

**ISSUES ON COMPENSATION**

**FOR**

**DAM AFFECTED PERSONS**

**PREPARED BY**

**KALITSI & ASSOCIATES**

FOR

THE GHANA DAMS FORUM

February, 2008

## **CONTENTS**

|      |  |    |
|------|--|----|
| 1.0  | <i>Background</i>  | 2  |
| 2.0  | <i>Introduction</i>  | 2  |
| 3.0  | <i>Objectives of Compensation Payment</i>                      | 6  |
| 4.0  | <i>Methodology</i>   | 7  |
| 5.0  | <i>Legal Regime</i>  | 8  |
| 6.0  | <i>Losses Eligible for Compensation</i>                        | 13 |
| 7.0  | <i>Types/Forms of Compensation</i>                             | 14 |
| 8.0  | <i>Guiding Principles – Compensation to Affected Persons</i>   | 22 |
| 9.0  | <i>Guiding Principles – Assessment of Compensation Amounts</i> | 24 |
| 10.0 | <i>Adequacy or Otherwise Of Compensation</i>                   | 26 |
| 11.0 | <i>Review of Compensation Policy</i>                           | 28 |
| 12.0 | <i>Concerns of Settlers and Stakeholders</i>                   | 32 |
| 13.0 | <i>Bui Project</i>   | 38 |
| 14.0 | <i>Recommendations on Bui Project</i>                          | 39 |
| 15.0 | <i>Institutional Arrangements</i>                              | 44 |
| 16.0 | <i>Impact Downstream</i>                                       | 47 |
| 17.0 | <i>Archeological Matters</i>                                   | 47 |
| 18.0 | <i>Consultations with VRA</i>                                  | 47 |
| 19.0 | <i>Concluding Remarks</i>                                      | 48 |
| 20.0 | <i>General Conclusions</i>                                     | 48 |

## **APPENDICES**

|  |            |
|--|------------|
| Losses Eligible for compensation                               | Appendix A |
| Schedule of Land Acquisition Notices and Compensation Payments | Appendix B |
| Compensation Payments [Kpong Projects]                         | Appendix C |
| List of Institutions Visited/persons met                       | Appendix D |

## **LIST OF ABBREVIATIONS AND ACRONYMS**

|              |   |
|--------------|---|
| <i>BDC</i>   | <i>Bui Development Committee</i>                  |
| <i>BDS</i>   | <i>Bui Development Secretariat</i>                |
| <i>BPA</i>   | <i>Bui Power Authority</i>                        |
| <i>CWSA</i>  | <i>Community Water and Sanitation Agency</i>      |
| <i>EI</i>    | <i>Executive Instrument</i>                       |
| <i>ERM</i>   | <i>Environmental Resources Management</i>         |
| <i>EPA</i>   | <i>Environmental Protection Agency</i>            |
| <i>ESIA</i>  | <i>Environmental and Social Impact Assessment</i> |
| <i>GDF</i>   | <i>Ghana Dam's Forum</i>                          |
| <i>IWMI</i>  | <i>International Water Management Institute</i>   |
| <i>KVIP</i>  | <i>Kumasi Ventilated Inverted Pit</i>             |
| <i>LVB</i>   | <i>Land Valuation Board</i>                       |
| <i>NGO's</i> | <i>Non Governmental Organization</i>              |
| <i>PAP's</i> | <i>Project Affected Persons</i>                   |
| <i>VRA</i>   | <i>Volta River Authority</i>                      |

## **Appendix D: List of Institutions Visited/Persons met**

### **LIST OF PERSONS MET**

#### **LANDS COMMISSION**

|                  |   |                              |
|------------------|---|------------------------------|
| Alhaji Baryeh    | - | Executive Secretary          |
| Mr. Sarpong      | - | PS                           |
| Mr. J.E.K Dadson | - | Regional Lands Officer Accra |

#### **LAND VALUATION BOARD**

|                    |   |                                   |
|--------------------|---|-----------------------------------|
| Mr. E.D. Nuotuo    | - | Executive Secretary (Now retired) |
| Mr. Barfour Dankwa | - | Ag. Executive Secretary           |
| Mr. Bampo Barnafo  | - | Ag. Chief Director, Valuation     |
| Mr. C.C. Biney     | - | Chief Valuer (Now retired)        |
| Mr. Agyei          | - | Ag. Chief Valuer                  |

#### **MINISTRY OF LANDS, FORESTRY AND MINES**

|                          |   |   |
|--------------------------|---|---|
| Mr. Augustine Appiah Adu | - | Technical Director (Lands)                            |
| Mr. Tabi Agyarko         | - | SME Coordinator/Principal Planning Officer (Forestry) |

#### **GHANA WATER COMPANY**

|                      |   |                |
|----------------------|---|----------------|
| Mr. Augustine Daynar | - | Estate Manager |
|----------------------|---|----------------|

#### **RESETTLEMENT TRUST FUND**

|                            |   |                   |
|----------------------------|---|-------------------|
| Captain Fred Quist – Afful | - | Ex. Director      |
| Mr. R. D. Salawu           | - | Rtd. Ex. Director |
| Hon. Francis Osei – Sarfo  | - | MP Krachi West    |

#### **BUI PROJECT SECRETARIAT**

|                    |   |  |
|--------------------|---|--|
| Mr. Yaw Oppong     | - | Chairman (Bui Development Committee)     |
| Mr. G.D. Boateng   | - | Executive Director (Bui Dam Secretariat) |
| Mr. Kweku Arkhurst | - | Project Engineer                         |
| Mr. Osafo Kissi    | - | Site Engineer                            |

### **BUI DAM SITE**

|                    |   |                              |
|--------------------|---|------------------------------|
| Mr. Kwesi Nyakpo   | - | Head of Community (dam site) |
| Mr. Kofi Nyayor    | - | Dam Site                     |
| Mr. Osei Kromasha  | - | Brewohodi                    |
| Mr. Kofi Mborla    | - | Brewohodi                    |
| Mr. Victor Kutordo | - | Brewohodi (keta/Anloga)      |
| Mr. Kudjo Adembli  | - | Dam site (Mafi Alekpo)       |
| Mr. Kofi Dani      | - | Brewohodi                    |

### **LIST OF INSTITUTIONS VISITED**

*Bui Power Authority*

*Ghana Water Company*

*Lands Commission*

*Land Valuation Board*

*Ministry of Lands, Forestry and Mines*

*Volta River Authority*

*VRA Resettlement Trust Fund*

### **RESETTLEMENT TOWNS VISITED**

*Adjena*

*Akrade*

*Apeguso*

*New Somanya*

*Senchi*

*South Senchi*

# **ISSUES ON COMPENSATION FOR DAM AFFECTED PERSONS.**

## **EXECUTIVE SUMMARY**

### **Introduction:**

Compensation for Projects Affected Persons (PAP's) is no longer allowed to cover assessed losses in monetary terms only. Today national and international prescription is for compensation to cover not only as money assessed values but particularly also measures to address other factors as growth expectations and enhancement of living and working conditions, social relations among people and cultural values.

For dam projects the PAP's are those who are displaced upstream of the dam and those affected downstream of the dam, those whose lands are acquired for resettlement projects and other project requirements. The Akosombo and Kpong projects affected large categories of people. Resettlement measures were undertaken to mitigate losses of these PAP's. However the public and the PAP's have dissatisfaction with the manner in which the PAP's has been treated.

For Bui project measures to be put in place to address project impacts should not only restore losses but particularly also enhance livelihood. The experience of Akosombo and Kpong is expected to serve as a guide.

The objective of compensation in general is to make up for the loss suffered or disturbance occasioned. For dam affected people the main objectives of compensation are to:

1. Replace asset losses.
2. Restore and enhance the livelihood of affected people through provision for sustaining economic activities.
3. Ensure affected people's primary services such as schooling and health care facilities are available.

4. Ensure minimum disruption in their social organization and assist them to develop viable social relations.
5. Ensure affected people share adequately in benefits from projects.

### **Legal Regime**

Compensation issues in Ghana are governed by laws. The main Ghanaian laws have been cited in the report.

### **Losses Eligible for Compensation**

Asset categories related to Akosombo and Kpong dams whose losses, restriction or displacement needed measures to restore or mitigate were land, structures, economic trees, business, crops, incomes, community and cultural facilities, infrastructure and environmental quality.

### **Types and Forms of Compensation**

Compensation is payable either in cash or in kind payable either in Lump sum or annual/periodic payments.

For Akosombo and Kpong schemes cash was paid for losses of some interests in lands, building structures, abandoned or uncompleted structures, for food crops, economic trees and for socio-cultural properties not replaced.

Also for Akosombo and Kpong projects, the bulk of the compensation was in kind by way of resettlement programmes. Houses, infra-structure and farm-lands were provided to resettle people affected.

So far for both Akosombo and Kpong lands acquisition has been done under Act 125 of 1962. This has required lump sum compensation. It is estimated that GH¢750 million will be needed immediately to discharge outstanding compensation obligation for both dams. It will be useful to convert large compensation sums into long term interest yielding tradable assets for the beneficiaries.

### **Principles Underlying Compensation Payments.**

Principles applied to meet Government's main policy not to make any one worse off as a result of Akosombo and Kpong dam project were:

- that property lost by affected persons be acquired at values which would restore losses.
- that special measures such as resettlement be undertaken to restore losses where people are displaced.

Samples of assessments upon which compensation entitlements for Akosombo and Kpong Projects were determined were checked with valuers and found to have been correctly computed under the laws. They were based on current market or replacement prices and on value to existing owner not the acquiring authority.

### **Impact of Policy Change on Future Projects.**

Housing and Township development and Land Allocation for Farming were the main policy elements employed to attempt to realize the objectives of the policy of ensuring that affected people are no worse in their new environment than they were in the pre-displacement environment.

#### **Housing and Township Facility.**

The Housing and Township policy adopted for Akosombo resettlement was to provide standard core houses for the 14,000 house-holders displaced. No allowance was made for size of family or standard of housing occupied. The townships were well-laid out with streets and provided with minimum community services such as school buildings, potable water supply, public latrines, markets and cemeteries. There were very few community centers and chiefs houses. Plans were made for completion of the core house by "self help" using materials supplied by VRA. This housing and township policy has been acknowledged as inadequate.



