

Burning ISSUES
On
**GADANGME
LANDS**



ISSUED BY
**GADANGME
COUNCIL**

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1. PREAMBLE

For sometime now there has been considerable agitation among GaDangme Youth about the alienation of GaDangme lands. With some difficulty the GaDangme Council has restrained the Youth from precipitating action which may disturb the peace. The Youth have been persuaded to rely on GaDangme to deal with the problem.

After consultations, many public lectures, symposia, and in-depth studies over several months, GaDangme has come out with findings, observations and recommendations which should deal effectively with the explosive matter of GaDangme lands. GaDangme is pleased to publish the results of its work for the information of GaDangmes, the general public, the authorities concerned and the Government.

GaDangme invites all Ghanaians, especially those resident in Accra to give careful and objective consideration to this publication. GaDangme has welcomed Ghanaians from all over the country into their midst and have helped for Ghana to develop a viable national capital and national identity.

This has called for considerable sacrifice. GaDangmes have given land for national education and development but their cooperation has been misunderstood. It is natural that GaDangmes should now call for equity and fair play. They should not suffer unduly for their understanding. **The time has come to say: ENOUGH IS ENOUGH!**

GaDangme calls on all leaders of civil society, those who seek political office and the public at large to ponder on the issues raised and support GaDangmes on their just demand so that we can build a peaceful and united Ghana.

2. LAND LAWS

The promulgation and implementation of three (3) particular Land Laws in this country have worked untold injustice against GaDangmes.

These laws are:

a. **LAND DEVELOPMENT (PROTECTION) OF PURCHASER ACT, 1960 (ACT2):**

This Law requires anybody who develops a building to lintel level in Accra and its environs to become automatically the owner of the

plot on which the building stands. **THE LAW APPLIES ONLY TO ACCRA AND ITS ENVIRONS AND THEREFORE AFFECTS ONLY GADANGME LANDS. THE LAW HAS BEEN WIDELY ABUSED BY PUBLIC OFFICERS AND PRIVATE INDIVIDUALS AS WELL AND CAUSED MUCH CONFLICT AND LITIGATION IN ACCRA.**

This is directly responsible for the proliferation of land guards and violence with regard to lands.

This law, in so far as it applies to lands in only Accra and its environs, is discriminatory, obnoxious and repugnant to good conscience. We therefore call for its immediate repeal. The law should make it clear that building on someone's land does not give title of the land to the trespasser.

b. ADMINISTRATION OF LANDS ACT 1962, (ACT 123)

By virtue of Section 10 of this Law, the president may authorize the occupation and use of any land **"which, in his opinion, is conducive to the public welfare or the interest of the State"**.

c. STATE LANDS ACT, 1962 (ACT 125)

Section 1(1) of this law gives the President of the Republic authority, whenever it appears to him to be **"in the public interest so to do"** to declare any specific piece of land **"to be land required in the public interest"** and he may, by Executive Instrument, acquire such specified land.

By the combined effect of Acts 123 and 125 therefore, the President is authorized to compulsorily acquire stool lands and non-stool lands for no explicitly stated purpose- **"public interest", "public welfare" or "interests of the state"** being the only guiding principles and justification for such compulsory acquisition.

Although one cannot argue that these two latter laws were specifically targeted against GaDangme lands, GaDangmes have borne the brunt of these acts of compulsory acquisition and have suffered unspeakable injustice from their application or implementation.

In the name of developing Accra as the capital city of Ghana, large tracts of



GaDangme choicest lands have been acquired for:

- a. The Police Service
- b. Prisons Service
- c. Ghana Armed Forces
- d. Immigration Service
- e. Fire Service
- f. Public Corporations, institutions and bodies
- g. Ministries, departments and other state organisations
- h. Housing Estates
- i. Stadia, playing grounds, parks, gardens, public squares
- j. Schools and Colleges
- k. Universities and Polytechnics
- l. Entertainment centers and theaters etc. etc.

3. ANNUAL PAYMENTS

The most disturbing fact about these acquisitions for the stated public purposes is that, although the Administration of Lands Act makes provision in Section 10 for the President to pay **“such annual sums as appear to him to be proper payments to be made for the land so acquired having regard on the one hand to the value of the land and, on the other hand, to the benefits derived by the people of the area in which the land is situated from the use of the land”**, there is no evidence that such **“annual sums”** are being paid to the deprived stools. GaDangme calls for these payments to be made now and regularly.

