

May 24, 2022

PRESS RELEASE

RE: ACHIMOTA FOREST MATTERS

The Ministry of Lands and Natural Resources has been keenly following the spirited public debate relating to the Achimota Forest. Significantly, having responded to the initial allegation that the Achimota Forest Reserve has been de-gazetted and sold, the Ministry has observed that a section of the Public are concerned, and rightly so, about the acreage de-gazetted.

The public interest and scrutiny in this matter is highly welcomed by the Ministry, as that is the only time-tested avenue of protecting our natural resources, which are the heritage of the nation.

Having painstakingly reviewed the files relating to this subject, beginning from 16th December 1921 to 29th April 2022, the Ministry wishes to provide the background and full facts relating to the acreage de-gazetted as follows:

1. In 1921, the Government of the then Gold Coast, by a Certificate of Title dated 16th December 1921, made under the Public Lands Ordinance, 1876, acquired from the Owoo Family the parcel of land on which the Achimota School is situated.
2. Subsequently, by another Certificate of Title dated 17th May 1927, the Government acquired from the same family another tract of land measuring approximately 1,185 acres as an extension to the Achimota School. Although there are receipts indicating payment of compensation for the 1921 acquisition, there are no records of payment of compensation for the 1927 acquisition.

3. By Order 31 of 1930, dated July 17, 1930, the Government, pursuant to its power under the Forests Act, 1927, (Cap 157), constituted the land, acquired in 1927, as a Forest Reserve for the purposes of Fuel Wood Plantation for Achimota School.
4. By a petition dated 14th August 2006, addressed to the then President of the Republic, H.E. John Agyekum Kufuor, the Owoo Family prayed for the release of the encroached lands of the Achimota School.
5. While this petition was pending, the Family submitted another petition, dated 25th September, 2007, requesting for the release of a portion of the Achimota Forest adjoining the Tetteh Quarshie – Mallam Motorway.
6. Following the second petition, the Office of the President held consultations with the Family and other relevant state agencies, including the Forestry Commission and the Land Commission.
7. It was recommended, following these consultations, that due to "*the choked nature of the current Accra Central Business District and the reconstruction of the Tetteh Quarshie – Mallam Motorway, a portion of the land forming part of the 1927 acquisition [the Achimota Forest]... should be redeveloped as a complementary Business District to facilitate the decongestion of the Accra Central Business (CBD) and appropriate benefit determined and accordingly extended to the Owoo Family, while at the same time preserving the Achimota Forest.*"
8. Pursuant to this recommendation, Government, acting by the then Minister for Lands, Forestry and Mines, Hon. Esther Obeng Dapaah, MP, and the Owoo Family entered into an agreement dated 24th November, 2008, **where Government agreed to grant to the Owoo Family a lease over a portion of the Forest Reserve measuring ninety (90) acres.**
9. On 27th November, 2008, the then Minister wrote to the Lands Commission, directing the Commission to take the necessary steps to

implement the agreement reached with the Owoo Family. However, the lease could not be executed due to change of Government.

10. Following Government's failure to execute the lease in favour of the Family, as agreed, the Family, on 5th June, 2009, submitted another Petition to the then President of the Republic, H.E. John Evans Atta-Mills.
11. In May, 2011, the then Minister for Lands and Natural Resources, Hon. Mike Hammah, constituted a Special Committee, chaired by the then Chief Executive Officer of the Forestry Commission, Mr. Samuel Afari-Dartey, to consider the petition submitted by the Family, and to determine whether the petition was legitimate and the area to be granted to the Family.
12. The Committee, after its deliberations, concluded that "*the request for the release of a portion of land of the Achimota Forest is legitimate and reasonable for consideration.*"
13. The Committee, however, found that the area the Family was requesting, that is, the portion of the land adjoining the Nogahill hotel area along the Tetteh Quarshie Mallam Motorway is "*a prime section of the Reserve where the forest is richest.*"
14. The Committee, therefore, recommended that the area opposite GIMPA up the University of Ghana boundary and the area bordering the Agbofu Community, adjoining the Forestry Commission Regional Office, and behind the staff bungalows, **measuring 118.023 acres (48.017 hectares)**, which the Committee described as "*the peripheral sections,*" be granted to the Family, and that "*steps should be taken to de-reserve the granted portions after the grant.*"
15. The Committee noted that, although the land being granted to the Family exceeded the original 90 acres agreed in 2008, it was "*a*

fair compromise to make up for the loss of the prime areas of the Eco-Park project."

