercial agriculture partnerships" (GCAP 2015a, viii). The Ministry of Food and Agriculture is very interested in modernizing the agricultural sector and I explained earlier the Ghana Commercial Agriculture Project was created as a result of this goal of

modernization. In the interest of modernizing the sector, a collaboration was formed between MoFA and AgDevCo<sup>6</sup> for the company to develop commercial agricultural projects.

There is no doubt that there is a need for guidelines to monitor large-scale land transactions. But as the GCAP guideline challenges demonstrate, it will not be an easy feat especially considering national policies such as those regarding free zone enclaves. In the next sections, I present case studies of different investors and the process they used to lease their lands. Particular attention should be paid to the Babator case because it is a transaction which implemented the GCAP guidelines but there are still downsides to that case.

## **LAND INVESTMENTS FROM THE POLITICAL ECOLOGY PERSPECTIVE**

This brings up the issue of environmental impacts of small-scale farming versus large-scale industrial farming by agribusinesses. In the past, small-scale farming or subsistence farming was the principle method for food production. Since World War II however, the world has witnessed a transition from the image of farmer herding and tending to his or her crops and/or flock to massive and never-ending large tracts of land controlled by agribusinesses. This can be traced to technological innovation and agrochemicals and as a result, food is now produced on a constantly large scale (Gauker 2010). Industrial agriculture is correlated with mono cropping because companies focus on growing the same crop year after year. Small-scale farming on the other hand, usually includes crop rotation (changing crops grown on plot every season) so as to retain the nutrients in the soil. The monoculture of the industrial agriculture sector degrades the structure of the soil and makes it prone to soil erosion. Monoculture goes hand in hand with loss of biodiversity as compared to small farms which support a varied range of life. The negative effects of industrial agriculture are vast cutting across environmental, economic and social spheres. In terms of water pollution, agriculture comes out ahead of every

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<sup>6</sup> <http://www.agdevco.com/about-us/agdevco-history.html>

other industry because the industry is the top polluter of rivers and lakes (Haspel 2014). As the example of such a scenario will be provided below with AgDevCo and Babator cases.

## **CASE STUDIES: AGRIBUSINESSES AND LANDOWNING COMMUNITIES**

I would like to present the case of two different business ventures and the means by which they acquired their land to illustrate the challenges GCAP aim to improve during land transactions. The first agribusiness venture I think deserves mention is ScanFuel Ghana Ltd. now ScanFarm, which is the Ghanaian subsidiary of Scanfuel AS based in Norway. ScanFarm deserves a discussion because not only did one of the interviewees bring up the company in relation to investors not fulfilling promises but the company is interesting because it is one of the first companies to venture to Ghana in hopes of growing biofuel crops. ScanFarm came to Ghana in 2008 with the effort of a native of Agogo (location of ScanFarm) living in Norway. Agogo is a small town in the Ashanti region with fairly developed infrastructure. The company initially wanted to acquire 400,000 ha of marginal lands for Jatropha for export. In 2009, after negotiations, the company was granted 13,058 ha of land through a Memorandum of Understanding (MoU).

However, after a year of cultivating jatropha, the company switched its business model to include mostly maize, soybeans and sorghum because “finding markets for the harvested jatropha nuts was quite difficult” but maintains some portion of land towards jatropha (Boamah 2014, 329). ScanFarm also acquired a certificate from the Ghana Free Zone Board (GFZB), which meant that the company has to export at least 70 percent of whatever the company produced. The plus side of gaining the GFZB certificate was that ScanFarm paid less taxes thereby reducing the amount of potential governmental revenue. Per the 1992 Constitution, the company leased the land for 50 years, subject to review and renegotiation after 25 years. Also as per the MoU, the company is obliged to invest in development and employment opportunities for residents of Agogo (Kuusaana 2016).

In terms of specifics, the company paid \$23,000 for the land with the condition of paying ground rent of \$1 per acre annually to the Agogo Traditional Council. The company was also granted unrestricted access to any water source for their activities. Dispute is to be resolved by the Agogo Traditional Council. The Agogo area is under stool land title holding but there are families with customary freehold titles. Similar to the Caltech case, Agogo residents expected 1,000 jobs and a hospital to be constructed, but the actual number of jobs created is unknown. Apart from the expectations, compensation for plot-holders were delayed which led to resistance on the part of the residents. The issue of transparency also came up during the resistance with villagers demanding to see the lease agreement (Wilsborg 2012; Bull 2009).

In the second case, Babator is a farming community part of the Bole district in the Northern region of Ghana. The district has a population of 61,593 with 61.6 percent of households involved in agriculture (Ghana Statistical Service 2010). The community has two farming seasons per year; residents depend on produce such as cassava, yam, maize, and groundnuts. The Africa Agriculture Development Company (AgDevCo) leased 10,369 ha in Babator. AgDevCo is an investing group which specializes in project development in the agriculture sector in Africa. The company currently has operations in 7 African countries. According to the company's website, the Government of Ghana invited them to assist in commercial agriculture initiatives. Among the total leased land, 3,800 ha will go towards a farm and another 1,500 ha towards ingrower section to benefit estimated 1,000 small-scale farmers. As a sign of its commitment towards reducing poverty, hunger, under-nutrition and improving food security in the Babator area, the company started operating a 365 ha farm teaching modern agricultural practices to local farmers through its irrigation infrastructure. The company also conducts a study which concludes that local rice farmers stand to earn \$1,085 in

profit per hectare if they incorporate fertilizer and agrochemicals into their planting in conjunction with hybrid seeds (Akologo and Guri 2016).

Before formally signing the agreement for the lease, the company also organized meetings with relevant stakeholders to present their intentions to the community. Community members were also informed that the company will use water from the Black Volta for the irrigation, which also creates some jobs. To be specific, the irrigation project is said to create 500 permanent jobs and 40,000 farmers will benefit through usage of the irrigation project and locally adapted seeds. The company also conducted both environmental and social impact assessments. Community members were also informed of the potential water pollution as a result of the machinery that could affect their source for fishing and drinking water and the community agreed on the terms before the project commenced (Akologo and Guri 2016).