So for Kpong resettlement projects there was a clear change in housing and township policy. Houses provided were based on the size, number of rooms and quality of housing structures displaced. The houses were fully built with kitchen and storage space. Township facilities were similar to what was provided for Akosombo resettlement towns but were of a higher standard and included electricity. In line with the trend, Bui housing and township facilities should also be at a higher level than the provision for Kpong housing.

#### Land Allocation and Farming.

The other major policy change has been in land allocation and farming. Akosombo started with an elaborate plan for modern farming programme with large acreages cultivated by cooperatives. These plans were abandoned in favor of 3 acre farming plots per farmer for traditional peasant cultivation. A special arrangement was made for commercial farming which never took off. This simpler farming strategy was adopted for Kpong and will be recommended for Bui.

Also for Bui settlers, title documents should be provided for housing plots as well as for land allocated for farming.

These changes will involve investment per displaced person at a higher level than for Akosombo and Kpong.

#### **Stakeholder Concerns and Observations**

The observations made on the existing resettlements townships and concerns expressed by stakeholders are as follows:

##### Observations on Conditions of the Settlements

Most of the core-houses in several Akosombo project settlements have been completed. Several settlers expressed satisfaction with the location and lay-out of their towns. But the town streets in several settlements have been washed away and potable water supply systems are non

functional. The 3 acre farming plots affected are being cultivated but not the land ear-marked for commercial development.

#### Complaints of Settlers.

Complaints against VRA and Government include:

- Inadequacy of Akosombo core housing for a family.
- Inadequacy of 3 acre plot for a farming family.
- No maintenance of resettlement houses.
- Non payment by Government of compensation for land.
- Take- over of farming land by host communities.
- No title certificates covering housing and farm plots as evidence of inheritable allotments.
- Lack of support from District Assemblies.

#### Land Valuation Board (LVB)

Interviews with LVB and Lands Commission reveal that

- Claims for compensation on Akosombo and Kpong are still being registered.
- Unpaid compensation liability for lands affected by Akosombo project is estimated at GH¢ 690 million and Kpong lands at GH¢60 million. It is proposed that this obligation be discharged by a bond or by annuity payable over time.

#### VRA Resettlement Trust Fund

The VRA Resettlement Trust Fund has been engaged mainly in activities related to education, water health and electricity.

Resettlement Trust Fund confirms concern of settlers about poor condition of road, harassment of settlers because of non-payment of compensation by Government for land.

The Trust Fund has done good job. It is suggested that a similar Trust be set up for Bui.

## **Bui Project**

The ESIA prepared for the Bui project by their Consultants ERM has been done well.

It is recommended that all projects lands, including resettlement lands be formally acquired.

- It is urgent to identify and plan sites for resettlement immediately and for acquisition processes to be initiated now.
- Housing should be planned for and provided on a room for room basis, with kitchen, KVIP latrine and electricity in every home.
- Each relocated farmer and host farmer should be given a standard allocation of land equal to what he farmed before.
- The allocation should be on lease hold for 99 years.
- Additional land should be allocated on conditions to be determined where initial allocation is adjudged to have been put to good use.
- Title documents covering houses and land should be given to persons allocated housing and farming plots.
- Cash compensation should be paid for bare/undeveloped lands, temporary, unoccupied or abandoned structures, crops and economic trees/timber.
- A special team of relevant professionals should be organized to carryout extensive consultation with affected persons to fast track land acquisition and compensation, to plan and implement resettlement housing and farming, drawing on the services and experiences of VRA.
- Bui Project Authority should assume responsibility for settlements for at least ten (10) years.

## **General Conclusion**

The BPA should carryout extensive stakeholder consultation especially involving affected persons and draw on the services and experiences of VRA.

Immediate steps should be taken to identify resettlements sites and expedite the acquisition process for lands under the Bui Project.

Action should be taken by Government and VRA to clear outstanding compensation obligations due Akosombo and Kpong Projects

Further action should be taken to review the legal framework of acquisition and compensation to provide for expeditious access to beneficiaries to their entitlements.

The possibility of improving the living conditions of projects affected people should be explored by enhancing their compensation and resettlement packages through increasing the acreage of farm lands allotted to settler farmers and by providing training and assistance to the settlers.

# **ISSUES ON COMPENSATION FOR DAM AFFECTED PERSONS**

## **1.0 BACKGROUND**

On 23<sup>rd</sup> November 2007 International Water Management Institute (IWMI) appointed E.A.K. Kalitsi to undertake a study on “Compensational Issues for Dam affected people.” This topic is one of four critical themes identified by the National Co-ordinating Committee of Ghana Dams Forum for further study to enable the Committee to play an advisory role on issues related to dam development in Ghana. The other three themes are Resource and Development, Institutional Collaboration and Community Development. The Terms of Reference for this study call for a decision report addressing various issues including evaluation of types and forms of compensation available in Ghana and the compensation and resettlement measures undertaken for Akosombo dam and Kpong dam affected communities. The Terms of Reference were later expanded to include factors to enhance the livelihood of Bui Dam affected people and recommendation on the compensation package.

The study will review existing information and evaluate impacts, identify mitigation required and provide Conclusions and Recommendations.

## **2.0 INTRODUCTION**

To generate electrical power to meet the nation’s industrial and domestic needs, the Akosombo Hydro Electric Project was constructed in the early 1960’s. Persons affected by the project have

been evacuated over 40 years ago; some were paid cash compensation but the bulk was resettled in 52 townships specifically created for that purposes.

Up to today the public (comprising journalists, academics, NGOS, social commentators and politicians among others) has expressed strong dissatisfaction with the manner in which the Project Affected People (PAPs) have been treated. The PAPs themselves have also continued to complain bitterly about perceived unfair treatment meted out to them by government. They consider the level of losses suffered by them not to have been adequately compensated.

The resettlement arrangement for people affected by the Kpong dam and power plant have also been the subject of criticisms but not as strident as those voiced against resettlement arrangements for people affected by the Akosombo dam

Today the country is in the process of building another large hydro project at Bui. There is however considerable concern whether the challenges that emerged as a result of the Akosombo, and Kpong Dams will resurface with the Bui Project. This genuine concern has excited participants in a recently established Ghana Dams Forum (GDF) to select compensation issues as among the most critical issues which need to be considered in connection with dam properties

So it is necessary to study how impacts of dams on people affected have been managed and to ensure that the post-development

conditions of affected people are no worse than before the dam. Dams do have physical, biological and socio economic impacts. These impacts may be positive or negative. The most visible impact of the Akosombo and Kpong Dams are physical in the form of the inundation of 8500 sq kilometers (Akosombo Dam) and 400sq km (Kpong Dam) of land. In addition there are, inevitably, large land acquisitions to meet the needs of persons, communities and functions directly displaced by the project. Also changes in the regime of the river downstream of the dams drastically altered the living and working conditions of people in the downstream areas. These projects also created changes in the biological environment of the reservoir areas and downstream resulting in positive impacts such as increase in fish production and some negative impacts such as increased transmission of water borne diseases like Bilharzia.

The most important socio-economic benefit of Akosombo and Kpong dam projects is the provision of electricity for social, economic and industrial development of the country and for improvement in the living condition of people. Other benefits are improved fishing and opportunities for water transportation, irrigation and tourism.

Obviously the general impact of Dams is varied. These disruptions in physical, biological and socio-economic environment need to be compensated in a manner which will at least restore and as far as possible enhance the quality or essence of life of affected people.

Some of these changes obviously cannot be compensated for fully or even partially. Dams should be so designed that negative impacts

that cannot be fully compensated, will be minimized. This presentation will not focus on actual changes to the physical and biological environment as such. It will focus on losses incurred in the dams construction, in related inundated lands, resettlement sites and downstream areas. For the Akosombo, Kpong and Bui Dams, consideration will centre on compensation for land, physical developments, national and community assets and socio-economic conditions of affected communities.

Over the period of over 40 years since Akosombo dam was built, thinking both within Ghana and internationally on compensation for persons affected by development of natural resources has changed significantly. In the past, it was sufficient for compensation to be considered in terms of monetary values only.

Today, national expectations, political realities and international requirements prescribe compensation to cover not only restoration of financial values; but also measures that will contribute to growth, enhance living and working conditions of affected people and address social factors as changes in relations among people and cultural values. The World Commission on Dams considers that the objective of Dams must be sustainable improvements in human welfare. New dams projects like the Bui project as well as older dams projects like Akosombo and Kpong should therefore be assessed on the basis of their meeting this objective.

The benefits of electricity produced from Akosombo and Kpong Hydro plants extend to the whole country. But it is the Akosombo and Kpong



displaced communities, people on the lake shore, people on resettlement lands and downstream areas that have borne the brunt of costs in land losses, reduction in economic activity, destruction of community assets, disturbance of social structures and cultural heritage, acceleration in transmission of water borne diseases and general deterioration of health conditions. These are the people whose losses have to be restored and who deserve also to share in the benefits of the main project.

The Project Affected People (PAP) related to Akosombo and Kpong projects do not feel that their benefits flowing from implementation of the projects are sufficient to offset their losses as above.

This study will critically look at the compensation and resettlement schemes that were provided under the Akosombo and Kpong Power Projects, consider the challenges faced, and solutions implemented. Reference will be made to compensation arrangements for other development projects to determine how these compare with arrangements for Akosombo and Kpong dam PAPs. Suggestions will be made on the compensation package necessary to enable Bui PAPs to have their losses adequately replaced and for them to achieve an enhancement in the quality of their lives.

### **3.0 OBJECTIVES OF COMPENSATION PAYMENT**

Compensation generally is intended to make up for the loss suffered or disturbance occasioned. It has been a general policy of the government of Ghana (GOG) that no body should be made worse off by the implementation of government projects. For Akosombo and

Kpong dam affected people, and for that matter, the PAPs of Bui dam, the main objectives of compensation for losses incurred by them are to:

- Replace asset losses.
- Restore and enhance the livelihood of affected people through land allotment for sustainable agriculture and facilities and opportunities for fishing and other forms of economic activities.
- Ensure affected people's primary services such as schooling and health care facilities are available.
- Ensure minimum disruption in their social organization and assist them to develop viable social relations.
- Ensure affected people share adequately in benefits from projects.