4. COMPULSORY ACQUISITION FOR PUBLIC PURPOSES

The areas selected by Government for compulsory acquisition for the aforementioned public purposes have had the devastating effect of effectively halting both our lateral and vertical expansion and development as a people. The only option available to us is expansion into the sea or to areas far removed from our original habitats. No land compulsorily acquired by Government was or has been acquired in consultation with the GADANGME people. The lack of consultation with the GADANGME people in total disregard for their legitimate interests as a people is repugnant to reason and good conscience and must end now.

We demand that henceforth Government may, where necessary, acquire GaDangme land only in consultation with GADANGME and the traditional

authority. This position has become even more pertinent now that we have noticed that lands compulsorily acquired for **“public purposes”** are being sold to non-indigenes and foreigners with impunity without due regard to our interests. This is contrary to the law and spirit of acquisition of lands for **“public purposes”** and therefore illegal.

5. COMPULSORY ACQUISITION FOR PRIVATE RESIDENTIAL PURPOSES

We call for immediate cessation of compulsory Government acquisition of land for private residential purposes. Whatever the rationale behind the Government policy of acquiring GADANGME lands for private residential purposes, it has proven inimical to the interest of the GADANGME people. The residential areas at Airport, East Legon, Labone, Cantonments, Roman Ridge, Dansoman, North Kaneshie etc etc. which lend themselves to ready scrutiny, reveal an unwritten policy of:

- a. Over 95% allocation of plots to non GADANGMES and
- b. allocation to people who did not have the need for the land to build houses for their personal occupation.

Most of the allottees in these areas have turned out to be landlords earning foreign currencies from GADANGME land. They only acquire to build and rent or acquire to build and sell or acquire the land to sell for profit. There has been no policy whatsoever to guide the allocation of these acquired areas to cater for the interest of GaDangme people as has been done in other parts of the country.

As if to further deepen the disregard for our welfare, our interest and rights as owners of GaDangme lands, we are now faced with a new phenomenon of impunity by public officers in dealing with GaDangme lands. Upscale portions of our land, which were hitherto acquired for public purposes, or in the **“public interest”** or in **“the interest of the state”**, have now been re-allocated to private companies and individuals for commercial and other purposes.

6. STAR HOTEL

The former Star Hotel, situated on prime GaDangme land in the Cantonments area, was acquired by Government for the purpose of building the erstwhile



Star Hotel - a State Hotel.

For some inexplicable reasons, some residential buildings have sprung up on the site of this hitherto public hotel. A private entrepreneur has been granted a 50-year lease to put up apartments, which are being sold for hundreds of thousands of dollars.

When Government decided to transform the land from the stated public purpose to private real estate purposes, the land should have reverted to the GaDangme people concerned in consonance with Article 20(6) of the Constitution of this Republic, and, in consonance with equity and good conscience.

As things stand now, a law passed to acquire land in the interest of the state, has been deliberately misapplied to wreck injustice on our people.

7. LABADI BEACH HOTEL

In November 1990, a portion of the land acquired by Government for the Ghana International Trade Fair Centre was allocated to Hotel Investments (Ghana) Ltd. to build the Labadi Beach Hotel. In our opinion, when Government realised that it did not require all the land acquired for the Trade Fair Centre for that public purpose, it should have, in all fairness and in good conscience, given it back to the GaDangme people concerned or should have given them the first option. Giving away the land for the construction of the Labadi Beach Hotel amounts to ignoring our rights over the land with impunity. The allocation offends against the letter and spirit of the State Lands Act and the Administration of Lands Act and the title to the land must be reversed to the GaDangme people concerned in the interest of justice.

8. LA PALM ROYAL BEACH HOTEL

The land on which the La Palm Royal Beach stands, or the greater part of it, is also part of the land acquired for the Ghana Trade Fair Centre. This large tract of choice land was allocated to the La Palm Royal Beach Hotel in 1995 for a term of 50 years. This allocation which is also in clear violation of the relevant laws governing acquisition for **“public purpose”** is yet another example of officialdom dealing with GaDangme lands with impunity. It is also yet another case of compulsorily acquiring land for a **“public purpose”** and re-allocating it for a private purpose in total disregard for our interests.

