



Republic of Namibia



Otjozondjupa Regional Council

**REGIONAL
CONSULTATIONS
IN PREPARATION
FOR THE SECOND
NATIONAL LAND
CONFERENCE,**

26 - 27 July 2018



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EXECUTIVE SUMMARY

The Otjozondjupa regional consultation took place at Otjiwarongo from 26 – 27 July 2018. It was attended by one hundred and eighty three people representing different stakeholders. The meeting was opened by the Governor of Otjozonjupa, Hon Otto Ipinge

The consultation was preceded by a concept paper presented by the Director of Land Reform, Ministry of Land Reform. The paper gave a background leading to upcoming Second Land Conference taking place from 1 – 5 October 2018. It stated the objectives of the Conference, the expected outcome of the regional consultations in addition to the progress made, the challenges, interventions since 1991 and the emerging issues that would be addressed at the conference.

The Otjozondjupa regional consultation identified some issues that they want discussed at the conference. These include: injustice related to lack of communal land for Hai //om communities, restitution with respect to ancestral land, definition of injustice with respect to communities mostly affected, reserving farms bought in any particular region for the residents of that region, enactment of ancestral land act and the restoration of Hai-//Om San to the Okorusu area.

The Otjozondupa region discussed only two of the 24 resolutions reached at the 1991 conference and came up with their own resolutions. They thereafter reaffirmed the other 22 resolutions taken during the 2017 regional consultations. At the 2017 regional consultations, the 1991 resolutions were grouped in their discussions. As a result, resolutions on three of the 1991 resolutions were omitted.

There are seventy one resolutions adopted covering urban land reform and the twenty- four high level issues raised at the 1991 conference. The Otjozondjupa region believe that resolving the issue of ancestral rights by means of restitution is central to redressing colonial injustice and installing equity in the national resettlement programme.

The wide spread perception that Willing Seller – Willing Buyer approach has failed is not supported by available data. In the last five financial years, of the seven hundred and fifty nine farms offered, only one hundred and one, representing 13%, was bought by government.

1. BACKGROUND AND INTRODUCTION

Namibia has the unfortunate legacy of skewed land ownership. It is therefore not accidental that access to land was a major incentive in the liberation struggle. The land reform debate focuses mainly on the redistribution of commercial farms, which are mostly owned by whites, and the tenure reform in the communal areas. The Namibian land reform rests on a tripartite scheme: Resettlement, Affirmative Action Loan Scheme (AALS) and the Development of Communal Areas (DCA). These approaches are governed by a number of policies and laws mostly implemented by the Ministry of Land Reform. These include the Constitution of Namibia, Agricultural (Commercial) Land Reform Act, Communal Land Reform Act, National Land Policy and National Resettlement Policy.

Land reform is a very complex and emotion-laden phenomenon with multiple dimensions, which include moral, historical, social, economic, environmental and technical aspects. The land question in Namibia is a race question. At independence white commercial farmers who comprised less than 2% of the total population owned some 45% of the total land area and 74% of the potentially arable land. This remaining 26% of potentially arable land supports about 95% of the population.

The SWAPO government, on assuming power in 1990, expressed its commitment to transferring land to 'the landless majority' and agreed to a constitution in which the property of citizens could not be taken without just compensation. A national consultation on the land question, culminating in the National Conference on Land Reform and the Land Question, was held in Windhoek in June 1991. A significant development from this conference was the decision that restoration of ancestral land rights is not an option. The Conference highlighted the complex and competing claims for land ownership that could not be harmonised, hence, the decision that land would not be specifically returned or distributed to those directly affected by colonial land grabbing. Some other important resolutions taken at that conference include

- Injustice: There was injustice concerning the acquisition of land in the past and something practicable must be done to rectify the situation;
- Foreign-owned farmland: Foreigners should not be allowed to own farmland, but should be given the right to use and develop it on a leasehold basis in accordance with Namibia's 'open door' policy towards foreign investment;
- Absentee landlords: land owned by absentee landlords should be expropriated, but that there should be a distinction between Namibian and foreign owners;
- Farm size and numbers: large farms and ownership of several farms by one owner should not be permitted and such land should be expropriated;
- Land tax: There should be a land tax on commercial farmland to generate revenue for the state from the wealthier section of the farming community;
- Access to communal land: Communal areas sustain the great majority of Namibian farmers, especially the poor subsistence farmers. Therefore, communal areas should be retained, developed and expanded where necessary.