For the Akosombo and Kpong projects serious efforts were made to achieve the first three objectives namely, restoration of lost assets, enhancements of livelihood as well as the provision of primary services. The same level of focus was not given to the last two objectives namely, minimum disruption in social organization and adequate sharing in project benefits,

#### **4.0 METHODOLOGY**

The study was undertaken by

- Examining various laws, Regulations, Administrative Procedures relating to compensation.
- Investigating compensation payments on Akosombo and Kpong Dams projects and proposals for Bui Dam.

- Consulting officials of the following institutions. Ministry of Lands, Forestry and Mines, Lands Commission, Land Valuation Board (LVB), Volta River Authority (VRA), and Resettlement Trust Fund to tap their experiences on compensation.
- Discussion with stakeholders and settlers on the following Akosombo and Kpong Dam-related settlements: - Adjena, Senchi, New Senchi, Apeguso and Somanya.
- Visits to Bui Dam Site, inspection of work in progress, meetings with project top officials and some project affected persons.

Information gathered was collated and reviewed; professional opinion was sought on technical issues like valuation and legal matters. A systematic evaluation was carried out to identify the major issues of concern related to compensation and also to sort out the inconsistencies and conflicting information.

Interviews based on questionnaire were conducted at the various places. Some of the interviews were recorded with permission from the interviewees. The report is thus based on distillation from the analyses of the data as processed and refined.

## **5.0 LEGAL REGIME**

Acquisition and compensation regime in Ghana is regulated by various laws of the country. These laws define the scope and operating procedures as are necessary. The key legal provisions which are used in issues related to compensation for dam affected persons are as follow:

### **5.1 1992 Constitution of Ghana**

The 1992 constitution guarantees private property ownership rights.

The constitution stipulates that no property shall be compulsorily acquired unless it is in the public interest, and provision is made for prompt payment of fair and adequate compensation.

The constitution provides that where compulsory acquisition of land leads to displacement of any inhabitants, they should be resettled on suitable alternative lands with due regard to the economic well being and social and cultural values.

### **5.2 The State Lands Act (1962) Act 125**

The State Lands Act (1962) Act 125 is the main law normally used for compulsory acquisition. It provides that the President can by Executive Instrument (EI) acquire lands for the public interest. The modality for the acquisition is that upon the publication of an EI the lands specified are deemed acquired and all previous interests extinguished.

The Act provides for compensation payment based on market or replacement value. Compensation is payable only in lump sum.

### **5.3 Administration of Lands Act (1962) Act 123**

This law is or can be used to acquire stool and skin lands only. Under this Act, the President may authorize the occupation and use of any stool/skin land for public welfare or the interest of the state.

Compensation is payable as annual sums having regard to the value of the land and the benefits to be derived by the people of the area.

#### **5.4 The Volta River Development (1961) Act 46**

Act 46 established the VRA and charged it with the responsibility of “generating electricity by means of water power of the Volta River and by other means” and to supply electricity through a transmission system. The Act specifically mandated VRA to construct a dam at Akosombo and to create the Volta Lake by damming the Volta River. Furthermore the VRA was charged with the responsibility to manage the Volta Lake and facilitate and assist the development of the lake as a source of fish, and as a transportation route among others. Similarly the Authority is enjoined to take measures aimed at controlling floods downstream from the dam.

The VRA is empowered to compulsorily acquire lands for various projects. With the exception of lands for resettlement which are vested in the President, all other lands acquired for the Authority’s work are vested in the VRA. The Act prescribes compensation and resettlement as mitigation or restoration measures for people affected by Akosombo and Kpong projects and provides for the Akosombo project to absorb up to £3,500,000.00 of the cost of compensation and resettlement as part of the project costs. It places on Central Government the responsibility to finance expenditures on Akosombo compensation and resettlement beyond £3,500,000.00 (1961 prices).

#### **5.5 Public Conveyance Act 1965 (Act 302).**

The Public Conveyance Act 1965 is also used to compulsorily acquire land whether private or stool land but for certain specified purposes. Upon the publication of the EI any area duly stated in the EI shall be so taken.

#### **5.6 Land Statutory Wayleaves Act 1963 (Act 186)**

The Lands Statutory Wayleaves Act (1963) Act 186 facilitates the acquisition of right of ways for public utilities.

It provides for compensation payment for affected rights in lands subjected to statutory wayleaves.

#### **5.7 The Bui Power Authority Act (2007) Act 740**

The Bui Power Authority Act (2007) Act 740 establishes the Bui Power Authority (BPA) whose main responsibility is the development of a hydro electric power project on the Black Volta River at Bui and other potential hydroelectric power sites on the Black Volta. The Act thus takes out the Black Volta from the jurisdiction of VRA and places same in BPA. The BPA has similar functions and powers like VRA in so far as it relates to the Black Volta.

The Act prescribes the following farm lands be acquired; Bui reservoir and Township areas, resettlement lands and other lands as necessary. The Government of Ghana has the responsibility to finance the total losses of all acquisition, compensation and resettlement measures.

#### **5.8 The Minerals and Mining Act 2006 (Act 703)**

The Mineral and Mining Act 2006 (Act 703) revised and consolidated the laws relating to Minerals and Mining operations in the country. Act 703 re-emphasizes that every mineral in its natural state within any part of Ghana is vested in the President on behalf of the people.

The Act empowers the President to acquire lands or authorize the occupation of lands required for the development or utilization of mineral resources. Again the Minister responsible for Mines can grant mineral rights over lands in the country in accordance with the Act.

Under the law, an owner or lawful occupier of land subject to a mineral right is entitled to claim from the holder of such mineral rights compensation to make up for disturbance of his surface rights. The amount of compensation payable shall be by an agreement between the parties; and in the case of inability to reach agreement, the Minister in consultation with the governmental agency responsible for valuation shall determine the amount of compensation to be paid.

On the other hand, where the affected people prefer to be resettled on account of being displaced physically by a proposed mineral operation, the Minister is to ensure that the affected communities are settled on suitable lands having due regard to their economic well being and social values. The cost of such resettlement shall however be borne by the holder of the Mineral rights.

An agreement on or determination of compensation to which an owner or lawful occupier is entitled shall take account of past and

future payments to the owner including annual ground rents payable, cost of resettlement and works undertaken or promised to restore damages.

## **6.0 LOSSES ELIGIBLE FOR COMPENSATION**

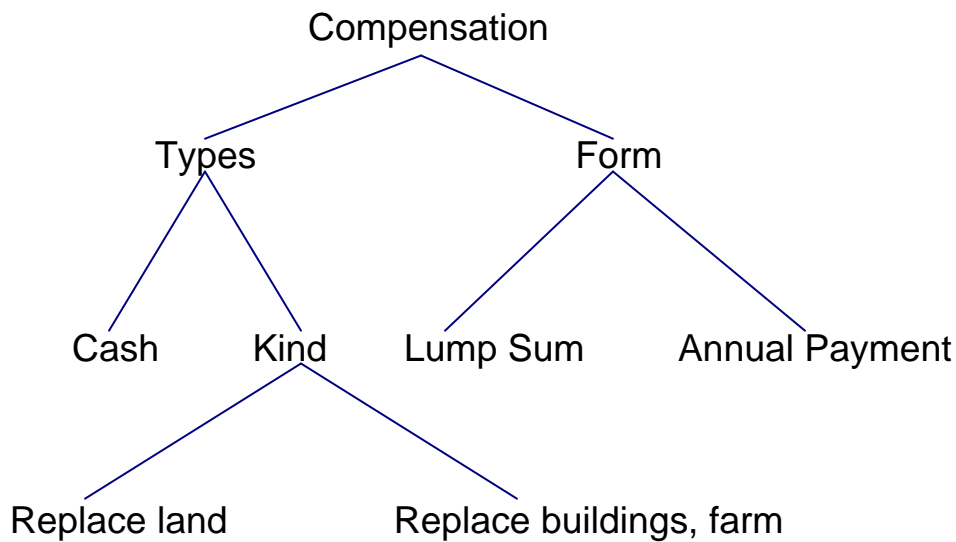
Attached is a Project Eligibility Chart **Appendix A** - found useful in identifying types of losses incurred by dam affected persons, which categories of persons incurred such losses, and what measures of compensation should be considered to replace such losses.

## **SEE APPENDIX A**

## **7.0 TYPES / FORMS OF COMPENSATION**



Below is a diagram illustrating the Types and Forms of compensation available in the Ghanaian system.



## **7.1 Types of Compensation**

Basically there are two types of compensation available in Ghana. These are **Cash Compensation** and **Compensation in Kind**.

**7.1.1 Cash Compensation:** In cash compensation the monetary values of items are assessed and paid. The determination of the monetary value is based on such factors as the type of asset, nature of interest, stage of growth or of completion among others. Market conditions and other factors that influence determination of market values are employed by professional valuers in the computation of the cash payable.

Cash payment is based on the principle or understandings that it can as far as money is concerned restore or mitigate a loss. Under the Akosombo and Kpong Projects Cash Payment was offered in satisfaction of losses, at replacement value, of interests in lands,

building structures below a pre-determined value, and for abandoned or uncompleted structures, food crops, economic trees and other socio-cultural properties not replaced.

**7.1.2 Compensation in Kind:** This is the provision of non-monetary packages to make up for losses incurred in buildings, residential and commercial, in community assets and livelihood enhancement measures. Compensation in kind affords the opportunity for restoration and enhancement of economic, social and cultural environment of affected communities. Compensation in kind is considered a better way of rehabilitating affected people. Current legal requirements in Ghana and international best practice also support this approach and make it necessary to be used as a way of compensating displaced communities.