Again GaDangme demands that the land be reverted to the GaDangme people concerned.

9. AIRPORT

A sizeable portion of the land acquired in March 1936 for the Amaryl Aerodrome, now Kotoka International Airport, is being inhabited by two (2) hotels: Granada and Shangri-La and the Accra Polo Club. These two hotels and the Polo Club are private entities and therefore any sub-leases made for these purposes could not have been made in the **“public interest” or the “interest of the state”** and cannot by any process of reasoning be so construed. The unutilized portions inhabited by these three (3) entities should have been given back to our people to use for purposes beneficial to GaDangmes or for the allodial custodians to manage and benefit there from. Meanwhile, the allodial owners do not benefit in any way from the commercialization of these lands. This is yet another example of land taken from us under the banner of **“public purpose”** and later given out to private bodies, for private profit. GaDangme demands that the portions of the land not used for the **“public purpose”**, should revert to the GaDangme people concerned.

10. AIRPORT CITY

The projects for which plots have been allocated for the proposed Airport City are all private projects to be undertaken by private foreign companies. The business centre which comprises shopping malls, hotels, casinos, private hospitals, among others are not projects associated with Civil Aviation activities. Our interests have been treated with disdain possibly because we are regarded as unimportant elements in the national equation.

We demand an immediate halt to all development at the Airport City until all the relevant issues and matters have been thoroughly discussed with our people and the pertinent issues settled.

11. GOVERNMENT BUNGALOWS ON 4TH AND 5TH CIRCULAR ROADS IN CANTONMENTS

Around 1989, a number of Government bungalows on the 4th and 5th Circular Roads in the Cantonments area were demolished and the land was re-allocated to a public institution which put up a large number of estates and sold them to private persons, companies, institutions and bodies. That public institution therefore made billions of cedis on the land, which was originally



acquired, for **“public purposes”**. This is yet another example of re-allocating our prime land, compulsorily acquired by law for **“public purposes”**, for private benefit in total disregard of the interest of our people. For the allocation of these estates, nobody - Government or the public institution - considered the interest of the GaDangme people and nothing has been paid in the form of compensation for misapplying the land acquired for **“public purpose”**. Again GaDangme demands that these lands should revert to the original owners.

12. RIDGE AREA BUNGALOWS

Some Government bungalows in the Ridge area in Accra and some around the State House at Osu have been demolished and apartment buildings and houses have been put up on them. The decision to convert the plots of land hitherto acquired for **“public purposes”** for private uses without consulting the GaDangme people, is repugnant to good conscience. Again GaDangme demands the reversion of the land to the original owners.

13. EXPIRED LEASES IN ACCRA CENTRAL, OSU, ROMAN RIDGE, AIRPORT, RINGWAY, INDEPENDENCE AVENUE ETC.

A number of 99-year leases in the Accra Central, Osu, Roman Ridge, Airport, Ringway, Independence Avenue (Dodowa Road), the Ring Road and other areas duly expired between 1989 and 1999. These were mainly GaDangme lands acquired for locally based foreign private companies and for some other companies, bodies and individuals. Instead of the appropriate authorities notifying the concerned stools and families of such expired leases, they rather chose to assume ownership of the properties involved, and allocated them to individuals and corporate entities without any reference whatsoever to the GaDangme people. The impunity with which these allocations were made reveals a total disrespect for the GaDangme people, their welfare or interests. GaDangme hereby gives notice of its intention to repossess all these lands.

14. ACCRA RAILWAY STATION

The Accra Railway Station and the lands along the rail lines towards the Kwame Nkrumah Circle have been encroached upon by some faceless developers. The Ghana Railway Company and the Ministry of Roads and Transport have turned a blind eye to the activities of these encroachers.

According to sources, the Government has abandoned the Accra Railway Station and would no longer use it as such. In the circumstance, we expect the Government to formally return the Accra Railway Station and the abutting lands to the allodial owners in conformity with the requirements of the Constitution.