The interesting thing about the AgDevCo and the Babator case has to do with the fact that it is considered a somewhat success story of investors and communities working together for their mutual benefit. Throughout my fieldwork the issue of lack of general prior informed consent was stressed to me by representatives of the NGOs and focus group participants. Residents of Babator were made aware of the interest of AgDevCo in investing in their community. The icing on the cake for the community members is that the company can help them farm all year instead of harvesting twice a year (Akologo and Guri 2016). The steps taken by the investors in the Babator case complied with majority of the guidelines recommended by GCAP. The investors had the social license, they involved all relevant stakeholders during consultation and provided adequate compensation. Most importantly, community members were made aware of the company's intention to use the Black Volta for irrigation. The political, economic and social aspects of the project and its potential effects on the environment were presented to the community.

These two cases ended quite differently, in the case of ScanFarm, there was resistance by Agogo residents because of lack of transparency during the signing of the lease agreement and also gap in expectation between the two sides. The case of Babator residents and AgDevCo is an improvement of how transactions should occur if we look at it from the lens of the GCAP guidelines. That is not to say that villagers in Babator and AgDevCo agreed on all accounts nor that there is no room for improvement. Skilled workers were hired from outside the village but some villagers were hired as ‘pickers’ with a daily wage of \$3. However, there is no mention in Caritas’ report if the skilled workers needed for projects were not available in the village. The main difference between the two projects has to do with the issue of transparency and the expectation gap between the investors and the landowning communities. There is also the environmental aspect for both projects. In the Babator case, investors told community members about using the Black Volta for irrigation but they also told them about the potential water pollution from the use of machineries. If the Black Volta becomes polluted, it will affect both the fishes in it and the community since community members use it for drinking. In the case of ScanFarm, *Jatropha Curcas* can be an invasive species thereby changing the local ecosystem. The portion of land the company dedicated to cultivating *Jatropha* will go through mono cropping which is not good for retaining biodiversity or regenerating nutrients.

### **GALAMSEY: THE RESULT OF LAND GRABBING?**

Mining companies and individuals involved in both small-scale and large-scale mining projects have a significant impact on the environment and rural livelihoods. Therefore, this section of the thesis will focus on the effects of loss of agricultural lands through mining in the Western region. I will particularly emphasize the effects in the Shama district (the district of the focus group discussion) but look at the broader effects of mining on the agricultural sector in the whole region.



Ghana is the second largest gold producer in Africa and the eighth gold producer in the world. The gold mining industry is made of large-scale mining and small-scale mining. There are thirteen large-scale mining companies and over 1000 small-scale companies and/or operators in Ghana (Gilbert and Albert 2016). Overall, the mining sector plays an important role in Ghana accounting for 5 percent of the GDP and 41 percent of export earnings of the country. The mining sector had both boasted the country's reputation as a top gold producing country and also the economy. However, the sector has destroyed rural livelihoods in the mining intense regions, such as the Western region. Rural dwellers suffer the most because mining investments are situated in rural areas and these are the same areas where the majority of residents rely on the land for their "livelihoods and income generation activities" (Tsuma 2010).

The Western region is an ideal case study in terms of galamsey because it is one of the oil and gas regions; it has the highest concentration of gold mines (table 1) and galamsey is rampant in the region. The region has a total land area of 23,920 km<sup>2</sup>, approximately 10% of Ghana's land area (MoFA 2014). About a third of the region is estimated to be leased to mining and mineral exploration companies. However, similar to other regions in Ghana, agriculture is the main employment sector.

*Table 4 Sample Large-scale Gold Mining Companies and Operating Regions*

Company	Regions
Newmont Gold Ghana Limited (NGGL)	Brong Ahafo Eastern
AngloGold Ashanti	Ashanti Western
Golden Star Resources Limited	Western
Gold Fields Ghana Limited	Western
Abosso Goldfields Limited	Western
Chirano Gold Mines	Western
Adamus Resources Limited	Western

Info Source: (Doso Jnr et al 2015)

The large-scale gold mining companies produce the majority (90%) of the country's gold output and are mostly owned by multinational corporations. The small-scale miners are usually youth without heavy financial backing and with limited mining expertise. Mining companies pay a royalty of 5% to the Ghana government. Out of the royalty paid to the government, 80% goes toward the central government's consolidated fund, and 10% towards the Minerals Development Fund, which is used to address mining issues. The remaining 10% of the royalty is distributed among the district assembly, Office of the Administration of Stool Lands, traditional councils and local chiefs.

Within the small-scale mining sector, there is "galamsey," a local term for illegal and unregulated mining. Gold mining in Ghana has witnessed a rush from both domestic and foreign miners for the past decade. The majority of these miners are conducting their operations illegally and they are coming from neighboring countries of Togo, Burkina Faso and Cote d'Ivoire; but some miners are coming from as far as Asia, the Americas and Europe. The greatest effect of galamsey is on the environment. The environmental impacts of this practice include land degradation, air pollution, water pollution, and destruction of fauna and flora (Gilbert and Albert 2016; Mantey et al 2017, Mantey et al 2016). The effects of galamsey are so widespread to the extent that Mantey et al (2017) concludes that almost every major water body in Ghana has been directly or indirectly affected through activities of galamsey.

The environmental degradation nature of galamsey is widely known in Ghana. The widespread effects however, did not occur to me until the focus group discussion in Assorku-Essaman. About a third of the participants were indirectly affected by galamsey, in other words, their lands were not purchased for galamsey but activities of the practice affected them nevertheless. One of the male farmers said he has to stop farming on 40 acres of land because "we were irrigating with the river" but "we were forced to leave our livelihoods since the rivers became polluted" (Kwesi Adjei pers.comm.). While in the bus going to Essaman for the

discussion, as we drove past the river, the old lady next to me mumbled “ah galamsey” and it was not the first time nor would it be the last time I would hear such a statement or similar statements.

Galamsey is conducted on small-scale lands by mostly young men so it is not directly tied to the issue of large-scale land acquisitions. Or at least that is what I thought until I started interviewing people and looking further into reports of the practice. The Peasant Farmers Association is a farmer-based organization with the mandate of advocating for agricultural and trade policies favourable to small-scale farmers. Charity Tetteh, a representative of the association thinks the large mining companies are part of the reasons why galamsey started.