Even in the past, before the 1992 Constitution, when there was no such mandatory legal requirement in Ghana for displaced persons, resettlement was embarked upon by government for projects which impacted on communities with large numbers of people. For instance in Akosombo the eighty thousand (80,000) people displaced from 739 villages within an area of eight thousand five hundred square kilometers (8,500 km<sup>2</sup>) were resettled. The people were relocated in 52 townships. Kpong project displaced seven thousand two hundred (7,200) persons over an area of twelve kilometers square (12 km<sup>2</sup>). They were relocated in six townships near by. The proposed Bui dam according to the Environmental Resources Management (ERM) report entitled Environmental and Social Impact Assessment (ESIA),

will displace 168 households of 859 people in 7 villages that require resettlement. In addition 4 villages of 93 households will lose a substantial portion of their farm lands and need to be compensated as well. In the case of Bui it is hereby suggested that all displaced persons including those not losing housing structures but only a part of their farm lands should also be relocated unless they themselves prefer to continue to live on the balance of land available to them. In that case cash compensation should be paid to them for the land lost.

Compensation in cash or kind is combined where one type alone does not adequately compensate for the total loss occasioned. Under the Akosombo project for instance owners of properties whose values were very high were provided with standard resettlement accommodation in the resettlement towns but, in addition, the owners were given cash payment so as to make up the difference. For the farmers of Akosombo and Kpong whose substantial land holdings were taken for the resettlement towns, in addition to cash payment at full value, they were also given farm subsistence plots of a minimum three acres to enable them continue their economic activities.

### **7.1.3 Merits and Demerits of Compensation in Cash or in Kind**

Cash compensation provides quick relief in monetary terms for people affected. It enables the recipient to make his own decision on the form of restitution he wants. Cash compensation also has the advantage of simplicity for the project developer.

There are however, some serious disadvantages associated with cash payment. First cash payment is prone to delays which result in a diminution of the monetary value of the compensation entitlement. These delays are due to the complex nature of the process needed to establish the legitimacy of the claims. Secondly, there is a high risk that the recipient will misapply the funds.

The merits of replacement or restoration in kind in the form of centralized resettlement or assistance for individuals to relocate and resettle themselves are numerous. One advantage is that planning standards and good management practices can be applied towards achieving the objective of equivalent reinstatement in the life style and livelihoods of the people.

It also affords the opportunity to improve the living standards of the people and provide for their growth and enhancement in their socio-economic condition. It provides the opportunity to introduce social and economic changes as people who are displaced and relocated can be introduced to new social relationships and economic organizations more readily.

The resettlement approach to compensation also has the advantage of enabling the schedule for the main project implementation to be realized more easily than through cash payment. Construction of houses and township facilities, clearing and preparing of farming land and evacuation of affected people off the project sites could be coordinated within the main Akosombo project implementation

schedule only because a centralized resettlement strategy was adopted. For Kpong project also cash compensation through payment of cash for self relocation would have seriously affected time schedules and would have had serious complications for the dam construction.

A disturbing demerit of compensation in kind is that the whole effort of creating new facilities and relations to replace the old socio-economic conditions and environment for communities affected may, if not properly planned, financed and implemented in a timely manner, result in new conditions which may rather make the people worse off. Claimants also do not have a real choice of where they are to be relocated.

To avert these demerits of compensation through resettlement programs, planning of this type of compensation package must be done very carefully and early. The package may include land, housing, public and community services, farms, livelihood enhancement activities, economic, social and cultural characteristics. Sufficient time must be allowed for planning and preparations.

### **7.2.0 Forms of Compensation**

The form in which compensation is payable is either in lump sum or periodic / annual payments.

Lump sum is paid when the monetary value of all losses is summed up and disbursed in one swoop. Payment of Lump sum amount is

expected to fully settle all the compensation obligations on the developer. Under Ghanaian laws lump sum compensation is payable when Act 125 is applied to acquire land and this is irrespective of whether the lands involved are stool lands or individual land.

Annual payments on the other hand are made when Act 123 is applied. It must be noted however that Act 123 can be used to acquire only stool or skin lands, in which circumstance, payment can only be made on an annual basis. One explanation given for the use of Act 123 is that it can protect the complex hierarchy of interests presided over by stools who hold the land in trust for their people including future generations. For the developer the annual payment stretches his compensation obligation over a long period which can even be related to the lifetime of the project and thus make it easier for him to bear the burden.

Claims of compensation have been made in respect of the land under the Volta reservoir at GH¢300 per acre. For an estimated 2.5 million acres of land occupied by VRA in connection with the Akosombo project alone, this would require GH¢750 million. This obligation will be more easily discharged to the convenience and satisfaction of both the developers and the beneficiaries if payment were spread over time, say, possibly for 99 years, even with interest and periodic adjustments to reflect current market values. This would have been more easily payable whether by Government or VRA.

### **7.3 Need for a Review of Types and Forms of Compensation Available in Ghana**

There is no need to change these classifications as such. Where cash is paid for crops economic trees, or temporary structures, there is no problem. However where cash compensation is for land, the problem faced is that it takes an inordinate amount of time for cash to be paid. This is because the conditions precedent to payment involves an acquisition process which takes a long time. Secondly after the acquisition is effected, the valuation takes place only when the property owner makes a claim. As a large proportion of property owners are rural dwellers and do not have skills to document their claim or are too poor to employ professionals, claims are either delayed or not made at all. This leads to considerable time lag for payments to be effected. This is unfair to the affected people who own landed properties.

The problem with compensation in kind is that the information whether related to crops or lands upon which resettlement planning should be based is not normally gathered in a timely manner. The effect is that it is not possible to relocate the PAPs before construction of the main project. It is therefore necessary that there is a long preplanning of resettlement activities before the main project implementation takes off. This is one of the most important lessons from Akosombo and Kpong which should guide implementation of the Bui project.

With respect to the form of payment, lump sum payment is a useful form but its use can be improved by setting up systems to monitor its application. It is necessary to ensure that lump sum payment does not lead to a compromise of the objectives of compensation.

With regard to annual payments it will be useful to consider reviewing the period of payments to provide for shorter periods like quarterly or monthly periods instead of strictly being on annual basis only. Secondly where large sums of money are involved it will be useful to convert them into long term interest yielding tradeable assets for the beneficiaries.

Implementation of resettlement schemes provides opportunities for improvement or restoration measures for the affected people as previous experience and lessons learnt from other projects become guide for enhancing resettlement packages. For instance in the Akosombo project resettlement, only core houses were provided in the form of one room only while 2 (two ) rooms kitchen and porch were left to be built by the settler on arrival and with assistance supplied by VRA. Kpong was modeled on room for room basis fully completed with kitchen and porch. In Bui further improvement is suggested by providing as many rooms as in houses to be affected plus kitchen and toilet per house and potable pipe-borne water and electricity to each house.



## **8.0 GUIDING PRINCIPLES UNDERLYING COMPENSATIONS PAID TO AFFECTED PERSON IN THE PAST.**

The basic government policy behind compensation paid to persons affected by the Akosombo Dam was that no one should be worse off as a result of the project. Two approaches were drawn upon to achieve this objective. The first was that properties lost by persons affected were to be acquired at values which would restore their losses. The second was that the losses incurred were to be restored through Government measures to assist in the resettlement of displaced persons in such a way as to preserve or enhance their quality of life. The restitution was basically in the form of resettlement but with a certain amount of cash compensation for those unable or unwilling to join in the resettlement programme.

On the acquisition aspects, detailed property lists were compiled which included, not only land, crops and buildings, but also all forms of other benefits, which accrued to owners of properties. The rights in the various categories of properties so affected, priced at market rates, or at replacement value, were to make up for the losses suffered by the owners. The entitlement for compensation was thus intended to cover all potential benefits.

The other approach to paying compensation was in the form of measures taken for settlement of people affected. These measures were to ensure that no person should suffer undue hardship or was deprived of necessary public amenities (stipulated by VRA's founding

legislation, Act 46 of 1961) as a result of his resettlement. The resettlement package included housing, resettlement farms at a minimum acreage of 3 acres per household and an allowance at 6 acres per household pooled together for later commercial development at the resettlement sites. The host farmers and land owners whose lands were acquired for the resettlement farming programme were incorporated in the programme. Public facilities in the form of schools, health amenities, streets and other community items were provided.

### **8.1 Merits / Demerits of Guiding Principles of Compensation Paid to Affected Persons.**

An important merit of these guiding principles was to provide satisfaction to both the acquiring authority and the victim of acquisition. These principles also have the merit of being based on Ghanaian Laws especially the 1992 constitution, the Volta River Development Act (1961) Act 46, the State Lands Act (1962) Act 125 and Administration of Lands Act (1962) Act 123. Some demerits found in applying the guiding principles were that they did not specify clearly how certain intrinsic characteristics and rights are to be valued. Secondly they make it difficult for rural folk to access their compensation entitlements in a timely manner. In this connection a relatively new Act, the Minerals and Mining Act, 2006 (Act 703) has certain provisions which are novel. These relate to royalties, annual ground rents, negotiation by the land owner or occupier for compensation whether for cash or for resettlement. Similar approaches deserve to be considered in handling compensation

matters for the Bui dam. These approaches should be considered in the future review of the legal framework for acquisition and compensation.

## **9.0 GUIDING PRINCIPLES UNDERLYING DETERMINATION OF AMOUNTS PAID AS COMPENSATION**

According to information from the valuers the determination of actual amounts paid as compensation entitlements for the Akosombo and Kpong projects were based on the following principles:

- Market or replacement prices were applied in valuing each asset.
- The assessment was based on value to the existing owner and not the acquiring institution.
- The values incorporated all benefits and losses flowing from the asset.

Application of the principles above to the rights and interests affected various categories of properties as follows:

### **9.1 Land**

Lands are not replaceable. All owners of lands were considered entitled to compensation. Most of the lands affected by the Akosombo project were considered to be stool lands according to the records of Stool Lands Boundaries Settlement Commission. Ownership of about 100 square miles or 3% of the Volta Lake area was found to have been occupied by farmers and they were consequently ascribed

ownership of those portions. The bulk of the land in the flood area was unoccupied and unexploited and was consequently to be valued at pepper corn rates. Most of Kpong lands were found to be family and individual lands. Documented interests of private owners for both Akosombo and Kpong were separately valued under Act 125 of 1962.