In the meantime, GaDangme wishes to warn all encroachers that they put up structures on any portion of the Accra Railway Station lands at their own risk.

15. TESHIE NUNGUA ESTATES

The land for the construction of the Teshie-Nungua Estates was granted to the State Housing Corporation by the Government for 60 years with effect from May 1968 at a yearly rent of **one peppercorn per house**.

This particular acquisition further manifests the heartlessness of past Governments towards the GaDangme people and underscores the contempt in which Government holds our people.

By choosing such a strategically placed land for estate development for the benefit of non-indigenes, Government effectively and perpetually blocked the gradual horizontal development of Teshie to meet Nungua or vice versa, thereby preventing the two communities from developing to meet each other as one people. In other words the GaDangme people in Teshie and Nungua have been effectively divided perpetually in the name of authority to compulsorily acquire land in the **"public interest"**.

One most disturbing aspect of this acquisition is the rent prescribed **one peppercorn per house**. Such rent for this prime land with the attendant consequences for the people of Teshie and Nungua is indefensible under any circumstance. The peppercorn rent has not been determined and consequently nothing has been paid for the acquisition of the land, which was made 32 years ago.

To further demonstrate the disregard for the interest of our people and their welfare, the State Housing Corporation, exercising the powers of a Head-Lessee, sold about five hundred (500) plots of the land to a public institution. The land was not acquired by Government for State Housing Corporation to sell to other public institutions.

This situation clearly confirms the fact that government uses the law to compulsorily acquire our choicest land and subsequently supervises its sale or



lease for private purposes.

We condemn the peppercorn rent prescribed and call for its immediate revision to reflect current rates and demand the immediate review of the whole acquisition to give control of the acquired land back to the people of Teshie and Nungua.

GaDangme demands that the rent and unpaid compensation for the thirty-two (32) years usage must be computed and paid promptly. Further more ownership of the land should revert to the original owners.

16. LAND ACQUISITION FOR INDUSTRIAL AREAS AND PUBLIC CORPORATIONS

An appreciable land area has been acquired by Government and designated industrial areas. A number of plots in these areas were used for the construction of public corporations. We do not have much quarrel with the principle, but we notice that of late, quite a number of State Enterprises or Public Corporations in these areas have been divested and sold to private companies in the name of Divestiture. The moment a Public Corporation or State Enterprise is divested, the new owners should derive title from the GaDangme people concerned and not from the Lands Commission. The advice or acquiescence of public officers in such wrongful acts sometimes borders on the criminal. The private industries in the industrial areas must also pay rents to the GaDangme people and not the Lands Commission, which might have concluded new tenancy agreements with the purchasers of the divested corporations, without reference to the GaDangme people. This is palpably wrong. The moment the land-use changed from public to private, the GaDangme people concerned should have been given back their lands minus any compensation paid. GaDangme demands that the ownership of all such lands should revert to the GaDangme people.

17. PRIVATE COMPANIES AND OFFICE BLOCKS IN ACCRA

A few high rise buildings have been noticed in Accra with leases ostensibly granted by the Lands Commission. These office blocks would be inhabited by private bodies or companies who would pay rents, some in foreign currency, to the owners of the buildings. The land rents should rightly be collected by GaDangme people, because the lands on which these new offices stand are GaDangme lands which were acquired for public purposes and not for private

high-rise buildings for the benefit of private companies. The Lands Commission has become a landlord over GaDangme lands. GaDangme demands that this must be reversed immediately for the GaDangme people to exercise control over their heritage.

18. ADVERTISED BIDS FOR SALE OF GOVERNMENT PLOTS IN ACCRA

We read with consternation the advertisements in the National Dailies inviting bids for the sale of Government plots in the Airport, Cantonments and other specified areas in Accra. Government is not a landowner in Accra and therefore should not be acting as such.

The portions of land Government has advertised for sale are GaDangme lands acquired for specified public purposes - Government bungalows. If Government no longer has need for those lands for the purposes for which they were initially acquired Government should return the lands to the GaDangme people from whom it compulsorily acquired them. GaDangme demands an immediate halt to the sale of such plots and a reversal of those already sold. **GaDangme lands are not saleable. This ancient custom must be restored**

19. TEMA DEVELOPMENT CORPORATION (TDC)

Large tracts of prime land were acquired by Government in 1956 for the Tema Development Corporation for the purpose of building affordable estates for workers in the planned Harbour City. The lease was for 125 years. Of late the Tema Development Corporation has demarcated portions of the allocated lands in Tema and Kpone for sale as "Serviced Plots" for huge sums of money.