A major feature of independent Namibia is the commitment of the SWAPO government to national reconciliation. This foreclosed the possibility of forceful seizure of land for the purposes of land redistribution. The SWAPO government, while still very committed to land redistribution to address the acute imbalance, chose to do so under the famous "willing seller willing buyer" principle. This type of reform relies on voluntary and negotiated transactions between willing buyers and sellers.

After implementing the land reform programme for over two decades, there became a need to conduct a post-implementation review of the twenty-four resolutions reached at the 1991 conference. This will assist in determining the progress made and the attendant challenges. This led to the call for a Second National Land Conference, SNLC.

The second national land conference was scheduled to take place in September 2017. This was preceded by a nation-wide regional consultation that took place in July 2017. The consultations were done to enable the people themselves provide inputs into the successes and challenges they

experienced from the implementation of the twenty-four resolutions. This will enable the adoption of new measures informed by the aspirations of people directly affected during the implementation.

The Ministry of Land Reform in their introductory remarks, of 2017, stated that the purpose of the regional consultation and the objectives of the SNLC. These are:

1.1 Purpose of the Regional Consultation

- a) To sensitise and prepare the Namibian people for the SNLC scheduled for September 2017.
- b) Engage all stakeholders at the grassroots level on the agenda of the SNLC.
- c) Afford the 14 Regions an opportunity to engage its people further to contribute their inputs into the various land related matters.
- d) Create platforms for the regions to organise their inputs derived from the implementation of the land reform programme in the country for discussions in September 2017

The SNLC scheduled for September 2017, unfortunately, could not take place due to complaints by some stakeholders that they were not consulted and therefore could not make inputs to the SNLC. As a listening Government and in the spirit of Harambee which has a goal of developing a society where no one is left out, the Conference was postponed to October 2018. This is to enable further consultation to take place. This second round of consultation took place to ensure that all stakeholders make their inputs towards the SNLC.

During the 2018 consultation, Otjozondupa region discussed only two of the 24 resolutions reached at the 1991 conference and came up with their own resolutions. They thereafter reaffirmed the other 22 resolutions taken during the 2017 regional consultations. At the 2017 regional consultations, the 1991 resolutions were grouped in their discussions, as a result they omitted having resolutions on three of the 1991 resolutions, namely, NGOs and Cooperatives, Assistance to commercial farmers and Foreign-owned farmland. The 2017 resolutions can be found in annexure 11.1 of this report.

These regional consultations took place from 19-20 July 2018 and 26-27 July, 2018. The Otjozondjupa Regional Consultation took place from 26-27 July 2018. This report will therefore be documenting the proceedings of this consultation.

2. OBJECTIVES OF THE SECOND NATIONAL LAND CONFERENCE, OCTOBER 1-5 2018

- a. Review the progress made towards the implementation of the twenty four resolutions of the 1991 Land Conference and address the challenges
- b. Share with the Conference participants, the progress on the implementation of the 86 resolutions assigned to the Special Cabinet Committee on Land Related Matters.
- c. Address the structure of land ownership and deliberate on the following:
 - Ancestral land claims for restitution
 - The willing seller – willing buyer principle for agricultural land acquisition
 - National Resettlement Programme and Resettlement Criteria
 - Expropriation of agricultural land in the public interest with just compensation
 - Urban land reform programme
 - Illegal fencing of communal land
 - Dual grazing
 - The removal of the veterinary cordon fence.
- d. Identify and discuss emerging land issues such as land valuation and pricing, pre and post resettlement support to resettled farmers, Affirmative Action Loan Scheme programme, accessibility of land by women and youth, bankability of communal land as well as poverty eradication, land productivity and employment creation
- e. Adopt strategic resolutions informed by the identified challenges, contemporary issues and future aspirations to guide a responsive and sustainable land reform programme.