As discussed before, majority of galamsey operators are young men without financial backing. According Mantey et al (2016), young men who “due to lack of any professional, or vocational training, are caught in the trap of unemployment or under-employment” are intruding and ransacking farm lands in hope of finding gold. Charity Tetteh thinks the youth are in galamsey for a different reason, and that has to do with “mining companies who took the lands from the youth and not offering opportunities for alternative livelihoods.” Tetteh’s reasoning for this comment came about as part of the crew working on a documentary, *The Great African Scandal*. During the shooting for the documentary, they visited some mining communities to investigate the unfair treatment happening. And according to Tetteh, they came across were youth who used to be farmers but as a result of local chiefs leasing and/or selling out lands to large mining companies, they were left without other means of livelihood. The youth were compensated but not adequately and some apparently had been beaten by personnel of mining companies.

This theory of large-scale land acquisitions as an indirect cause of youth in galamsey could not be verified by the researcher. However, it is a theory expressed by an interviewee and the practice is getting out of control despite the current government’s efforts. The

problematic aspect of the problem has escalated to the extent that a military officer who was monitoring activities in one of the regions was stoned to death<sup>7</sup>. The indirect and long-term effects of these deals on the environment can be detrimental. And as another interviewee theorized, some landowners were just involved in farming “but because they witnessed miners mining, they realized perhaps there is another source of wealth” (Alhassan pers.comm.). Thus, large-scale land acquisitions can have these indirect and unintended consequences which can also degrade the environment.

## CONCLUDING REMARKS

The complex land tenure system in Ghana can be attributed to the surge in “land grabbing” because the chiefs have the paramount power to make final decisions on the deals. Investors and corporations are aware of the consolidated power provided to the chiefs by the government and take advantage of it. It is clear that the complicated land tenure system with the chief in charge of most decisions regarding leasing or selling lands in Ghana makes these large-scale land transactions legal, although it does not guarantee protecting the environment or smallholder farmers. The case of two different agribusiness deals shed light on how the GCAP guidelines can be incorporated by investors. However, the guideline on environmental protection is still not implemented and more efforts are needed. It is also important note that when I asked participants of the group discussion about impact assessments conducted on their lands before transactions were finalized, not a single respondent confirmed the EPA evaluating the environmental effects of the projects. Large-scale land acquisitions in the Western region bring to the light the potential indirect intersection between large mining companies and illegal

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<sup>7</sup> <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Captain-Maxwell-Mahama-s-murder-is-all-about-galamsey-543985>  
<http://citifmonline.com/2017/05/30/diaso-lynching-capt-mahama-was-deployed-to-fight-galamsey-uncle/>  
<http://www.myjoyonline.com/opinion/2017/June-8th/who-killed-capt-adam-mahama-the-state-or-galamseyers.php>

small-scale mining practiced by the youth. In the next chapter, I analyse the effects of these land deals on the local level through the lens of the sustainable livelihoods framework.

## CHAPTER SIX: MICRO-LEVEL ISSUES (FOOD SECURITY AND CAPACITY BUILDING AND GENDER DYNAMICS)

In this chapter, I will delve into the local context with emphasis on how the sustainable livelihoods framework helps analyze the micro level interactions between different stakeholders and their priorities. This chapter will focus on critical areas of rural residents, their livelihoods, and food security. I argue that the livelihoods of small-scale farmers and landowners are threatened by large-scale acquisitions, which in turn compromises their food security and food sovereignty.

The focus of food security is important because food is a basic human need, especially its effects on productivity and health. Enough food is produced to feed the entire world but hunger is an epidemic throughout the world especially in developing countries. In Sub-Saharan Africa alone, an estimated 26 percent (153 millions) of people of 15 years and above are food insecure (FAO 2016). Although there has been a moderate reduction in terms of malnourished and underweight on the continent, food insecurity is still prevalent in the region.

Ghana is one of the Western African countries that has made significant progress toward reducing the number of undernourished people<sup>8</sup>. The country has also achieved its World Food Summit (WSF) target of reducing its undernourished population by half. Despite the impressive progress made in Ghana to reduce food insecurity, the country is still a long way from achieving the SDG 1. One of the ways by which the government of Ghana aims to continue to decrease the percentage of people living in poverty is through promotion of commercial agriculture and land-based investments. The idea is that “greater commercial investment in agricultural land can bring economic benefits—such as higher incomes, improved economic growth and export earnings, additional food crops for local consumption” but GCAP also stresses the fact that these investments “can also pose significant risks for the

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<sup>8</sup> *ibid*: literature review

men and women living in communities affected by land acquisitions” (GCAP 2015a, viii). Land investments are important for rural residents since they can acquire the financial capital to try other ventures, and the trend tends to negatively affect the other assets.

The Northern Region Agricultural Development Unit of Ghana’s MoFA (2015) reported that about 1.2 million people, representing 5 percent of the population, are food insecure. The World Food Programme (2009) also reported the same figure but with an additional 2 million vulnerable to food insecurity. The northern most areas of Upper West, Upper East, and Northern regions account for both the largest percent of food insecure and vulnerable to food insecurity people. Approximately half a million of the people vulnerable to food insecurity live in the three northern-most areas. Upper West region alone currently accounts for 34 percent of the food insecure people. There are also disparities between rural and urban dwellers in terms of their food security; the rural population represents 19 percent of the current food insecure or vulnerable to become so, while 10 percent of urban dwellers suffer the same fate. In the case of Ghana and sub-Saharan Africa as a whole, the responsibility of reducing the number of undernourished people has been designated to smallholder farmers.

Smallholder farmers (1-10 hectares) manage about eighty percent of the arable lands and produce the same percentage of food in Africa and Asia (FAO 2012b). Smallholder farmers are distinct in that they manage very small lands and mostly rely on family labor for their production. Close to 75% of the global food system is based on 12 plants and 5 animal species therefore it lacks biodiversity and smallholder farmers keep some of these varieties alive.