Meanwhile, not a pesewa of the annual rent ordered by the High Court in 1956 to be paid to Tema, Kpone and Nungua Stools for the acquisition of their land for the TDC has been paid. Since TDC cannot pursue the objective for which it was set up, the land should revert to the people of Tema, Kpone and Nungua. GaDangme demands that TDC should pay the assessed yearly rent to date.

20. YILO AND MANYA KROBO

The present Land Policy needs to take cognisance of the interest of the GaDangme people in Yilo and Many Krobo, who have been carved out and



divorced from the main body of the GaDangme people and attached to the Eastern Region of Ghana. GaDangme demands a critical review of the policy to take account of our interests as one people to be settled in one and the same Region with all other GaDangmes.

21. DAWHENYA IRRIGATION PROJECT

The much publicized Dawhenya Irrigation Project for which a whopping 11.12 square miles of rich arable land was acquired by Government in 1977 in the West Dangme District has been abandoned by Government. Instead of returning the land to the allodial owners for them to decide what to do with their land, Government has intentionally turned a blind eye to the scramble for portions of the land by unknown private persons. This is land that we can use to develop a food basket for this country. The Dawhenya acquisition is a further testimony of compulsory acquisition in the **"public interest"** for the benefit of **private interests** in total disregard of our welfare. GaDangme demands that Government annuls the acquisition and return the land to our people.

22. OSU DOKU LANDS

The Government of the First Republic acquired large tracts of Asutsuare lands for the Asutsuare Sugar Factory and the Sugar-Cane plantations. The acquisition was formalized in 1969 by Executive Instrument No. 30 of 1969 (E.I. 30/69). When the sugar-cane projects were abandoned, one expected Government to return the land to the allodial owners, who are mainly farmers, for the cultivation of their farms.

Contrary to expectation, however, Government after allowing the plantation lands to lie fallow for years, issued Executive Instrument No. 24 of 1995 (E.I. 24/95) to acquire additional 3314.34 acres of Akuse land for the construction of canals to convey water to irrigate plots of land to be allocated to commercial farmers.

A number of foreign companies have been allocated portions of the acquired land for farming with the result that, the land which was acquired for sugar-cane plantation in the **"public interest"** for a **"public purpose"**, has now been apportioned for purposes other than the original, without any regard for the interest and welfare of the people of Osudoku.

One disturbing aspect of the Osudoku lands Acquisition is the heartlessness with which the canals have been constructed. The canals are so close to the

heart of the habitation of the Akuse and Asutsuare people that, their two (2) towns have little room to expand both laterally and vertically, with attendant environmental hazards. The local people and the unemployed youth who are ready to farm have no land to farm and are not being given portions of the irrigated lands either. Furthermore, no compensation has been paid on the Asutsuare lands acquired under E.I. 30/69, nor has compensation been paid on the Akuse lands acquired in 1995 under E.I. 24/95.

GaDangme calls for the repeal of both E.I. 30/69 and E/24/95 and the return of the Osudoku lands to the Osudoku people and the prompt payment of compensation for the portions of land.

23. SONGHOR LAGOON

By means of the "State Lands (Ada Songhor Lagoon - Site for Salt Industry) Instrument 1974" Executive Instrument No. 30/74, the Government of the National Redemption Council (NRC), exercising authority under Section 1 of the State Lands Act 1962 (Act 125), compulsorily acquired the entire salt-bearing surface area of the Ada Songhor Lagoon and its abutting lands.

The Government thereafter granted a lease for a term of 50 years to Vacuum Salt Products Ltd. beginning from July 1974 for an area of 12,428 acres (about 19.4 square miles) and another lease for an area of 7,920 acres (about 12.4 square miles) to Star Chemicals Industries Ltd. also for a term of 50 years but commencing from November, 1974. The total surface area granted to the two companies was 20,348 acres.

These two leases superceded earlier leases granted by Traditional authorities in Ada to the companies.