3. REMARKS

His Worship, Bennes Haimbodi welcomed all participants to the city of Otjiwarongo. He appreciated the Ministry of Land Reform, MLR and the Otjozondjupa Regional Council for organizing the Conference. He referred to the 1991 Conference which mandated the MLR to implement the land reform programme to ensure equitable access to land resources, and noted the importance of public participation towards the Second National Land Conference. He reminded the delegates that the SNLC offers an opportunity to review the implementation of the land reform programme, identify challenges and make proposals to accelerate the land reform programme. He recommended a land reform programme consistent with secure tenure system, protection of rights for the poor and women, transparency and accountability and invited participants to explore the city and patronize local businesses.

The meeting was opened by Hon. Otto Ipinge, the Governor of Otjozondjupa region, who commended the Ministry of Land Reform and the Otjozondjupa Regional Council for organizing the Conference. He stated that the purpose of the regional consultation is to sensitize, engage, listen and compile views in support of the Second National Land Conference, SNLC. He noted that the land question is political, social and economic, aimed at addressing dispossession, equity and promoting productive and sustainable livelihood. He advised on the need for open discourse that ensures inclusivity and in the language of choice of participants. He said he will like to see concrete recommendations from the discussions and informed participants that inputs from the 14 regions will form part of the resource materials for the SNLC. He then declared the Otjozondjupa Regional Consultation open

4. CONCEPT PAPER FOR THE SECOND NATIONAL LAND CONFERENCE

The Director of Land Reform, Mr. Peter Nangolo of the Ministry of Land Reform, MLR introduced the concept paper that included the background to the SNLC, the success and challenges experienced during the implementation of the 24 resolutions of the 1991 Conference, the emerging issues and the expected outcomes of the regional consultations.. The details of the concept paper summarized below can be found in annexure 11.2.

- i) **Introduction:** The introduction captured the purpose of the concept paper, such as acting as the guiding tool for the discussions, setting out the objectives of the conference, the approach, modalities and expected outcomes.
- ii) **Background:** It states the precursor to the conference and why it is being convened.
- iii) **Namibia Land Reform after Independence:** This gave an outline of what have been done so far with respect to land reform since independence. These include the convening of the 1991 National Conference on Land Reform and the Land Question that resulted in adopting two approaches to land acquisition and the 24 resolutions.
- iv) **Redistribution of Commercial Agricultural Land:** This started by listing the legislations and policies governing the implementation of the land reform programme. It gave some statistics relating to land acquisitions and resettlement, like 3.2 million ha of farm acquired since independence with 5 338 families resettled. For the AALS, 3.4 million ha have been acquired.
- v) **Tenure Reform in the Communal Areas to Ensure Tenure Security:** It discussed the establishment of the communal land board and discussed its role in the administration of communal land in conjunction with the Traditional Authorities. It indicated that a total of 1 18 885 communal land rights have been registered nationwide so far, in addition to completing substantial investment in infrastructure.
- vi) **Policy Intervention:** This section discussed the consolidation of the two existing legislations governing land administration into one Bill, the Land Bill. The Land Bill, which is now under consideration for enactment also incorporates proposed amendments to improve efficiency and effectiveness of land reform.
- vii) **Urban Land Reform:** It identified urban land reform as a vital emerging issue targeting affordability of serviced land for residential purposes.
- viii) **Second National Land Conference:** The section highlighted the reason behind the convening of the SNLC. The reasons include the call by stakeholders to convene a SNLC to review and deliberate on the progress and challenges of land reform with a

view to adopting measures to accelerate land reform. It is envisaged that the conference will give further impetus to resolving issues of equity and interventions to ameliorate poverty. It referred to the Harambee Prosperity Plan that once again focused on the land issue.