Ghana is quite similar to other African countries in terms of the importance of smallholder farmers. As stated in the literature review, the majority of the farming is done on small-scale. Regular food crops such as maize and cassava as well as export-oriented crops such as cocoa are produced on small farms. As discussed earlier, the government of Ghana’s plan and vision for the agriculture sector is to transform small-scale farming into a successful

commercial production through improved market access. The government plans on achieving this task through dedicating 10 percent of its annual budget on the agricultural sector. The government is said to be well on track for its vision because since 2006, a minimum of 10 percent has been consistently spent on the sector. This has been attributed as one of the reasons why Ghana met the MDG 1 with a 7.7 percent poverty reduction from 31.9 percent in 2006 to 24.3 percent in 2013. The dedication towards the agricultural sector paid off because the first quarter of 2014 witnessed the highest growth rate of 12.7 percent.

In the case of Ghana, the government has made strides toward making commercial agriculture the main type of farming but small-scale farming is still prevalent. Therefore, from a rural development perspective, it is imperative to look into the micro-level issues pertaining to large-scale land acquisitions and potential loss of rural livelihoods, especially in the context of the different interests within land transactions: investors, communities, governments, and civil society groups. For the next sections, I will present the outcome of some cases through the sustainable livelihoods framework. The two main themes will be capacity building and food security. All the assets (human, natural, social, financial and physical capitals) in the livelihoods framework will appear in one form or another in the discussion with particular attention to natural, human, and social capital.

The GCAP guidelines for large-scale land-based investments discuss this in length but guideline 8 is particularly relevant because it is in regards to provision of benefits to landowning communities measureable to loss of a natural and primary asset such as land. To reiterate one of my interviewees, land is immovable therefore “communities need to receive assets that will allow them to be equally, or more, well-off than they were prior to the investment” (GCAP 2015b, xi). According to GCAP, the best way to achieve this guideline is through provision of payments with the long-term goal of ensuring the continued food security and income-generating needs of the host community are not hindered.



At this juncture, I would like to present the case of Solar Harvest Limited, formerly Biofuel Africa. As Tsikata and Yaro (2011) concluded, research on large-scale land transactions has focused on the needs of the different players because many transactions have not been in existence for long enough to determine the livelihood effects, but Solar Harvest is old enough for discussion and analysis. The company is also interesting as a case study because it one of the handful of biofuel companies turned agribusinesses<sup>9</sup>.

### **CASE STUDY: BIOFUEL AFRICA, NOW SOLAR HARVEST<sup>10</sup> LIMITED**

Biofuel Africa registered in Ghana in 2007 with the main goal of Jatropha cultivation but as a result of the financial crisis and reduced interest in biodiesel, the company declared bankruptcy in 2009. There has been extensive coverage of activities of the company with considerable criticism especially in regards to corruption charges. The company reinvented itself in 2011 as a food production company under the name of Solar Harvest. The new company leased 10,600 hectares of land mostly in the Kpachaa area in Northern Ghana. Although the company's new focus is on food production, some of the leased land is still dedicated to jatropha cultivation and some towards maize production because farmers in the area have had success with the crop (Tsikata and Yaro 2011).

The company was granted a leasehold of 25 years with a provision of an additional 25 years. They went through the appropriate steps by starting with community engagement with local chiefs and community members. The community members were made aware of the potential benefits and the intentions of the company and from then onwards, two other public hearings were organized. The management of the company also organized for both environmental and social impact assessments to be conducted and in the end, the chief granted permission for the deal to proceed. The company paid 13,800 cedis for the land with the head

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<sup>9</sup> Ibid: page 8

<sup>10</sup> <http://www.biofuel.no/index.php?txt=about-us>

chief receiving 40 percent of the amount. The sub-chiefs each received between 500-1000 cedis regardless of whether their land was leased as part of the deal or not. This aspect of these land deals is particularly problematic because the chiefs bear all the benefits and the community members, especially the farmers whose livelihoods depend on the lands bear most of the loss (Tsikata and Yaro 2011). I do think this leads to resentment on the part of community members, however, as one of the participants of the focus group said “royalties given to the chief should have been given to me” (pers.comm.). From the sustainable livelihoods approach, the farmers lose their natural capital and because majority compensation goes to the chief and his council, the rest of the community lose the possibility of gaining financial capital. Also, the social capital of “relationships of trust, reciprocity and exchanges” (DFID 1999, 9) is broken because the community members have a sense of the benefits the chiefs gain from the deal.

The project displaced people from their farms and they had to relocate; the company did employ 75 people from the area. In terms of how people who were affected by the project reacted, it depended on whether they were commuter farmers or resident farmers. Majority of the commuter farmers tried to find lands in other villages for production or stopped farming, but the rich commuter farmers tried to bring attention to the project by involving NGOs to campaign against it. However, based on customary land tenure, this group of people do not have any legal claim because they are mostly from Tamale (capital of the Northern region) thus, the local chief told the company not to provide compensation to them. The resident farmers however could try finding land in the same area and if a land was not under cultivation, the chief can grant them access to make use of said land and in this case, the chief granted the land if they were not utilized by other members of the community. Even in the case of resident farmers, they can be stopped from farming if the chief deems so, for example, when a company wants to lease the land. The only option left is through searching for new land and seeking permission from the chief. In the case of migrant and resident farmers who are not landowners,

their natural capital (land) is not absolutely guaranteed but their social capital seems guaranteed, in that the accepted norm in the village is, if you lose your land and you can find a new plot, the chief will gladly approve for a resident farmer to use it if it does not belong to anybody else. As a result of the power invested in the customary leaders, there is a somewhat blasé attitude on the part of chiefs on the impacts of decisions pertaining to land on their community members.

Unfortunately, chiefs and other traditional authorities lack the technical knowledge, expertise and capabilities (human capital) to make such decisions as demonstrated by the local chief involved in the transaction between Solar Harvest and the Kpachaa area. When Tsikata and Yaro (2011) interviewed the chief about the deal, he confirmed the lease agreement “but had no idea about the size of land and referred researchers to his lawyers for details of the terms” (19). This is very problematic because the chief is supposed to make the best decision for the good of the whole community but in this case, he barely knew how much land he leased to investors for at least 25 years and possibly, half a century.

This leads to the issue of sensitization and capacity building. These two issues were stressed by all my individual interviewees and also emphasized by the GCAP guidelines. GCAP recommendation 4 for achieving a successful land investment is through improvement of “the capacity of local communities and governments to negotiate commercial agriculture leases on an even playing field with investors” (x). This recommendation is crucial because as illustrated above (Kpachaa land deal), without adequate capacity, a chief can approve a deal without knowledge of the repercussions.