## **9.2 Crops**

For Akosombo the Crops were valued and paid for in cash separately. Again the farmer was partially compensated with an allotment of a 3 acre subsistence farm plot in addition to the extra entitlement to participation in commercial farming. The farming programme could not be implemented as expected because the land for farming could not be cleared before and even after the settlers' arrival at the settlements. For Kpong the farmer was given a minimum subsistent plot of cleared land equivalent to what he had before. Additional land was to be cleared and allocated to the farmer as he needed for effective cultivation. Compensation for timber and economic trees was paid to the stools. Kpong farming targets could also not be achieved because of lack of clearing.

## **9.3 Buildings**

For the Akosombo project the affected buildings were mostly of simple construction with the exception of a few buildings especially around Kete Krachi. Replacement of most of the Akosombo flooded houses with core houses constituted a substantial subsidy by government to the affected people. The provision of community assets and facilities added further subsidy to the settlers as,

community assets, at the level provided, were not accessible to PAPs in most of the 739 communities. Food aid and other facilities were also supplied during the early period of relocation. Evacuees unwilling to be resettled were paid cash compensation for their properties at a factor of 3 (three) times the values assessed at 1957 prices. For Kpong project temporary and uncompleted structures were paid cash compensation at 10 (ten) times the assessed values.

## **10.0 ADEQUACY OR OTHERWISE OF COMPENSATION PAID**

There has been growing concern that compensation paid to make up for losses suffered have always been in-adequate. Discussions with various stakeholders and some of the communities affected by the Akosombo and Kpong projects seem to lend credence to this view. The bases for this perception is, however, not clear. It appears the arguments are all concerned with what is desirable, without taking into consideration the type of asset lost and the valuation principle used. The LVB, the accredited government valuers, strongly disagrees with the view that the assessed compensation is inadequate. They insists that their recommended compensation sums are fair and carefully estimated by giving due consideration to all factors and forces that determine property values in the locality of the affected assets.

In objectively considering the adequacy or otherwise of the assessed values for properties affected by the Akosombo and Kpong Projects a key challenge faced was the unavailability of data from the Lands

Commission and LVB due to time lag and weak records management practices. However records available at the VRA were extracted and professional opinion sought indicated that these amounts calculated as compensation entitlement had accurately followed the required valuation principles. Attached **Appendix B** is a list containing compensation assessments and payment as at December 1975 in respect of Akosombo Project settlements and **Appendix C** is a sample of compensation assessment on land, buildings, crops payable related to Kpong Project settlements.

It must be added that these assessed values serve only as legal entitlements to be paid. To ensure that compensation actually paid reflects what would be considered by the PAPs at each time period and location to be fair and adequate, the acquiring agencies would typically top up these values when paying cash compensation or providing replacements. Under the Akosombo project for example, it was decided that the building structures to be paid for, in cash, should be paid at a rate of three times their assessed values.

With respect to replacement properties, the estimated average cost of the affected houses in the area inundated by the Volta Lake was £30. The cost of a core house in 1964 was stated at £330. In addition the expenditure per household on the community assets was £300. Clearly these far exceed the cash value of the lost assets.

## **11.0 IMPACT OF A REVIEW OF POLICIES ON PAYMENT OF COMPENSATION ON FUTURE PROJECTS.**

The basic policy on payment of compensation in the past was that no one should be worse off. This policy is politically attractive and is in tune with today's international best practice. But its practical implementation in the case of Akosombo and Kpong has not achieved its objective.

### **11.1 Housing**

Housing provided for settlements associated with the Akosombo project has been the 'core house' which is a standard minimum level of housing in the form of a concrete floor, aluminum roofing for two rooms, a cooking porch and a sitting porch. Only one of the rooms was provided with walls initially. The walls for the second room and the porches were to be installed through aided self – help after relocation of the displaced people to their settlements. Materials for completion of the house in the form of cement, pre-fabricated doors and windows were supplied by VRA. The design was such that occupants could add many more rooms within the planned space. The towns were properly sited in areas with good farming soils and water supply and accessible by road. They were well laid out and provided with certain minimum public and community facilities like potable water supply, public latrines, streets, schools, markets, and cemeteries. The townships had space provided to accommodate population increases from immigrants and natural increases.

As survey and valuation of assets in communities to be affected had not been completed, when Akosombo dam construction was proceeding at a fast rate, information was not available on compensation entitlement of families to be displaced. So housing types and standards could therefore not be varied to reflect the relative entitlements and requirements of various house-holders. However a rough valuation estimate showed that more than half the families would own housing property which would be assessed at £20 or lower, and almost half the farms would be assessed at £10 and below. The core house proposals being considered at the time would however cost about ten (10) times the combined values of compensation entitlements from housing structures and farms of each family. In financial terms the house replacements far exceed the housing loss.

The core house, simple as it is, was a strategic solution to the problem of providing housing in circumstances of constraints of time, inadequate information and limited resources for the scale of work required. But the furore which greeted provision of what in effect is a half completed house in a planned settlement as part only of compensation for the loss suffered by persons displaced by the Akosombo dam was so loud that VRA had to change the housing policy when it came to Kpong dam.

Houses provided for persons displaced by the Kpong dam were completed houses on a room for room basis with kitchen and storage space. Near-urban levels of public and community facilities including



electricity were added. To meet current expectation, it will be necessary to provide housing for persons displaced by the Bui dam on a room for room basis with similar domestic public and community facilities at levels similar to what was provided for Kpong PAPs. The facilities should include electricity in every home, a kitchen set away from the main building and an improved version of KVIP latrine provided for each house.

As we move the affected small communities into relatively larger communities, the conditions which will give them a comfortable life similar to what they had in their old villages would be a lot more expensive to recreate.

Formal title documents should be provided on 99 years lease-hold for each housing plot allocation.

## **11.2 Farming**

The policy on farming lands also had to change very drastically. The original agricultural program for PAPs of Akosombo dam provided for modern mechanized farming on 430,000 acres. The farm plots were to be made up of arable plots of 15 to 30 acres, tree crop farms of 5 to 15 acres, intensive livestock farms of 3 acres and pastoral farms of 30 acres. Farming was to have been on co-operative basis. Very elaborate plans were made and tested on pilot schemes in the settlements. But those plans had to be abandoned at the time the affected people were relocated at the settlements. The difficulties encountered in implementing the program included inability to

achieve clearing targets, delays in assembly of agricultural equipment and in delivery of farming inputs like seeds, fertilizers and insecticides. For example although some 400 Massey Ferguson tractors were acquired for the program, they were delivered three years after the settler farmers had arrived on site. The tractors were turned over to the Ministry of Agriculture and vanished among that Ministry's stock of equipment.

Then also the psychological un-preparedness of the relocated farmers to undertake farming practices unfamiliar to them all ruled out the successful implementation of the program. On top of it was the fact that motivated extension workers were not available with resources, technical skills and logistics to support the farmer.

The program had to change to allocation to each settler and host farm family 3 acre subsistence plots plus an allowance of 6 acres per family pooled together for development of commercial farms at each settlement. The 3 acre subsistence plots were to be cultivated by traditional methods with technical advice from Ministry of Agriculture extension workers. It was this more simplified farming approach which was basically adopted for the Kpong resettlement program. It is proposed that the farming policy for the Bui PAPs be based on the policy for Kpong PAPs.

## **12.0 CONCERNS OF SETTLERS AND STAKE HOLDERS**

Visits were made to a number of settlements where interviews were held with random samples of settler community leaders and chiefs. Discussions were also held with some officials familiar with Akosombo and Kpong Resettlement matters. The settlements visited were, Adjena, Senchi, Apeguso, Somanya, and New Senchi.

### **12.1 Observations on the Condition of the Settlements**

The following observations were made on the condition of the settlements. Most of the core houses in several Akosombo project settlements have been completed and a number of them expanded. Several of the settlers expressed satisfaction with the location and layout of their towns. The 3 acre plots allocated to each householder appear to have been put to good use by most settlers even though the acreage of such subsistence plots cleared was very limited. . The land earmarked for commercial development (estimated on average at about 6 acres per house holder) was not being cultivated. The commercial land has not been cleared and no machinery exists for their utilization. Non settlers have encroached on some of the lands and in some cases erstwhile land owners have seized the lands from the settlers and disposed of them to others. In most cases it is because land owners have indeed not been paid compensation for the land.

There were two significant problems common to all the settlements visited. The town streets have been washed away and potable water supply systems (bore holes etc) are non-functional.

## **12.2 Complaints of Settlers**

Every where there were complaints against VRA and Government for neglect. The following are some of the specific complaints registered.

- Inadequacy of core house to accommodate Akosombo settler family.
- Quality of core housing construction poor
- Non-maintenance of houses.
- Settlers disappointed that their electricity and water use not being subsidized as they had been led to expect in return for sacrifice made for the project.
- Inadequacy of the 3 acre farming plot in light of growing family size.
- Non-payment of compensation for land.
- Capture of fertile lands from settlers by former land owners.
- Take-over by host families and chiefs of lands earmarked for settlers either because of non-payment of compensation for the land or because original recipients of the compensation have passed away.
- Prevention of settlers from access to settlement land.
- No inheritable allotment certificate covering resettlement houses and farm plots.
- Lack of employment avenues.
- Ineffectiveness of District Assemblies and Unit Committees in management of settler township services.
- No working capital or access to credit to support settlers.

- No response has been received on representations made over several years for compensation to be paid at GH¢300 per acre.

People of Adjena (the first settlement to be built) have expressed strong bitterness against VRA and government for failure to honour promises made regarding their plight for many years. Their current complaints are non-completion of road to Adjena, inadequate housing and poor building construction, seizure of settler farming lands by land owners because of non payment by government of compensation for Akosombo and Adjena lands and failure to upgrade school system in line with changing needs.

### **12.3 LAND VALUATION BOARD (LVB) AND LANDS COMMISSION**

The following are findings from consultations with officers of LVB and Lands Commission.

That claims for compensation are still being registered with LVB for properties affected by the Akosombo Project completed 1966 and Kpong Project completed 1982.