- ix) **Rationale and Objectives of the Second national Land Conference:** This section gave October 2018 as the date of the conference with the theme as **Advancing Sustainable and Equitable Land Reform Informed by Contemporary Issues and Lessons Learned from Implementing the Resolutions of the 1991 National Conference on Land Reform and the Land Question.** It further listed the objectives of the Conference. These objectives are captured in section three of this report.
- x) **Emerging Land matters:** This section listed the under-listed issues that are burning at the moment:
- ✓ Ancestral land claims for restitution
 - ✓ The willing seller – willing buyer principle for agricultural land acquisition
 - ✓ National Resettlement Programme and Resettlement Criteria
 - ✓ Expropriation of agricultural land in the public interest with just compensation
 - ✓ Urban land reform programme
 - ✓ The removal of the veterinary cordon fence
 - ✓ Land valuation and pricing
 - ✓ Pre and post resettlement support to resettled farmers
 - ✓ Affirmative Action Schemes Programmes
 - ✓ Accessibility to land by women and the youth
 - ✓ Bankability of communal land

✓ Land productivity and employment creation **xi) Approach to Second National Land Conference:** It stated that the SNLC will be preceded by regional consultations in all 14 regions. This will serve to engage stakeholders at the grassroots and accord regions the opportunity to make their inputs and recommendations as their respective reports will form part of the resource materials for the conference.

- **Engagement of Key Regional Leadership:** The section referred to the oneday meeting held in Windhoek in June 2018 with Regional Governors, Chairpersons of the Management Committees of the Regional Councils and Chief Regional Officers. The meeting which was chaired by the Prime Minister's Office was attended by members of the High Level and InterMinisterial Committee. The meeting focused on the following:
 - Drafting of regional consultation programmes, presenters and list of participants
 - The approach to regional consultations in order to ensure effective and meaningful participation.
 - Logistical arrangements for the regional consultations
 - Facilitators and report writers for the regional consultations
- **Regional Consultations:** The regional consultations are to be held over a 2day period in July 2018 based on a programme to be determined by the HighLevel Committee. It gave an indication of the stakeholders/institutions to be invited to the regional consultation.
- **Second National Land Conference:** This is scheduled for 1 to 5 October 2018 and to be attended by selected representatives from all 14 regions of the country. The identification of representatives will be guided by the need for inclusivity.

xii) **Committees for the Second Land Conference:** These are

- ✓ **The High Level Committee:** to act as the clearing house for the preparations of the SNLC The composition can be found in the Concept paper attached as annexure 11.2.
 - ✓ **The Inter-Ministerial Committee** chaired by the Secretary to Cabinet is the technical Committee and shall play an advisory role. It consists of Permanent Secretaries and Heads of agencies relevant to land matters.
 - ✓ **The Ministerial Preparatory Committee:** This Committee consists mainly of staff of MLR and chaired by its Permanent Secretary. It is responsible for logistical arrangement for the conference.
- xiii) **Conference Theme and Thematic Areas:** The thematic areas would be finalised after the regional consultations.
- xiv) **Engagements of Local and International Stakeholders:** Namibia University of Science and Technology, University of Namibia. Council of Traditional Leaders, national Youth Council and Bank of Namibia are listed as some of the organisations to prepare research papers towards the conference. Others are development partners, Trade Unions, research institutions and farmers unions, land experts and organizations from other countries with similar experiences.
- xv) **Expected Outcomes:** These include views, opinions and inputs from Namibians at the local level into the various land related matters and recommendations for deliberations at the Second National Land Conference.