## **THE INTERSECTION OF POLICY COHERENCE AND CAPACITY BUILDING**

Through interviews, informal discussions, and journal articles, the issue of capacity building is something everyone seems to agree on, referring to understanding the value of land, the negotiation process, and which government agency to reach out to for assistance. Capacity

building<sup>11</sup> is a phrase uttered quite often pertaining to a vast array of topics (climate change, water pollution, sanitation) but when it comes to the issue of large-scale land transactions, capacity building as explained by the interviewees is closest to “both sides must understand the content and implications of such an agreement” and agreement in this definition is specifically the long-term lease. And both sides also need to have the capability, knowledge and “opportunity to consider and negotiate for acceptable terms” (GCAP 2015b, x). Capacity building is particularly important to this chapter and the sustainable livelihoods framework because if landowning communities are provided with training pertaining to land deals, it ensures that rural residents are equipped with the necessary assets including human capital (knowledge and skills), social capital (networks and trust), physical capital (information and perhaps infrastructure), and financial capital (compensation from the transaction).

During my discussion with the Lands Commission representative, he mentioned that the guidelines the agency is developing aim to include educating the public on their rights in regards to the land deal. But even more crucial, there is also provision to guide the investor to their benefit and that of the community, for instance “if a buyer decides to involve the Lands Commission, we guide the buyer as to what processes he should go through. We suggest to them to go through the guidelines” (Ansah pers.comm.). The commission wants to set up a public education system in which they encourage landowners, community members and chiefs to involve the public during transactions. Therefore, from when an investor comes into a community to when the transaction is finally concluded, the Lands Commission will be present throughout the process. In this case, the community knows what is expected of them and so do the investors and if one party does raise an issue later on, the Lands Commission’s forthcoming guidelines also apparently include provisions for how both parties can try to solve their differences. The representative did however mention that although the Lands Commission was

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<sup>11</sup> <https://www.gdrc.org/uem/capacity-define.html>

to be involved in the entire process and especially pertaining to public education and sensitization, they are “looking towards the NGOs and civil society organizations taking up the role more than the public sector” and this is because he thinks NGOs “know how to fashion these materials to the understanding of the local communities” (Ansah pers.comm.).

During some of the informal conversations I had with various government workers, I noticed that they always ended up recommending me to either visit the website or go to the office of some NGO whenever I asked about hard data. It is important to stress this point because of the Lands Commission representative’s comment but also because the interviewee from Caritas Ghana had similar views. Groups such as Caritas play a crucial role in terms of educating and bringing to light what is happening on the ground. According to Caritas, the Lands Commission guidelines are a “concrete outcome of the policy dialogue before,” (Alhassan pers.comm.). The policy dialogue was a meeting between Caritas and some government agencies such as the Lands Commission, Ministry of Lands and Natural Resources and the National Development Planning Commission. Regardless of who is involved, representatives of NGOs, governmental agencies and academics all agree that capacity building is necessary.

Through speaking with several people working on behalf of locals, I think the best approach to actually building capacity is through the involvement of all the relevant stakeholders. Because of the customary nature of Ghana’s land tenure, power is consolidated in a handful of individuals (sometimes just one person, the chief). Instead of having limited consultation with the chief and perhaps his council, other stakeholders including women, youth, and migrant farmers should be included in these discussions. As discussed in the previous chapter, rural women rarely own land in Ghana but they do make up majority of smallholder farmers in the country and they can be particularly affected by large-scale land transactions. Later in this chapter, the issue of food security through the effects of land deals on rural women

will be discussed but before that, I would like to present some of the discussions which came up during the focus group in Assorku Essaman. The case of one of the participants is particularly interesting, because his situation represents the different outcomes when some stakeholders are involved during transactions but others are not.

Before they lost their lands to land deals, most of the participants of the focus group discussion were farmers growing cassava, oil palm and pineapple. The case of one of the participants: John Ofori is particularly interesting. John Ofori lost 27 acres to an investment group called BlackIvy LLC. Like most investment firms, BlackIvy defines itself as “a values-driven company that builds and grows commercial enterprises... that unlock new sources of growth”<sup>12</sup> with a geographic focus on sub-Saharan Africa. This farmer’s case is quite different from other people who have lost their lands. For starters, he owned quite a large tract of land compared to the average landowner. He was also part of the negotiation since he owned the land; he was paid by the company purchasing, but his main complaint was that he thinks the compensation he was offered was not adequate and he was also paid in installments.

As a result of getting paid in installments, John Ofori did not have enough capital to start another venture. And as expected, the chief of his town received some compensation (GH¢<sup>13</sup> 10,000) along with the lawyer who worked on the case but on the behalf of the company. With all this taken into account, it makes sense that John Ofori expressed, “I regret giving out the land and if I had to do it again, I would definitely involve a lawyer despite the heavy fees. Royalties given to the chief should have partly been given to me” (John Ofori pers.comm.). Although he was not offered adequate compensation nor given the compensation in bulk, he still received some form of payment however, the same cannot be said for the farmers who were farming on his land. Although he owned the land, he was not utilizing it for agricultural purposes but there were farmers who were using the land with his permission.

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<sup>12</sup> <http://indigohomes.com/about-us/>

<sup>13</sup> Currency of Ghana

During the discussion, he did attest to getting paid but the farmers were not paid, at least not as of the time of the focus group session.

This scenario illustrates the reason for the need of a comprehensive approach such as the sustainable livelihoods framework when it comes to rural livelihoods. John Ofori and the farmers who were utilizing his farm before it was purchased by BlackIvy were in different situations but ended up with the same outcome in that, he had the natural capital (land) and the financial capital since he could have potentially used the land as collateral for a loan. But in the case of the farmers, they did not own the land so their natural capital was lacking but because they were using the land for farming, they had a source of food and perhaps some money as well. John Ofori never mentioned if the farmers were part of the negotiation for the transaction. Nevertheless, the landowner and the farmers both lost their natural capital and financial capital but they both still had the social capital to cope with this situation because he and the other participants are part of an association for small-scale farmers and landowners. As members of one of the Farmer-Based Organizations, the Peasant Farmers Association has an objective of mobilizing “peasant farmers for collective action for policy reforms targeting agricultural trade and production”<sup>14</sup>. As a collective, the group with the assistance of PFA can try to influence policies. Although in the end, John Ofori is still better off because he received compensation whereas the farmers did not. Financial capital is the asset most rural dwellers lack the most and John Ofori had it to an extent but through inadequate compensation, he lost that asset. One might think, at least he was offered compensation but Charity Tetteh of the Peasant Farmers Association said it best: “land is immovable so if you are going to compensate someone for land loss, you need to compensate the person enough to invest in such a way that the loss of the land may not affect him so much” (pers.comm.).

