

The Land Act, 2020 (Act 1036) and Compulsory acquisition in Ghana: Stakeholders perspective

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Key words: Access to land; Land management; Compulsory acquisition; transparency; Ghana

SUMMARY

ABSTRACT

AIM: The research aimed to assess the extent to which Act 1036 enhances transparency and fairness in compulsory acquisition and evaluate its effectiveness in practice.

The Land Act, 2020 (Act 1036) introduces major reforms intended to make compulsory land acquisition in Ghana fairer and more transparent. This paper explores how far the Act improves the process compared to previous legislations and examines the challenges affecting its implementation. A qualitative approach was used to explore detailed experiences of persons and professionals involved in the land acquisition process. These include officials from the Lands Commission, valuation officers and legal experts. Data were analysed thematically to identify patterns related to transparency, compensation and stakeholder engagement.

The findings show that Act 1036 introduces several significant improvements over Act 125. These include clearer procedures for public notification, mandatory pre-acquisition funding for compensation, and legal provisions for early stakeholder engagement. However, the study reveals these gains are not fully realised in practice. Although the law provides clearer procedures, affected persons remain unaware of their rights. Compensation is often delayed or inadequate, often compelled to accept undervalued offers under pressure from state authority. Engagement with communities is treated as a formality rather than a genuine dialogue. There is still an imbalance of power between the state and landowners, with financial compensation unable to replace cultural and emotional attachments to land. From the perspective of Institutional Theory, the research discovered that meaningful reform extends beyond legal provisions. The effectiveness of Act 1036 depends largely on the capacities, behaviors and informal practices of implementing

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FIG Congress 2026
The Future We Want - The SDGs and Beyond
Cape Town, South Africa, 24–29 May 2026

agencies.

The study concludes that while Act 1036 represents a progressive step toward equitable land governance, its effectiveness depends on how well implementing institutions are coordinated. Strengthening institutional capacity, enforcing compliance, and increasing public education are essential for bridging the gap between legal reform and practice.

This study supports FIG's focus on sustainable land governance by providing practical insights into how legal reforms can improve equity and accountability in land administration. It emphasizes that effective implementation not only legislative reform is critical to achieving just and transparent land management systems.