5. REGIONAL WORKSHOP OF JULY 2017: ISSUES AND KEY RESOLUTIONS

- Review of the Affirmative Action Loan Scheme to suit needs and expectations of the previously disadvantaged farmers especially the control of interest rates on the loans;
- Enactment of an Ancestral Land Act to assist affected communities;
- Provision of title deeds to communal farmers;

- Allocation of adequate budget to the development of virgin land in communal areas;
- Government should expropriate land belonging to Absentee landlords;
- Resettlement farms bought in respective regions should be reserved for inhabitants of that region only.
- Traditional Leaders should be vested with more power in the allocation and administration of communal lands and they should also be consulted when new towns or villages are being established;
- The government should prioritize farmers from proclaimed towns or villages for resettlement in groups;
- Women should be more empowered and prioritized for land allocation in communal areas and town lands;
- The payments for land in communal areas should be channelled to Traditional Authorities for land administration purposes.
- The government should abolish the Willing Seller – Willing Buyer system with a new model of Willing Buyer - Demand Driven land reform system;
- The government should also enforce and control farmland prices in order to curb the inflated prices tags put on land by commercial farmers;
- A model or formula should be developed that will determine land tax payable by commercial farmers based on the productive value of a farmland.
- Injustice should be redefined to clearly make reference to which communities were mostly affected and which areas where affected the most;
- National Land Conferences should be held at least every 5 years to allow for thorough and systematic monitoring, evaluation and adjustment where necessary;
- The resettlement criteria's should be revised in order to prioritize on those communities farming in smaller communal land areas for resettlement to minimize pressure/congestion;
- The mostly affected communities that lost ancestral land should be the first to benefit through the resettlement programme by reservation of certain number of farms procured by government;
- Historical farming practices in respective regions should be recognized and maintained under the Traditional Authorities;

- Marginalized communities should not be excluded when addressing ancestral land rights;
- The government should determine the maximum size for commercial land that needs to be adhered to e.g. 5000 – 10 000ha;
- Commercial land that exceeds restricted size should be given to government for resettlement purposes;
- An entity/body should be established to regularly monitor the implementation of the Land Conference Resolutions and advise the MLR where possible;
- Adjacent farms to Townlands should be incorporated/added to expand town boundaries in order to allow for more available land to residents;

6. IDENTIFICATION OF REGIONAL LAND RELATED KEY ISSUES

- Injustice related to lack of communal land for the Hai //om community
- Communal Land to be subdivided for allocation
- Namibians forced into exile to be prioritized for resettlement
- Damaras have always lived in demarcated areas. Any restitution process should consider restoring them to those areas
- Injustice should be redefined to clearly make reference to which specific communities were mostly affected and also indicating which areas were affected the most
- An independent commission of enquiry into injustices pre and post-independence should be undertaken to guide redressing the issue of injustice.
- Lost Hai//omsan Royal Leadership Traditional land area from Rehoboth to Ondangwa
- Lost Ancestral land Matako mountain, Waterberg mountain, Otavi mountain, //harises territory of kai!khoenasan grootfontein area
- The government of the day must take full responsibility to redress the injustices of the past;
- Resettlement farms bought in respective regions should be reserved for inhabitants of that region only.
- Communities that lost ancestral/spiritual land should be the first to benefit through the resettlement programme/expropriation by reserving a certain number of farms bought for the affected communities.

- The Government should enact an ancestral Land Act that will redress ancestral land rights (something similar to the Veterans Act that caters to needs and aspirations of Veterans);
- Hai//om San are demanding that they be given their land back in the Okorusu area;
- Communal land lost by veterans during the war of liberation should be restored to them
- Communal land boards must be empowered to evict unlawful occupiers in the communal land
- TAs must be prohibited from selling land
- Farms adjoining communal not to form part of communal land but separated and available to TAs for allocation
- Call by Hai//om community for their leaders to be recognised as Chiefs.
- Failure of Willing Seller – Willing Buyer approach.

7. DISCUSSIONS ON REGIONAL LAND RELATED KEY ISSUES

7.1 Injustice

Loss of communal land

Many Namibians, were dispossessed of their land and some like the Hai//om community have no communal land. These people are still displaced from their original locations before the invasion of the colonisers. The resettlement programme does not address sufficiently the needs of specific communities that lost most of their ancestral and fertile land. The most affected communities are excluded from decision making bodies that allocate resettlement units.