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<sup>14</sup> <http://peasantfarmersghana.com>

Coincidentally, two of the female participants of the focus group were farmers cultivating on John Ofori land. The two women and other farmers using the land have not been compensated yet and they claim they were not part of the negotiation. This brings up the gender component involved in these transactions especially the issue of women in agriculture because in Ghana, “smallholder agriculture is driven by women...so when this major industry is taken over by multinational corporations, it speaks for itself that those who will be impacted most will be women” (Alhassan pers.comm.). Differences in how men and women are affected during these land deals cannot be stressed enough, but in the case of the participants of the discussion, it appears both men and women were affected similarly, especially those who did not own the land they were cultivating.

## **WOMEN IN AGRICULTURE AND FOOD SECURITY**

According to Behrman et al (2012), the first phase on how large-scale land acquisitions have gender implications is through “an in-depth understanding of local context” (52) with particular attention to be paid towards understanding the land tenure and production systems. It is crucial to look into who holds different rights in the community and who makes the decision. In terms of the gender dynamics, women make up 43 percent of agriculture workers in developing countries and comprise 50% of the agricultural labor force in sub-Saharan Africa (FAO 2012b). Despite the importance of smallholder farmers on the global food system, their existence and contributions toward economic productivity of the world is currently threatened by globalization and the global economic system, especially in the case of female smallholder farmers. In the course of land deals, rural women usually lack access to land, secure land tenure or the customary rights to land. Rural women also often lack access to inputs such as fertilizer, pesticides and extension services. In the case of Ghana, women are key players in agriculture, producing 70 percent of the food and constitute 85 and 95 percent of those involved in food distribution and agro-processing respectively.



And as stated in previous chapters, a lot of investors in large-scale land acquisitions use them for commercial agriculture and in such a scenario, Quisumbing (1998) concludes that such shifts can be detrimental to women through changes in income-generating activities and roles in the household level. Research shows that increasing women's control of natural assets such as land and financial assets lead to improvement in child nutrition and also more dedication toward education (World Bank 2001; Behrman et al 2012). Inherently, if land deals take women into account and provide new opportunities for them, it will coincide with advancements, but deals which take the necessary resources away from women will lead to the opposite. The issue of lack of women during consultation can be very damaging and in the case of Lois Boateng, she “did not own the land but [she] farmed on the land for over 7 years” however, her situation gets worse because at the conclusion of the land deal she continues, “I was told to go to the bank for payments but not told how much I will be paid but the bank did not pay me” so she is still waiting for her compensation (pers.comm.). In the end, the company has not paid the farmers for the land but the farmers cannot farm and harvest to make money while they wait for payment.

In the rural Ghanaian context, the local chief usually has majority of the power along with his council. When investors go to a community, they will most likely inquire and consult about their interest with “the chief or the religious leader and these are all men or household heads and most of the clan heads are men” (Alhassan pers.comm.). At the end of the day, if an investor goes to negotiate for land, they negotiate with one of these titleholders and when the decision is made to lease or sell the land, the women are not part of the decision so the decision impacts them. Unfortunately, regardless of whether the land tenure system is customary or statutory, women are said to be at a disadvantage. The three female participants of the focus group did not own their lands but were just utilizing them for their food needs and as Comfort

Agyeman puts it, “we have no alternative to farm on because we don’t own the land” (pers.comm.).

In conjunction with the local context, there is also the issue of the type of crops which will be planted on the acquired land. Similarly, regardless which crops are produced, it is important if they will be used in the host country or geared toward the export market? Crops such as rice and maize tend to be planted with the intention of exporting them to investor countries. Sometimes all of the produced crops will be exported but as stated in the previous chapter, foreign investors involved in agriculture and under a free zone agreement must export at least 70 percent of their final product. Local labour may be diverted toward working for these companies and planting crops which will be exported and that can have negative effects on local food security but some investors may sell some of the produce in local markets. The availability of staple crops may help the household, but the lack of diversity in what is produced may put a strain on the food basket and this affects women the most because in rural Ghana, they are in charge of fulfilling the household food security needs (Behrman et al 2012). There is also a different variation of the issue, the type of crops cultivated can also affect women. Rural women in Ghana usually cultivate legumes and vegetables for household consumption and investors prefer to produce cash crops, therefore the opportunity to grow what the household consumes is lost. And in such a scenario either they buy from the market (if they have the financial capital) or they “simply have to change their food basket. It leads to what is often called food sovereignty because they end up having to eat what is not traditional or indigenous to them because their lands have been taken and those who have been affected the most are women” (Alhassan pers.comm.).

Food sovereignty is a concept developed in the 1990s by the global movement of peasant and small-scale farmers, farm workers, landless peasants, and rural women known as La Via Campesina (Leitgeb et al 2015). It was developed as an alternative to the neoliberal

ideology practiced in agriculture and trade. The widely known definition of food sovereignty came about in 2007 during the Declaration of Nyéléni. The commonly used definition goes as follows: “Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems” (La Via Campesina 2007). The movement aims to use the concept to put ahead the dreams and aspirations of food producers when it comes to policy regulations rather than prioritizing the needs of corporations and markets. Food sovereignty is for the people and is therefore against the idea that food is another commodity to be traded as it is currently practiced by agribusinesses. The most important principle of food sovereignty most relevant to this thesis has to do with privatization of natural resources.