In 1992, the Government of the PNDC, by virtue of Section 1 of the Ada Songhor Lagoon (Site for Salt Industries) (Vesting) Law, 1992 (PNDC Law 287) cancelled the two leases and by virtue of section 4 of the same Law vested in the Government 41,640 acres of the salt-bearing and land area of the Ada Songhor Lagoon area **"in trust for the owners"** The area vested in Government therefore covered the entire salt winning surface area of the Lagoon and adjoining lands.

Following this, the Government then formed the national Salt Development Task Force to take over the mining of salt in the acquired area. The Task Force



effectively took over the operations of the whole venture in 1992.

Surprisingly, a company called Ada Songhor Salts Ltd. was surreptitiously formed with faceless shareholders and Directors to exploit the salt resources in Ada Songhor.

Records available to us show that a total of ₦305 billion cedis was made from the sale of salt from the Songhor Lagoon under the control of the National Task Force/Ada-Songhor Salts Ltd, but the expected royalties have not been paid on this amount to the people of Ada. In other words, for the six years that the salt production venture was vested in the Government in trust for the people, the people of Ada have not benefited in any way from the exploitation of their natural resources.

This provides good enough reason for the people to take over the control and management of the salt project, because inspite of the huge revenue from the operations of the salt mines, **the people of Ada had electricity only in 1998 and potable water in 1999. Meanwhile, a sizable proportion of the population still shares drinking ponds with cattle and other fauna.**

For the 30 years that salt has been mined in Ada Songhor no wholesome drinking water has been provided at the salt mines and surrounding areas. In the circumstance, the workers labour endlessly in the scorching sun with parched throats to produce wealth for faceless beneficiaries.

Workers fall ill at the site at their own peril because there is not even a First Aid Box at the site. Ada itself has no hospital. It has only a small clinic with one doctor. The nearest hospital is at Sogakope which is 24 miles away or Battor which is 34 miles away. In emergency situations therefore pregnant women, children and other sick persons die on their way to either of these two distant hospitals.

In the midst of plenty therefore the people of Ada and its surrounding areas wallow in abject poverty.

The least that the Ada people can expect is their just share of the ₦305 billion and the unpaid royalties from 1970 to date. GaDangme demands an immediate redress of their violated rights.

24. PRAMPAM SALT REFINERY

GaDangme notices with grave concern, the publicised establishment of a salt

refinery commissioned on Thursday October 5, 2000, in Prampram, in the Dangme West District.

The Project is reported to be a joint venture between Popular Foods West Africa, a division of Unilever (Gh) Ltd. in partnership with EL-Din Salt Mining Company Ltd.

We assume that the license for the mining of the salt was granted by Government under the Mineral and Mining Law 1986 (PNDC) Law 153), which authorizes Government to grant licenses for the prospecting and mining of minerals in Ghana. Salt might just as well replace cocoa as a foreign exchange earner, but those who cultivate cocoa are allowed to cultivate their own land and are paid for their produce and therefore they are empowered financially to look after themselves, educate their children and families and to develop their areas in addition to **the Cocoa Marketing Board Scholarship for their children.**

About 80% of the people in both Dangme East and West have never known or experienced the taste of potable water. Most of the people in the area share their water sources with cattle and other animals on a daily basis and that only on occasions when they have been lucky enough to experience any rainfall.

Until 1998 when Ada had electricity, the whole of the Dangme East area endured total darkness at night. In terms of infrastructure, the people of Dangme East are some of the most deprived, as poverty is personified in most strident terms in the Dangme East District.

We do not know under what terms Government granted the license especially in relation to the development of Prampram and surrounding areas, but we are convinced that with hindsight, the interests and welfare of the people in Dangme West were not considered in the grant of the license at all. We also believed that in the name of exercising State authority under the relevant laws, the people of the area were not properly consulted before the grant of the license.

The interests and welfare of our people have been taken for granted for FAR TOO LONG and we are no longer willing to allow the wanton dissipation of GaDangme lands and natural resources in the guise of "NATIONAL DEVELOPMENT" OR "PUBLIC INTEREST"



GaDangme calls on Government to set aside the license granted Popular Foods West Africa and El-Din Salt Mining Company to create room for proper consultations and negotiations in order to avoid any confrontation with the company as has happened in the oil-producing enclaves in Nigeria. GaDangme appeals to Government to cooperate with us on this issue to forestall any possible unpleasant consequences in future.