- That compensation in respect of properties affected by the Akosombo project have not been paid even though acquisition procedures for the area of the Volta Lake were completed in 1974, and for the 52 resettlement sites between 1968 and 1975, and claims were submitted long ago for most of the properties.
- That the current estimate of the liability due on the Volta Lake and associated resettlement areas is expected to be of the order of about GH¢750 million based on demands on VRA

record and representations made during interviews with affected persons..

- That VRA legally no longer has financing responsibility for the residual compensation.
- That the Minister for Lands should be responsible for procuring resources to discharge this obligation.
- That compensation due in respect of the Kpong project at GH¢6 million (2001 prices as estimated by LVB) is yet to be paid even though Kpong project lands were acquired in 1980. This obligation is VRA's responsibility to finance.

To minimize pressure on immediate budgetary resources it is proposed that consideration be given to paying these obligations with either a series of bonds or an annuity payable over time.

To expedite preparation of suitable documentation to prove ownership, It is proposed that private consultants be contracted by VRA to assist claimants prepare needed documentation to support their compensation claims due on both Akosombo and Kpong hydro projects. The number of valid proprietary owners is not likely to be too large and VRA should be able to arrange to finance the cost of this service to help speed up payment by government in respect of Akosombo indebtedness and by VRA itself in respect of Kpong indebtedness. The adoption of the measures above will contribute towards cleaning up some of the compensation issues outstanding on the Akosombo and Kpong projects.

## **12.4 THE VRA RESETTLEMENT TRUST FUND**

This is a body which continuously monitors the conditions of the 52 Akosombo dam settlements and implements programmes to improve the living conditions of the settlers.

The Trust Fund established in July 1996, by the joint efforts of the VRA and the Government, has as Managing Trustees, a Chairman appointed by the Minister of Energy, ten Members of Parliament in whose constituencies the 52 settlement towns are located, two (2) representatives from VRA, three (3) from the Ministry of Energy and one (1) additional Trustee appointed in consultation between the Ministry and the Trustees.

The main source of financing for activities of the Trust Fund has been an annual grant of \$500,000 from VRA. The Trust has been able to access resources through the Ministry of Energy for extension of electricity to all the settlements. It collaborates with other agencies such as the Community Water and Sanitation Agency (CWSA) and some NGOs to provide water for some of the settlements. But financing limitation remains a major constraint in pursuing the Trust's objectives. So the Trust has developed proposals to mobilize additional financial resources to support its activities. The main activities of the Trust so far have been in the fields of education, electricity, water and health, and township roads. During a discussion with staff of the Trust Fund and one Trustee/ Member of Parliament the following were raised as the main concerns of the Trust at the moment:

- Township Roads in all settlements were in bad condition.
- Settlers were being harassed by original landowners because of alleged delays or non payment of compensation.
- Provision of potable water was either non-existent or inadequate in most communities.

The VRA Resettlement Trust Fund has proved beneficial in continually monitoring the conditions of the settlements. It has served as a buffer to ward off pressures on government, VRA and MPs from the settlers. For the settlers it also provides a convenient forum for their concerns to be channeled to the appropriate bodies for solution. The Funds effectiveness will be enhanced even further if the Trustees add on an active and persistent advocacy role on behalf of the settlers.

The major problem facing the Trust Fund is how to integrate the settlers in to mainstream society of the local communities. This is difficult in the face of hostilities against the settlers because of non-payment by VRA and Government of compensation due to the land owners. It is suggested that an institution similar to the VRA Resettlement Trust Fund whose finances are underwritten by the Bui Power Authority be set up to promote the sustenance and improvement of the socio-economic condition of the Bui settlers.



## 13.0 **BUI PROJECT**

The government of Ghana is currently implementing the Bui Hydro Electric Project. This is obviously to increase power supply in the country to meet customer needs. The project seeks to establish a 400MW hydro electric power plant at Bui in the Brong Ahafo Region. The Bui Power Authority Act (2007) Act 740 was therefore passed in July 2007 to set up an Authority to oversee the implementation of the project.

The project envisaged involves the damming of the Bui gorge on the Black Volta. The engineering, planning and designs were done to ensure that the flood area does not spill over to the neighboring countries.

### 13.1 **Project Impact**

The project will have significant environmental and socio-economic impacts. These have been identified and detailed in the Environmental Resources Management (ERM) report entitled **Environmental and Social Impact Assessment (ESIA) of the Bui Hydropower Project**. In the ESIA for Bui there is a check list for monitoring preconstruction, construction and operation stages of the project.

Following production of the ESIA Report EPA has confirmed that a good baseline documentation has been prepared and a Monitoring Plan established subject to details to be completed and an Environment Mitigation plan has been incorporated into the contract

documents. For those impacts that cannot be mitigated, compensation in cash or other measures as appropriate would be implemented to address them.

## **14.0        RECOMMENDATIONS ON BUI PROJECT**

Below are comments and recommendations on the Bui Project drawn from experiences of Akosombo and Kpong dam project.

### **14.1   Land Acquisition**

The Bui Power Authority Act (2007) Act lists the following as land to be acquired: the Bui reservoir and township areas, resettlement lands and other lands as necessary. Land below 183 meters FSL has been identified as the area to be flooded. Action should be taken now to formally acquire the land. Sites for resettlement towns and other land requirements like borrow pits and saddle dam are yet to be identified. After identification these sites should also be formally acquired and the entitlements of each owner clearly defined.

Project implementation has already started and it has become necessary for project sites to be vacated so it is recommended that land acquisition process be undertaken on a fast-track basis as the acquisition processes are cumbersome and can delay project implementation. It is necessary for the project to adhere to the modern requirement that affected persons be evacuated before project activities reach their areas.

The land acquisition processes are as follows:

- Preparation of relevant maps in appropriate scales for the flood area, sites for saddle dams, borrow areas, resettlement sites and accompanying farm lands.
- Application by BPA to Regional Ministers at Tamale and Sunyani for Site Advisory Committees to recommend sites for acquisition.
- Approval of proposed acquisitions by Regional Ministers.
- Plotting of approved acquisition areas on Land Utilization Maps by Lands Commission.
- Drafting of EI by Lands Commission for consideration of Attorney General (AG's) office.
- Review of draft EI by the AG's office and submission to Ministry of Lands.
- Approval of the draft E.I by Ministry of Lands and Submission for Parliamentary approval.
- Approval EI by Parliament.
- Publication of EI in the Gazette.
- Notice to property owners to submit claims.

These processes inevitably lead to delays. For the Akosombo Project, although first power was produced in 1965, legal acquisition of the flooded area and related resettlement sites was not completed before 1975. Even so claims for compensation are still being registered by LVB on these acquired lands. So special measures must be instituted to ensure that lands required are acquired immediately and suitable arrangements made to relocate affected people.

## **14.2 Compensation for Losses**

Effective handling of compensation issues is fundamental to successful dam projects implementation. In putting in place measures to compensate Bui PAPs for losses it is necessary to place emphasis on compensation in kind i.e. relocation and resettlement as different from compensation in cash. However compensation in cash will be necessary in certain cases.

### **14.2.1 Cash Compensation**

The following are the cases where Cash compensations will be necessary.

Land:- Bare or undeveloped lands should be paid for in cash based on their market values. It is recommended that payment be effected by a series of bonds or by annuities payable over time, say 99 years.

Structures: - Temporary, unoccupied and abandoned structures should be paid for in cash fully at current market values. An allowance should be added to the assessed value to cover incidental losses and disturbance.

Crops: - Crops must be paid for in cash based on assessment at their market values.

Economic Trees / Timber: - These should be paid for in cash to the owners (mainly stools and skins) based on assessed values reflecting market conditions.

### **14.3 Resettlement:-**

The main components of the Resettlement package should be as follows:

#### **14.3.1 Housing and Infrastructure:**

To meet current expectation, it will be necessary to provide replacement houses for persons owning occupied houses displaced by the Bui dam. Replacement should be on a room for room basis. Domestic facilities should include electricity and pipe borne water in every home, a kitchen detached from the main building and an improved version of KVIP latrine provided for each house. Public and community facilities should include schools, rural clinics, markets, community centers and / or chiefs houses at levels similar to what was provided for Kpong PAPs.

In line with the Akosombo and Kpong projects replacement standards the value of the replacement houses should be of the order of about ten times the assessed valuation of LVB for each house. However to minimize the impact of these housing costs on the budget care should be taken in the design and construction of these facilities as not to exceed these financial limits.

#### **14.3.2 Farming**

- The Bui PAPs should have their bare lands, farm crops, economic trees valued and paid for in cash.
- Land and whatever crops are on it should be purchased from the hosts at the new sites and fully paid for.

- Each relocated person and host farmer should be given farming land to enable him continue his economic activities.
- The land should be cleared, prepared for cultivation and allocated on a lease basis to the settlers as well as the hosts whose lands were acquired and paid for at the new site.
- The size of the allocation should be same as the settler or host farmer cultivated before but not more than 5 acres per settler or host family which is prepared to participate in the Resettlement agricultural program.
- The lease rate should be GH¢ 5.00 per acre per year initially and be adjusted every 5 years.
- The lease should be for a term of 99 years, be renewable and inheritable.
- The leaseholder should undertake to farm as advised by the Ministry of Agriculture extension officers or lose the leasehold.
- Additional allocation of land should be made to deserving applicants on advice of a special committee which should be established.
- Title documents, covering houses and lands should be given to persons allotted housing and farming plots.
- Bui Project Authority should assume responsibility for settlements for at least ten (10) years, which is considered reasonable time for settlers to adjust to their new economic and social environment.
- BPA should however be responsible for eradicating or minimizing any negative environmental impact including effect of disease vectors and new health risks.

## **15.0        INSTITUTIONAL ARRANGEMENTS**

As construction of Bui project has already started it has become crucial that the land acquisition process be initiated and completed on fast track basis so that delays in the acquisition process do not delay resettlement of affected persons and consequently hold back implementation of the main project.

The ERM consultants have already gathered very useful and detailed base-line information on the affected people and locations. This valuable information should be used to assess the progress and achievements of the resettlement program. However there are gaps which must be filled immediately. These gaps include detailed listing and valuation of properties for use as a basis for planning for selection and acquisition of suitable sites for resettlement towns and associated farming areas, for detailed lay-out and housing designs, preparation of budgetary estimates and securing the funds for a resettlement package.