16. On 20th March, 2013, the Family again petitioned the then President of the Republic, H.E. John Dramani Mahama for the release of portions of the land.
17. Desirous of converting the Forest Reserve into an Eco-Park, a concept which was conceived sometime in 2011, the then Minister for Lands and Natural Resources, Hon. Alhaji Inusah Fuseini, constituted a Strategic Development Committee, chaired by the then Deputy Minister for Lands and Natural Resources, Hon. Barbara Serwaa Asamoah, to develop a strategy and roadmap for executing the Eco-Park Project.
18. The Committee, as part of its work considered the Report of the 2011 Special Committee, and agreed with all the recommendations of the Committee. The Committee also recommended that the request of the Family "*should be expedited for the smooth take-off of the [Eco-Park] project."*
19. Following the submission of the Report of the Strategic Development Committee to Hon. Inusah Fuseini, the Minister, on 20th August, 2013, wrote to the then President of the Republic, H.E. John Dramani Mahama, for Executive Approval to implement the recommendations of the Committee.
20. On 5th September 2013, former President John Dramani Mahama granted Executive Approval for the development of the Eco-Park and the release of the land to the Owoo Family, in accordance with the recommendations of the Committee.
21. On 12th September 2013, Hon. Inusah Fuseini granted approval to the Forestry Commission to implement the recommendations on the

release of the peripheral portions of the land measuring 118.023 acres to the Family in accordance with the Executive Approval.

22. Despite the fact that the said Afari-Dartey Committee recommended the release of an acreage of 118.023, on 30th September 2013, the Forestry Commission executed three (3) leases in favour of the Owoo Family totalling **One Hundred and Forty-Eight point Four One One acres (148.411 acres)**.

The lands granted in the three (3) leases are

- a. Lease 1 – 69.453 acres
- b. Lease 2 – 50.09 acres
- c. Lease 3 – 28.898 acres

23. From this time, the Family, with the consent of the Forestry Commission as the Head Lessor, granted portions of the 148.411 acres to private developers.

24. On 20th February 2014, the Forestry Commission and the Owoo Family executed a Deed of Variation to the 2013 leases, as a result of what was described as "*an omission of the root of title and the actual size of the demised land.*"

25. By the said 2014 Deed of Variation, the Forestry Commission granted the Owoo Family another **Fifty point zero nine acres (50.09 acres)**, bringing the total acreage granted to the Family to **One Hundred and Ninety-Eight point Five Zero One acres (198.501 acres)**.

26. By a letter dated 4th April 2014, the then Minister for Lands and Natural Resources, Hon. Alhaji Inusah Fuseini, MP, wrote to the Lands Commission to amend its records to reflect the grants made to the Owoo Family.

27. On 14th February 2018, the Forestry Commission submitted a Draft Executive Instrument to the then Minister for Lands and Natural Resources, Hon. John Peter Amewu, for the de-gazetting of the portions of the land leased to the Owoo Family.
28. While the Draft Executive Instrument was receiving attention, the Forestry Commission, on 3rd May 2018, wrote to the Owoo Family, indicating that portions of the land leased to them, particularly the Nursery and the Seismology Station, were ecologically sensitive areas requiring critical protection by the Commission, but were "*inadvertently allocated.*" The Commission, therefore, indicated to the Family that it was withdrawing these portions from the lands covered by the lease. In place of these portions of the Forest Reserve, the Commission offered to grant to the Family portions of the Forest behind the GIMPA wall around the Railway Station, and another portion known as the "Island" located near the roundabout on the George Bush Highway.
29. Following this letter, the Family entered into negotiations with the Forestry Commission. The Family requested for more land on the grounds that, among others, they were being deprived of a more valuable land for a less valuable one. The Family also argued that they had already granted portions of those part of the land being retrieved by the Commission to private developers, and that the Family will be overburdened with legal actions and costs due to their failure to deliver those lands to the sub-lessees. This stalled the processes for the de-gazetting of the land.
30. The negotiations between the Forestry Commission and the Owoo Family culminated in another Deed of Variation executed in 2020, varying the schedules to the 2013 leases. By this Deed of Variation, the total area of land released to the Family was **Three Hundred and Twenty-Nine point Zero One Two acres (329.012 acres)**.