25. SALT WINNING AND THE LAW

We recognise that by virtue of Article 257(6) of the 4th Republican Constitution every mineral in its natural state in, or under land is vested in the President in trust for the people of Ghana. The provision states as follows: **“(6) Every mineral in its natural state in, under or upon any land in Ghana, rivers, streams, water courses throughout Ghana, the exclusive economic zone and any area covered by the territorial sea or continental shelf is the property of the Republic of Ghana and shall be vested in the President on behalf of, and in trust for the people of Ghana”.**

We recognised therefore, that the salt produced by, in or along our beaches may be determined as “mineral” within the terms of Article 257(6) of the 1992 Constitution. We however take issue with Section 8 of the Minerals and Mining Law (1986 PNDC Law 153) which law empowers Government to grant concessions for the exploitation and mining of minerals in Ghana.

MINERALS AND MINING LAW, 1986 PNDC LAW 153

Under **Section 8**, of the Minerals and Mining Law 1986 (PNDC Law 153) Government initially takes automatic 10% shares in any private mining venture with the option to take a further 20% shares. **In the case of salt however the option is for an additional 45% shares. When Government decides to exercise the option of additional shares therefore, it acquires for all other minerals, 30% shares, but for salt, 55% shares.**

Section 8 of the Minerals and Mining Law 1986 states as follows:

- “Where a mineral right is for reconnaissance, prospecting or mining of minerals, the Government shall acquire a ten per cent interest in the rights and obligations of such mineral operations in respect of which no financial contribution shall be paid by Government.”
- The Government shall have the option to acquire on such terms as

shall be agreed upon between the holder of a mining lease and the Government a further twenty per cent interest in the rights and obligations in any mining operations where any mineral is discovered in commercial quantities **except that where the operation is for the mining of salt the Government shall have the option to acquire a further forty-five per cent interest in the salt operations.**"

Obviously, this latter option to acquire a further 45% share in the case of salt might have been influenced by the effortlessness by which huge quantities of salt were being naturally produced by the Songhor project. In other words, Ada Songhor salt production was the basis for the decision to take a further 45% shares in salt winning ventures.

In our opinion the decision to take a further 45% share in salt mining is reflective of the attitude of successive Governments to take undue advantage of the hospitality of GaDangmes to exploit their land and their resources to the detriment of our people. The fact that the Dangme East District where salt has been mined for over 30 years at such incredibly colossal profit and yet remains one of the least developed areas in Ghana, is ample testimony of our position.

We demand an immediate review of the Mineral and Mining Law, PNDC Law 153 to bring it in line with all other minerals We demand that Government sticks to its 10% shares as obtains in relation to other minerals.

26. REVIEW AND REPEAL OF LAWS

The letter, spirit and substance of both the Administration of Lands Act (Act 123) and the State Lands Act (Act 125) have been applied discriminatorily against our lands, our welfare, our interests, our rights and our natural resources. These two Land Laws and the Protection of Purchasers Act 1960 (Act 2) are highly subversive of our interests and our heritage as a people.

While for a defined area in Ghana the law makes provision for the allocation of residential plots - one man, one plot for the indigenes - and specifically bars subleases, sale or mortgages of the allocated plots to non-indigenes of the area as a form of protection for their land, in our case, there are no protective provisions or clauses whatsoever for the allocation of GaDangme lands.

Evidence in fact rather abounds to show, that in many cases Government took more land than it actually required for certain public projects all in the name



of "public welfare" and "public interest". Government has not paid compensation for most of the lands compulsorily acquired nor has it been paying the annual rents for land acquired for the various public purposes as prescribed by Section 10 of the Administration of Lands Act, (Act 123)

GaDangme protests against Compulsory Acquisition by Government without consultation. So far compulsory acquisition has only been used to exploit our lands to our detriment in the name of development. Whatever the rationale behind these laws, we think that they have been abused and misapplied to deprive us of our upscale lands, for purposes that largely do not promote our well-being as a people. GaDangme would regard retention of these land laws on our statute books as a way of preparing the ground for the gradual and deliberate impoverishment of the present GaDangme generation and generations yet unborn.