A party of competent professionals in the fields of sociology, survey and valuation, architect planners, agriculturalists, water and public health experts must be organized by BPA to plan and implement a programme to identify people to be affected, prepare inventories of their assets, relocate and settle persons occupying the project areas.

This party of professionals should prepare the overall programme for relocation and resettlement, monitor the implementation, and supervise construction of housing and physical infrastructure and preparation of farming land. In addition, after resettlement, they

should be used to evaluate, periodically, the condition of the relocated communities and to recommend measures to ensure that the objectives of the resettlement program are achieved.

To jump start this fast –track process one professional officer should be assigned immediately to have full time responsibilities to coordinate and follow through the various processes. It should be his principal duty to ensure that the communities affected by the project are heavily consulted and take part in every decision related to them. He must also ensure that acquisition of the project areas and resettlement sites can be completed to enable entitlements to be paid in time and affected people resettled before they are displaced by the project.

Accordingly the special team led by the coordinator should prepare a detailed inventory of all landed properties, structures and developments and have these priced by valuation consultants assisted by experts of LVB.

Secondly the team should undertake planning functions of selecting resettlement sites immediately in consultation with the people and plan for housing and utilities like water, sanitation amenities, access roads and educational facilities to be provided.

Thirdly to provide settlers with economic activities, fertile land should be procured and allocated to the settlers at a rate minimum of which should be about the same as farmed in the affected areas.



Fourth, the housing should be constructed by the main dam contractors according to specifications and standards provided by the architects and engineering planners.

The housing and plots should be allocated in the resettlement townships to displaced families on long term leases with title documents. However, on completion of the proposed Bui City the settlers should be given priority to relocate to that city in exchange for and replacement of their resettlement houses.

Accordingly surveyors should be engaged to delineate the areas required immediately and produce relevant maps covering areas. Professional valuers should be commissioned by BPA and, with the assistance of LVB, capture relevant information on properties. Potential owners must be invited to register their claims for their land holdings so as to expedite the processing of their claims. Information available indicates that most of the lands are stool lands managed by the Chiefs and held by them in trust for their people. So documentation of inventory of ownership should not be too difficult or complex.

An architect planner on the resettlement team should identify the resettlement sites prepare layouts and housing designs together with budgetary estimates and implementation plans.

An approach should be made to the Ministry of Agriculture to prepare a program to support the settlers with extension services, supply of

seedlings, fertilizers and insecticides and assistance to the settlers to continue their traditional cultivation. Similarly those engaged in fishing and other forms of occupation should be assisted to pursue their respective trades.

## **16.0      IMPACT DOWNSTREAM**

The impacts on downstream communities are in the nature of loss of farming and dwindling fishing activities as a result of the disturbance of the natural flow of the river. This calls for special programmes to be designed to assist fishing communities, farmers and others to continue their economic activities.

## **17.0      ARCHEOLOGICAL MATTERS**

Although a number of archaeological surveys have been done already on the project area the archeologists have suggested a salvaged archeology to obtain more adequate knowledge of a few selected areas for inclusion in the data base. This should be attended to now to avoid destruction of irreplaceable losses.

## **18.0      CONSULTATIONS WITH VRA**

It is noted that the BPA is already in consultation with VRA in all fronts. It is edged that this consultation is strengthened in the area of Engineering, Environmental and Real Estate issues, where VRA's unique experiences will be very valuable to BPA. As acquisition of lands, compensation and resettlement issues are crucial to project implementation, the BPA as much as possible should arrange to use the services of the VRA's Estate Department.

## **19.0            CONCLUDING REMARKS**

This paper has tried to discuss the critical issue of compensation as it relates to dam projects. The approaches and challenges faced on the Akosombo and Kpong projects have been considered. Experience all over the world has shown that if not properly handled compensation for losses suffered by communities affected will continue to be sore point for projects even long after their commissioning.

It needs to be stressed that time is of the essence hence the socio-economic aspect of the project must be studied well in advance and remedial measures put in place to ensure that people affected are not worse off than before and also take their due share in the benefits of the project.

The Bui project presents an opportunity to implement improved packages that can adequately restore losses and enhance living conditions for the people who have suffered losses, or been displaced by the project and those who live in the vicinity of the project or downstream of it.

To achieve these objectives extensive stakeholder consultation must be carried out especially involving those affected at various stages of project implementation.

## **20.0            GENERAL CONCLUSIONS FROM THE SECOND DAMS FORUM**

The Second Dams Forum held on February 25 – 26, 2008 considered the paper commissioned on Compensation Issues for Dam Affected People.

## **20.1        Issues for Government Immediate Action**

The Forum identified the following priority actions to be taken immediately by Government.

- Steps should be taken to identify resettlement sites and expedite the acquisition process for all lands required for the Bui Project.
- Action by Government to discharge compensation obligations due on Akosombo and Kpong reservoir and resettlement lands.

## **20.2        Issues for Further Study for Future Dams Forums**

The Forum also identified the following priority issues for further study in future dams forums.

- Review of legal framework for acquisition and compensation to provide for a more expeditious access of beneficiaries to their entitlements.
- Study the possibility of improving the living conditions of the project affected people by enhancing their compensation and resettlement packages through increasing the acreage of farm lands allotted to the settler farmers and by providing special training and assistance to them.

## LOSSES ELIGIBLE FOR COMPENSATION

| ASSET CATEGORY              | TYPES OF LOSSES  | TYPES OF AFFECTED PERSONS  | COMPENSATION STRATEGY (ENTITLEMENTS DUE)   |
|-----------------------------|--|--|--|
| Agricultural Land           | . Loss of ownership<br>. Loss of use<br>. Restriction on use   | . Stools, families, individuals, lessees.  | . Cash payment at full market value or offer of replacement land.<br>. Cultivation may continue subject to restrictions.   |
| Residential/Commercial Land | Loss of ownership<br>Restriction of use<br>Loss of use   | Families, individuals, lessees, stools   | Cash payment at full market value<br>Payment for diminution in value<br><br>Cash payment at full value   |
|                             | Loss of ownership<br>Loss of use of forest products  | Government<br>Stools   | Access to alternative forest / wood land   |
| Forest Land                 |  |  |  |
| Structures                  | . Loss of living quarters<br>. Loss of other physical structures<br>. Loss of commercial / Business / Industrial properties<br>. Unapproved structures<br>. Temporary structures | . Families, individuals<br>. Families, individuals<br>. Families, individuals, host<br><br>. squatters<br>. Owners / squatters | Cash payment at full market value or full replacement cost or offer of replacement houses.<br><br>. Resettlement assistance<br>. Assistance based on transportation rates for relocation.            |
| Business / Occupation       | . Displacement from rented or occupied commercial/business premises.   | . Tenants / owner  | . Full compensation on establishment of nature of loss.<br>- Comparable open market rent for alternative accommodation for reinstatement period<br>- Transportation rates for relocation of chattels |
| Business Losses             | Loss of income   | Business Owner / operator  | Compensation assistance based on;<br>- Average net monthly profit  |
|                             | Loss of business goodwill<br>Loss of rented income   | Business owner / operator<br>Landlord / lessor   | - Monthly rent passing<br>- Equivalent of remaining rent advance to be refunded  |

| ASSET CATEGORY        | TYPES OF LOSSES             | TYPES OF AFFECTED PERSONS               | COMPENSATION STRATEGY (ENTITLEMENTS DUE)   |
|-----------------------|-----------------------------|---|--|
| Annual Crops          | Loss of income/crops        | Tenant farmer, Land owner sharecropper  | Cash compensation at market value based on share cropping arrangements.  |
| Economic tree         | Loss of income              | Tenant farmer, Land Owner, sharecropper | Cash compensation based on type age and productive level of tree.  |
| Income and Livelihood | . income from wage earnings | Affected Person                         | Cash compensation equal to 6 months income if loss is permanent. If temporal then for the period interruption. |

|                              |  |  |   |
|------------------------------|--|--|---|
| Community and Cultural sites | <ul style="list-style-type: none"> <li>schools, community centers, markets, health centers,</li> <li>Shrines, other religious symbols or sites.</li> <li>Places of worship (church, temple, mosque)</li> <li>Cemeteries, burial sites</li> <li>Rights to food, medicines and natural resources</li> <li>Loss of grazing land.</li> </ul> | <p>Communities</p> <p>Communities, religious leaders</p> <p>Trustees.</p> <p>Communities</p> <p>Communities</p> <p>Communities</p> | <p>Construction of replacement properties at suitable sites.</p> <p>Pacification rites/full payments for replacement.</p> <p>Construction of replacement properties at suitable sites.</p> <p>Offer of equivalent land and pacification rites.</p> <p>Payment in kind/cash based on negotiation.</p> <p>Offer equivalent land</p> |
| Infrastructure               | <ul style="list-style-type: none"> <li>Roads, bridges, utilities</li> </ul>  | <ul style="list-style-type: none"> <li>Communities</li> </ul>  | Repairs, rehabilitation or replacement  |
| Environmental                | <ul style="list-style-type: none"> <li>Losses due to environmental impacts that might result from land acquisition or from the program itself.</li> </ul>  | Affected persons   | Offer mutually agreed compensation  |