As discussed in the literature review, the 1990s was the era during which financial institutions made efforts to liberalize land but this goes against the principle of food sovereignty which states that “the rights to use and manage lands, territories, waters, seeds, livestock and biodiversity are in the hands of those of us who produce food.” This principle is difficult to achieve when investors use the leased land for cultivation of *Jatropha* (it’s not edible) or “some companies use the lands for big time maize farming but the maize is exported” (Tetteh pers.comm.). The issue of food security sometimes goes concurrently with food sovereignty in rural Ghana because the moment rural women lose their land, their food security is impacted and if the investors use the same land to cultivate cash crops or crops unknown to the region, their food sovereignty is impacted.

## **CONCLUDING REMARKS**

This section has discussed the effects of large-scale land acquisitions on the local context. It highlights the reoccurring themes and concerns collected by the author during fieldwork. The issue of food security, different stakeholders and their motivations, the gender aspect of the issue and the need for capacity building were the main concerns of participants of

the focus group and also organizations working to improve rural livelihoods. The issue of switching from subsistence farming to production of cash crops brings up a crucial debate on food security and to some extent, food sovereignty. Subsequently, the issue of not including all relevant stakeholders especially women during consultations brings up the gendered nature of these deals and how they affect men and women differently. This chapter represents the need for a well-rounded approach such as the sustainable livelihoods framework when it comes to discussing the impacts of large-scale land acquisitions on rural livelihood. Lacking human capital such as knowledge and expertise during negotiations on land deals have detrimental effects on natural capital (land) and financial capital if one loses their source of income generation. In the next chapter, I discuss the policy recommendations offered by interviewees.

## **CHAPTER SEVEN: POLICY RECOMMENDATIONS AND CONCLUSION**

The short-term consequence of land grabbing is that land is taken away from farmers while challenging local and perhaps national food security. The increased interest in large-scale land acquisitions in developing countries has brought attention to their impacts on local livelihoods. The complexities involved in these land deals led to the international community calling for guidelines to monitor them. This thesis has shown that the environment and rural livelihoods are directly and indirectly compromised in both the short and long terms by land deals. I examined the different sides of the debate, discussing those who view land deals as a means for poverty alleviating, those who support food security and food sovereignty for landowning communities, as well as those who support commercial agriculture.

I concluded that the decision maker in land deals in Ghana is the local chiefs. The customary land tenure system has made local chiefs the sole decision makers, taking the power of decision-making from the rest of the community. This indirectly affects the local food systems and threatens food sovereignty of these communities. I argue that although there are policies regarding the means of achieving sustainable land investments, provisions to protect the environment and rural livelihoods are rather weak or not implemented and monitored. In order to achieve land investments that protect the environment, increase economic growth and support rural livelihoods, there needs to be a better understanding of the long term consequences of these land deals.

I concluded each interview by asking respondents what recommendations they had on the local, national and international levels to achieve sustainable land investments. As discussed in previous chapters, the reoccurring recommendation had to do with prior informed consent and transparency. Before delving into those two issues, I think the first initiative on the path to achieving sustainable investments should be a coherent policy and guidelines regarding land acquisitions. As Alhassan said during our discussion “the laws relating to land

ownership in this country are so scattered so there is no one soft point where to monitor implementation” and he concludes this thought with “I think that is a serious issue” (pers.comm.) and so do I. As discussed earlier, there are policies and guidelines to monitor effects of land deals on the environment and rural livelihoods but the monitoring part is almost non-existent.

During my interview with Acheampong at the Ministry of Fisheries, she provided the perfect lens to view the issue of monitoring. She was answering the same question on policy recommendations and her first point was “every business venture will have some implications for the environment and the social livelihoods of the people in the community for which the lands are being given” but most importantly there is the need for “inter-sectoral coordination to look at the impact or how well mitigation plans are being executed” (Acheampong pers.comm.). There is an urgent need for implementation strategies because Acheampong also said “we [Ghana] normally sign on these international protocols but when we come home, it should be seen to be actively implementing them” (Acheampong pers.comm.). In terms of guidelines, there is the GCAP guidelines for investors, the Lands Commission guidelines for investors and communities, the African Union guidelines, and the FAO voluntary guidelines and all include important steps but they need to be combined into one document with more dedication toward implementation.

Along with the need for implementation is the importance of educating chiefs about thinking of their citizens when they lease out lands. If the chiefs are equipped with knowledge for these transactions, they will for example answer questions such as, if AgDevCo uses the Black Volta for irrigation, how badly will the river be polluted and is it worth it? Proper education will also lead to chiefs asking themselves “in what way will this project benefit the people of the community? Will it offer jobs? Will the company perform its corporate social responsibility duties?” (Tetteh pers.comm.). The importance of impact assessment also needs

to be stressed to the chiefs and community. A comprehensive impact assessment will tell communities “the several benefits the investors will gain from the venture will not compare with the construction of a three classroom school” (Acheampong pers.comm.).

The chiefs should also be educated about sale and proper documentation. Because of the land tenure system, the government does not have much of a say in the sale of land but the appropriate agency can provide the proper documentation. The only time the government is involved is when investors are interested in state lands. The Lands Commission aims to become involved in these deals through the new guidelines. And according to Benedict Ansah, the commission has made “provision for the responsibility of the community of what is expected of them, what they have to do to screen investors and then after the transaction, the monitoring mechanism, what they need to look out for and even what they need to include in their agreement with the investor” (pers.comm.). Agreeing with Ansah is Charity Tetteh of Peasant Farmers Association who says that although the government cannot be involved in stool land transactions, what the land management agencies can do is build the capacity of the chiefs. If they are educated properly, they will become aware of the fact that there are rules to go by to make land secure.

After all the different conversations on the topic, I have a few recommendations of my own. Starting at the local level, there needs to be more involvement of smallholder farmers during the transactions. Also, the youth in the community must be involved during the negotiations. The Lands Commission’s new guidelines include provisions for conducting impact assessment on lands above 50 hectares; this should become mandatory around the country because the current system of some transactions going through assessment is not working. Local chiefs have unlimited power and that should be monitored somehow because chiefs can sometimes make decisions, which are not in the best interest of their citizens but

because they stand to gain financial and other benefits from the decision, they go ahead without consulting all the relevant stakeholders in the community.