We protest also against the determination of compensation without review clauses.

We demand that henceforth Government must consult us on any land required for any project in view of the fact that all previous acquisitions have been arbitrarily carried out without regard to our development as a people.

We are aware of the dubious activities in the erstwhile Lands Department now Lands Commission and the criminal activities being perpetuated against our destiny in the Land Title Registry by some public officers, We demand an enquiry into their activities.

We are not oblivious of the fact that some of our own people have been guilty of some misdemeanor or the other, but that cannot be compared with the massive deprivation perpetrated against us by successive Governments.

We recognise that the present Government without due caution will only be following previous practice. Our pronouncements are not against proper administration but are designed to call a halt to and reversal of practices which may lead to a disturbance of the peace in the foreseeable future.

GaDangme hospitality has been taken for a weakness and abused for far too long. We are the smallest Region in terms of land mass or land surface, yet we have been made to sacrifice the most for the "public interest" or "public welfare" without any concessions or considerations whatsoever. GaDangme demands that this must change now.

CONCLUSION

GaDangme demands:

- 1. The immediate repeal of the Protection of Purchasers Act, Act 2**
- 2. Immediate review of the Administration of Lands Act 1962 (Act 123) the State lands Act 1962 (Act 125) and the Minerals and Mining Act 1986 (PNDC Law 153).**
- 3. The immediate repeal of the Ada-Songhor lagoon (Site For Salt Industry) (Vesting) Law, 1992 (PNDC Law 287).**
- 4. That all monies which should have been paid annually for lands acquired for stated "public purposes" and which have not been paid, should be paid now, and subsequent ones be paid regularly.**
- 5. That all lands acquired compulsorily in the "public interest" and have now been misapplied and given to private entrepreneurs for their private enrichment, should revert to the allodial custodians.**
- 6. The restitution of all lands on which leases have expired and for which some authorities have arrogated themselves the right to reallocate to other people or companies without reference to the GaDangme people.**
- 7. That the rents and unpaid compensation for the thirty-two (32) years of usage of the land where Teshie-Nungua estates is situated must be computed and paid immediately. Furthermore the land should revert to the original owners.**
- 8. That all lands which were acquired for industrial areas and public corporations and which have now been illegally passed on to private companies after divestiture should be given back to the GaDangme people.**
- 9. That all leases on lands given by Lands Commission for the building of office blocks and other structures without reference to the GaDangme people should be reversed to allow the GaDangme people to exercise control over their heritage. The Lands Commission cannot be a landlord over GaDangme lands.**
- 10. That all lands advertised for sale with the Lands Commission acting as Landlord and which have been purchased should be**

declared null and void. Such transactions should be reversed and all on-going sales should halt immediately. GaDangme lands are not saleable.

11. That Tema Development Corporation pays immediately to the Tema, Kpone, Nungua stools the computed assessed annual rent owing those stools since 1956 to date. Furthermore, all lands not being used for the original stated purpose should revert to the GaDangme people.
12. That all decrees and laws which govern the carving out of parts of GaDangme Region and their addition to the Central and Eastern Regions should be reviewed.
13. That all persons who have acquired lands in the Dawhenya irrigation sites should cease operations immediately and should re-negotiate whatever claims they have to the land with the GaDangme people.
14. That Government and all its agents recognise that Dangme East people have sacrificed for far too long and they have sacrificed enough for the "public Interest". The Dangme East people have irrevocably taken over the Songhor Salt Project and Government is entitled to its 10% share of the salt wonned.
15. That Government cancels the license granted Popular Foods West Africa and El-Din Mining Group immediately to make room for new negotiations between the GaDangme people and the companies concerned.
16. That all the GaDangme coastal lands from Ada to Obutu be recognised as a "No Go" areas for acquisitions. GaDangmes reserve the right to enter their beaches without let or hindrance.
17. That henceforth no more GaDangme lands should be acquired for any "public purposes" without consultation and approval of GaDangme people.
18. That henceforth, the "public purposes" for which GaDangme lands may be required, must be specifically stated in the Instruments of acquisition.