31. The Forestry Commission, then, on 14th July 2020 and 3rd December 2020, wrote to the then Minister for Lands and Natural Resources, Hon. Kwaku Asomah-Cheremeh, recommending the de-gazetting of the lands granted to the Owoo Family.
32. On 17th December 2020, the Family wrote to the Forestry Commission requesting for expedited action on the de-gazetting of the portions of the Forest Reserve released to them.
33. Subsequently, on 23rd March 2021, the Family petitioned me, as the new Minister for Lands and Natural Resources, to de-gazette the lands granted to the Family to enable the Family and its sub-lessees develop the lands in accordance with the Lease agreement.
34. By a letter dated 7th April 2021, I wrote to the Forestry Commission requesting for background information, and seeking the advice of the Commission on the Petition.
35. In a response received from the Forestry Commission on 20th April 2021, the Commission recommended that, since the lands had already been granted to the Family, which had also granted subleases with the consent of the Forestry Commission, *"to avoid public outcry, the portions of the Achimota Forest granted to the Owoo Family should be de-gazetted by the Ministry as soon as practicable."*
36. I further sought the expert opinion of the Technical Directorate for Forestry at the Ministry. In a Memorandum submitted to me on 21st May, 2021, Technical Directorate associated themselves with the recommendations of the Forestry Commission.
37. Based on these recommendations, and the totality of this protracted matter as set out above, by a letter dated 2nd July 2021, I sought directions from the President of the Republic, pursuant to article 257(1) of the Constitution, and sections 2 and 19 of the Forest Act, 1927 (Cap. 157), in respect of the de-gazetting of the portions of

the land already granted to the Owoo Family, stating the background to the request.

38. By a letter dated 15th July 2021, the President of the Republic gave Executive Approval to cause the said land, mostly referred to as the peripheral portions of the Forest, to cease to be a Forest Reserve.
39. By a letter dated 21st February, 2022, the Ministry requested the Forestry Commission to submit Schedules for the areas to be released as Forest Reserve. In their response, the Commission submitted Schedules totalling **Three Hundred and Fifty-Five point Four Six Six acres (355.466 acres)** as the recommended area to be released from the Forest Reserve. The Commission explained that "*thorough analysis and field visits to the forest revealed that there have been discrepancies in the estimation of the total area of the Achimota Forest Reserve, hence the newly estimated total land area for the respective areas.*"
40. In the said letter, the Forestry Commission explained that the total area of the Forest Reserve, was 1185 acres, and not 1223.17 acres as had earlier been submitted. The Commission also explained that field visits and thorough analysis showed that the area granted to the Owoo Family by the 2018 Deed of Variation was 355.466 acres and not the 329.012 acres quoted in the Deed.
41. On 3rd March 2022, the Ministry submitted the Schedules submitted by the Forestry Commission, together with the site plans to the Office of the Attorney-General for the preparation of the Executive Instrument.
42. By a letter dated 15th March 2022, the Attorney-General requested for a Site Plan prepared by the Survey and Mapping Division of the Lands Commission with a Plan number.

43. Accordingly, the Ministry requested the Lands Commission to prepare the Plans using the Schedules submitted by the Forestry Commission.
44. From 16th March 2022, officials of the Lands Commission and the Forestry Commission undertook field visits to take the coordinates of the area being recommended to be released from the Forest Reserve.
45. After the field visits and its validation, the Lands Commission, by a letter dated 28th March 2022, submitted a Validated Schedule and Site Plan which showed a total area of **Three Hundred and Sixty-One point Five Zero acres (361.50 acres) or One Hundred and Forty-Six point Three Zero hectares (146.30 ha)**, delineated as Sites A to E on Plan No. 073/2022. According to the Commission, the Forestry Commission's Site Plan was not up to scale, and, thus, the difference between the size submitted by the Forestry Commission and the final one by the Lands Commission.
46. By a letter dated March 28, 2022, the Ministry submitted the revised Schedules and Plans prepared by the Lands Commission to the Office of the Attorney-General for the preparation of the Executive Instrument.
47. The Office of the Attorney-General prepared the Executive Instrument with the said revised Schedules, which was signed on 31st March, 2022 and gazetted on 19th April 2022 as Forests (Cessation of Forest Reserve) Instrument, 2022 (E.I. 144).
48. It was based on the same Validated Schedule and Site Plan prepared by the Lands Commission with officials of the Forestry Commission that the Forests (Achimota Firewood Plantation Forest Reserve) (Amendment) Instrument, 2022 (E.I. 154) was prepared and gazetted.

49. The Ministry intends to initiate a process of an independent audit on the specific issue of the acreage de-gazetted and will act accordingly in the public interest, should that become necessary.

The Ministry of Lands and Natural Resources is committed to the protection, proper management and utilisation of the lands and natural resources of our country. Government will act on any improper acquisition of public lands, regardless of how it was procured, whether now or in the past, and the Achimota Forest Lands will not be an exception.

The Ministry wishes to reiterate that the Achimota Forest is an integral part of Government's plan for the protection of our forest cover and our agenda for aggressive afforestation and reforestation. As always, Government will continue to deal with the matters relating to the Forest with the highest standards of transparency and integrity and act with utmost good faith and in the public interest.

END

SIGNED

**HON. SAMUEL A. JINAPOR, MP
MINISTER**