APPENDIX B

SCHEDULE OF LAND ACQUISITION NOTICES AND  
COMPENSATION PAYMENTS AS AT DECEMBER 31, 1975

|    | NAME OF SITE  | EXECUTIVE INSTRUMENT          | ACREAGE ACQUIRED | ASSESSED VALUE in ₵ | AMOUNT PAID in ₵         |
|----|---------------|-------------------------------|------------------|---------------------|--------------------------|
| 1  | Fesi          | E.I 43 of 22/2/69 ✓           | 1,535.20 ?       | 35,496.08           | 38,016.00                |
| 2  | Adukrom       | E.I 32 of 22/3/73 (Amended) ? | 1,358.32         | 800.00              | 800.00                   |
| 3  | Bladjae       | E.I 115 of 15/8/69 ?          | 3,587.65 ?       | 33,114.00           | 35,114.00<br>*3,511.400  |
| 4  | Mpakadan      | E.I 94 of 9/9/72 (Amended)    | 3,018.00         | 78,884.00           | 47,173.00<br>*52,931.70  |
| 5  | Anyaboni      | E.I 10 of 11/2/71             | 7,040.00         | 124,600.00          | 124,600.00               |
| 6  | Bowiri        | E.I 15 of 11/2/71             | 4,179.20         | 52,470.00           | 52,470.00                |
| 7  | Labun ✓       | E.I. 30 of 12/2/73            | 764.80           | 13,764.00           | 13,764.00                |
| 8  | New Forifor ✓ | E.I. 80 of 10/7/73            | 1,399.68         | 127,700.00          | 127,655.00               |
| 9  | Ntoaboma ✓    | E.I. 87 of 3/9/73             | 11,577.60        | 198,555.00          | 198,555.00               |
| 10 | Katanka ✓     | E.I. 97 of 13/9/73            | 11,815.00        | 197,265.00          | 197,265.00               |
| 11 | Kantankufri ✓ | E.I. 98 of 13/9/73            | 1,829.81         | 37,560.00           | 37,560.00                |
| 12 | Grube         | E.I. 32 of 20/2/74            | 4,734.04         | 86,230.00           | 86,230.00                |
| 13 | Dambai ✓      | E.I. 52 of 10/5/74            | 9,971.56         | 141,420.00          | 141,420.00               |
| 14 | Buma          | E.I. 38 of 3/4/75 ✓           | 5,507.11 ✓       | 52,720.00           | 52,720.00                |
| 15 | Kajaji ✓      | E.I. 73 of 7/6/74             | 20,290.56        | 369,377.00          | 369,377.00               |
| 16 | Yapei ✓       | E.I 113 of 30/9/68            | 2,588.00         | 24,860.00           | 6,960.00<br>*2,486.00    |
| 17 | Kpandae       | E.I 114 of 30/9/68            | 8,121.60         | 77,875.00           | 21,805.00<br>*7,787.300  |
| 18 | Bau           | E.I 115 of 30/9/68            | 2,322.00         | 24,485.00           | 6,809.62<br>*2,225.90    |
| 19 | Kitare        | E.I 116 of 30/9/68            | 10,592.15        | 102,455.10          | 28,687.40<br>*10,245.50  |
| 20 | Gulubi ✓      | E.I 130 of 12/10/68           | 8,942.72         | 85,232.00           | 23,864.96<br>*8,523.00   |
| 21 | Apeguso       | E.I 131 of 12/10/68           | 1,257.04         | 35,300.00           | 22,287.57<br>*3,450.00   |
| 22 | Savalu        | E.I 40 of 15/2/69             | 732.93           | 15,078.28           | 14,173.00                |
| 23 | Senchi        | E.I 41 of 22/2/69             | 2,219.20         | 52,300.00           | 10,300.00                |
| 24 | Todome        | E.I 42 of 22/2/69             | 1,670.40         | 31,385.00           | 25,909.50                |
| 25 | Botoku        | E.I 47 of 1/3/69              | 1,184.00         | 22,527.54           | 11,747.00                |
| 26 | Mam-Chemfe    | E.I 57 of 23/9/70             | 11,898.00        | 150,240.00          | 109,564.80<br>*15,024.00 |
| 27 | Tepo &        | E.I 60 of 23/11/70            | 3,184.32         | 58,575.00           | 54,299.00                |
| 28 | Wurupong      |                               |                  |                     |                          |
| 29 | Tapa Abotoase | E.I 13 of 11/2/71             | 13,286.40        | 241,594.00          | 163,551.02<br>*24,159.40 |
| 30 | Prang         | E.I. 91 of 12/8/74            | 2,372.17         | 42,834.00           | 22,834.00                |



| 31 | Wusuta             | E.I 168 of 16/11/68 | 2,941.45  | 54,506.00  | - |
|----|--------------------|---------------------|-----------|------------|---|
| 32 | Danyigba           | E.I 39 of 15/2/69   | 2,675.20  | 59,300.00  | - |
| 33 | Tsohor             | E.I 48 of 8/3/69    | 748.80    | 13,883     | - |
| 34 | Somanya ✓          | E.I 53 of 22/3/69   | 2,700.80  | 48,944.82  | - |
| 35 | Dedeso<br>Wireko ✓ | E.I 54 of 22/3/69   | 8,076.80  | -          | - |
| 36 | Tonkor-Kaira       | E.I 82 of 10/5/69   | 3,539.20  | -          | - |
| 37 | Amate              | E.I 105 of 2/8/69   | 11,174.40 | 156,674.00 | - |
| 38 | Amankwakrom ✓      | E.I 128 of 11/9/69  | 11,080.22 | -          | - |
| 39 | Vakpo              | E.I 129 of 13/9/69  | 4,495.64  | 82,931.90  | - |
| 40 | Mpam               | E.I 81 of 10/5/69   | 4,505.60  | -          | - |
| 41 | New Adjena ✓       | E.I. 14 of 11/2/71  | 4,778.72  | 109,268.00 | - |
| 42 | Nkwakubew          | E.I. 41 of 28/3/73  | 2,720.00  | -          | - |
| 43 | Dominase           | E.I. 43 of 2/4/74   | 6,016.00  | 83,988.00  | - |
| 44 | Addonkwanta ✓      | E.I. 57 of 18/5/73  | 4,714.60  | 88,711.00  | - |
| 45 | Onuku ✓            | E.I 58 of 31/5/73   | 17.22     | 700.00     | - |
| 46 | Yeji ✓             | E.I. 4 of 14/1/75   | 12,353.61 | -          | - |
| 47 | Tokurano ✓         | E.I. 69 of 7/5/75   | 9,566.75  | 173,933.00 | - |
| 48 | Osramani ✓         | E.I. 97 of 16/6/75  | 13,605.88 | 247,005.00 | - |
| 49 | Ohiamakyene ✓      | E.I. 98 of 16/6/75  | 14,329.34 | -          | - |
| 50 | New Ntewusa        | E.I. 99 of 16/6/75  | 7,517.49  | 137,005.00 | - |
| 51 | Asukawkaw          | E.I. 114 of 16/6/75 | 6,624.72  | 123,342.00 | - |
| 52 | Makango ✓          | E.I. 39 of 3/4/75   | 14,685.54 | 140,170.00 | - |
|    |                    |                     |           |            |   |

- Figures in asterisks represent payments made by the Authority

Fully paid - 15  
 Partly paid - 15  
 No payment - 22



# APPENDIX C

## COMPENSATION PAYMENTS

|    |   | KPONG PROJECTS       |                        |                 |
|----|---|----------------------|------------------------|-----------------|
| NO | PROJECTS  | TYPE OF COMPENSATION | AMOUNT OF COMPENSATION | YEAR OF PAYMENT |
| 1  | Bethsaida Presbyterian Church                   | Buildings ✓          | 14,000,000.00          | ⑥ 1994          |
| 2  | Kpong Project Phase I                           | Crops                | 175,989,635.14         | ⑦ 1996          |
| 3  | Kpong Project Phase II                          | Crops                | 123,767,837.00         | ⑥ 1997          |
| 4  | Senchi Rest House                               | Buildings ✓          | 12,400,000.00          | ⑦ 1997          |
| 5  | Kpong Building Phase II                         | Buildings ✓          | 399,019,000.00         | 2000            |
| 6  | Kpong Project                                   | Land                 | 32,276,545.00          | 2000            |
| 7  | Kpong Project Phase I (Building)                | Buildings ✓          | 369,706,164.00         | 2000            |
| 8  | Kpong Project                                   | Land                 | 29,651,180.00          | 2001            |
| 9  | Kpong Project                                   | Land                 | 390,726,035.66         | 2001            |
| 10 | Kpong Project                                   | Land                 | 567,440,996.00         | 2001            |
| 11 | Kpong Project                                   | Land                 | 5,233,250,367.28       | 2002            |
| 12 | Kpong Project                                   | Land                 | 6,255,157,745.00       | 2002            |
| 13 | Kpong Project                                   | Land                 | 3,408,946,957.00       | 2003            |
| 14 | Kpong Project                                   | Land                 | 1,579,842,937.00       | 2004            |
| 15 | Kpong Project                                   | Land                 | 2,285,302,938.00       | 2004            |
|    |   |                      | 20,877,478,337.08      |                 |
| 16 | Kpong Project (Mama Budeh Akemah)               | Land                 | 109,184,293.00         | 2005            |
|    | Rep. by Evelyn Amuah with L/A                   | W/ spent 2005        |                        |                 |
| 17 | Kpong Project (Emil Aggashwa & Co)              | L                    | 1,828,489,236.00       | 14/11/05 2005   |
| 18 | MASSE ADINKLA NARTET TETEH YUMU & FAMILY (KUMU) | LAND                 | 3,120,787,000.00       | 22/12/05 2005   |
| 19 | ADINKLA KUMU & FAMILY (KUMU)                    | LAND                 | 374,675,565.00         | 22/12/05 2005   |

20. P.C.A. SACKITEY (KUMU & FAMILY)

|  |                 |   |                |
|--|-----------------|---|----------------|
| p. Kwadwo Doneteh                      | - Land          | - | 19,057,060.00  |
| Kwadwo Bekoe                           | - Land          | - | 499,334,054.00 |
| Kwame Amur                             | - Land          | - | 321,715,068.00 |
| Mama Kwesi Adjepong                    | - Land          | - | 568,231,850.00 |
| Kwabena Boadi                          | - Land          | - | 79,769,902.00  |
| 5. Daniel Tetteh Zotorvie              | - Land          | - | 278,968,155.00 |
| 7. <del>Aberewatia Akua Agyeitee</del> | <del>Land</del> | - |                |

Paid on 26/01/06.

1,488,108,134.00

Paid Augst 31

= 1,767,076,289.00

7. Aberewatia Akua Agyeitee (Sumul Agyeitee) - 1,196,975,000.00  
NN 1986

~~as at 31/8/06~~

2,964,051,289.00

@ Dec. 2006