On the national level, a coherent land policy law is needed, because that will provide a definitive direction for implementation and monitoring. The land tenure system of Ghana does not allow the direct involvement of government agencies in negotiations for land transactions other than those of public and vested lands. But that does not mean the government cannot be involved through the EPA for conducting assessments or the Lands Commission for providing appropriate documentation. Recommendations regarding the environmental impact were barely mentioned by interviewees but the Lands Commission administrator said that as part of its implementation strategy for the new guidelines, the commission will “organize community forums in which the environmental protection agency representative is there to give a talk about how projects will impact the environment” (Ansah pers.comm.). This is very crucial because as stated earlier, environmental impact assessment is supposed to be conducted on over 77 percent of leased or acquired lands. In practice, the situation is quite different because not a single interviewee was able to confirm that impact assessment had been conducted on any of the cases they worked on. Responses of the individual interviewees to this question are quite similar to those of the focus group participants. Last but not the least, I think the government should have an updated percentage of lands between state and stool/skin.

Finally, on the international level, the discourse of investor countries need for arable land to fulfil their food security needs must be dealt away with because some host countries are not necessarily food secure themselves. Also, cultivation of biofuel crops does not mean polluting countries should continue with the business as usual outlook, without making efforts to reduce their emissions through investments in renewable energy sources such as solar and wind. There is unequal power dynamics between investors and landowning communities and that should be taken into account when international guidelines are drafted. The short and long



term effects as well as the direct and indirect consequences of these deals need to be seriously evaluated. Economic development through land investments should not be at the expense of environmental protection, rural livelihoods and food security.

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## APPENDICES

Ghana Commercial Agriculture Project, *Twelve Recommendations for Realizing Successful Commercial Farmland Investment*.

1. Bridge the gap in expectations and perspectives on commercial agricultural investments between customary communities and investors.

Communities and investors tend to have very different perspectives on the nature and purpose of land, social expectations of all community members and visitors, and the role of written documents in agreements over land. This gap in perspectives on such important issues is one of the main reasons for the failure of many land-based investments to date in Ghana.

2. Clarify processes by which investors identify the correct customary landholding entities.

The range of modes by which investors approach customary groups and a lack of clarity about the rules, procedures, and requirements for investors seeking land may also contribute to uneven protections for communities.

3. Obtain and retain a social license to operate.

“Social license” generally refers to a local community’s acceptance or approval of a company’s project or ongoing presence in an area, and it is increasingly recognized as a prerequisite to a successful investment. The development of social license goes beyond compliance with legal and regulatory obligations and requires investors’ sustained attention to build and maintain the trust of host communities.

4. Improve the capacity of local communities and governments to negotiate commercial agricultural leases on an even playing field with investors.

If long-term agreements are to reflect the mutually agreed-upon interests of the contracting parties, both sides must understand the content and implications of such an agreement and have the capacity and opportunity to consider and negotiate for acceptable terms. Many traditional authorities in Ghana lack the legal and technical capacity and the familiarity with such land transactions to adequately represent the interests of their communities and successfully negotiate an equitable lease agreement.

5. Develop community processes for land-related investment decisions that are inclusive, transparent and foster accountability.

As a result of the limited consultation of community members and the consolidated power structures found in many customary areas in Ghana, communities tend to lack a sense of shared benefit and interest in investments. Participatory and democratic processes around investment decision-making and benefit sharing can improve the relations between the investor and the community, increasing the likelihood of success.

6. Ensure that social and environmental impact assessments are conducted in accordance with Ghanaian law and international best practices.

The development of impact assessments must involve the affected communities, be completed before entering into a lease agreement, and be shared broadly with the affected communities.

7. Ensure that women’s land rights are protected and that women and youth share in the benefits of commercial agricultural investment.

Ensuring that both women and men participate in, and benefit from, commercial land transactions is a critical challenge for investors seeking to engage responsibly in socially acceptable and equitable land investments. The state, investors, and communities can take a number of steps to overcome these challenges in order to ensure that women’s land rights are protected and that women and youth share in the benefits of commercial agricultural investment.

8. Ensure that benefits to communities constitute a fair exchange for the loss of a primary asset of production.

In exchange for their land, communities need to receive assets that will allow them to be equally, or more, well-off than they were prior to the investment—for the short, medium, and long term. The best payment schemes will therefore be those that provide broad-based, long-term food security and income-generating potential for the community.

9. Create equitable benefit-sharing mechanisms within the community

The failure to develop equitable benefit-sharing mechanisms within communities can lead to severe negative impacts—both economic and social—for those in the community who have lost their present or future access to land. Successfully negotiating a good deal with the investor for payments and benefits is only the first step for the community. Whether, and to what extent, the community as a whole realizes these benefits will depend on whether the community has established open and transparent channels for receiving and distributing investment-related revenues.

10. Address claims to state lands where compulsory acquisition was not fully documented and/or compensated.

Private investors interested in leasing state-acquired areas often walk into a complex land rights situation due to the fact that the official land acquisition processes, undertaken decades ago, were seldom finalized. The state, investors, and communities can take a number of steps to mitigate conflicts related to land that is claimed by the state but is also subject to claims and/or occupation by customary communities. It is important that any potential investment on what is formally considered state land take account of people occupying this area and involve them in the decision-making processes to the fullest extent possible.

11. Explore new ways to deal with land fragmentation.

Fragmentation of land holdings in the proposed GCAP project areas is one of the most challenging issues for investors seeking large areas of contiguous lands. Some best practices are emerging to address fragmentation in an investment context, which GCAP could further explore and promote.

12. Ensure that systems are in place for monitoring and enforcing the lease agreement.

The long-term sustainability and success of land transactions between investors and communities ultimately depends on each party living up to its obligations and responsibilities in the lease agreement. Many of the problems and conflicts that investors and communities have experienced, both in Ghana and across Africa, are the result of a failure to develop and implement effective mechanisms to monitor and enforce timely performance of the lease agreement.

### SAMPLE INTERVIEW QUESTIONS

Can you please identify yourself and which organization you work for?

Do you know how many large-scale land acquisitions have taken place in Ghana between 2010-2016?

What were the intended purposes for these acquisitions?

What are the impacts of these transactions? Who are the drivers of these investments?

Was impact assessment (social and environmental) conducted before these deals were finalized?

What are the effects of galamsey on the environment and food security?

Any policy recommendation for the local, national and international levels to ensure sustainable investments?