Workshop recommendations / resolutions

- ✓ The Hai//om community should be provided with communal land
- ✓ The injustice should be redefined to clearly make reference to which communities were mostly affected and which areas were affected the most;
- ✓ A commission of enquiry into injustices should be established to guide the redressing of injustice

7.2 Ancestral Land Rights

- Dispossession of ancestral land: land has been lost and the specific communities who lost most of their ancestral and fertile land are not benefiting as they should through the current National Resettlement Programme and government has done little to nothing in redressing ancestral land. The most affected communities are excluded from decision making bodies that allocate resettlement units. Hai//omsan Royal Leadership Traditional lost land area from Rehoboth to Ondangwa. //harises territory of kai!khoenasan Grootfontein area lost lost Ancestral land that included Matakoo mountain, Waterberg mountain, and Otavi mountain.

Workshop recommendations / resolutions

- ✓ Those dispossessed to be given preference in the resettlement process ✓ Restitution of ancestral land should be considered.
- ✓ Marginalized communities should not be excluded when addressing ancestral land rights
- ✓ The Government should enact a legislation that will redress ancestral land rights (something similar to the Veterans Act that caters to needs and aspirations of Veterans)
- ✓ Communities that lost ancestral/spiritual land should be the first to benefit through the resettlement programme/expropriation by reserving a certain number of farms bought for the affected communities.
- ✓ Hai-//Om San should be given their land back in the Okorusu area;

7.3 Communal Land

Access and administration of communal land

There is urgent need to relieve pressure on communal land. Some communities such as Namas and Damaras are squeezed into very small areas. The dual and multiple grazing in the communal area is disadvantaging the poor. Occupiers of communal land do not own them since they do not have title deeds. The current practice of expanding communal land with adjoining commercial farms should be stopped. There are some communal areas with large tracts of land that can be subdivided for allocation. The problem of unrecognized

chiefs should be addressed, for example, the Hai//om community called for their leaders to be recognised as Chiefs

Workshop recommendations / resolutions

- ✓ The Traditional Authorities should be more empowered to allocate and manage communal land.
- ✓ Dual grazing should be prohibited.
- ✓ Beneficiaries of communal land should be provided with title deeds and be allowed to use their land as collaterals and trade their rights.
- ✓ Traditional Leaders should receive regular training to enable them implement the relevant legislations smoothly.
- ✓ Communal land boards must be empowered to evict unlawful occupiers in the communal land.
- ✓ Farms adjoining communal land should not form part of communal land but separated and available to Traditional Authorities for allocation.
- ✓ Large tracts of Under-utilised communal land should be subdivided for allocation
- ✓ Government should address the non-recognition of leaders of the Hai//om community as Chiefs

7.4 Resettlement

Regional Resettlement Committees

Regional Resettlement Committees exist in all 14 regions to consider and recommend potential beneficiaries to the Land Reform Advisory Commission, LRAC. Namibians should be able to settle anywhere in Namibia. There is need for Resettlement Committee members and LRAC members to learn from other countries with similar regime of land administration. The Committees are supposed to consist of experts.

The WSWB approach was perceived as failing. But a member of NAU disputed this and indicated that there are more land offered across all agro-ecological zones than the Government could buy, thereby leading to significant number of farms being waived. In

the last five years, a total of seven hundred fifty nine farms were offered to government, but only one hundred and one, representing 13%, was bought by government. The farms offered included two hundred and five farms spread across Erongo, Kunene, Otjozondjupa, Khomas and Omaheke. Details can be found in the annexure 11.17.

Workshop recommendations / resolutions

- ✓ Members of the relevant organs for resettlement should be exposed to international experiences
- ✓ Members of the Committees should be experts
- ✓ The resettlement of beneficiaries should be decentralized.

8. Summary of Recommendations and/or Resolutions

8.1 Injustice

- Injustice should be redefined to clearly make reference to which specific communities were mostly affected (e.g. Herero's, Nama's and others) and also indicating which areas were affected the most;
- National Land Conferences should be held at least every 5 years to allow for thorough and systematic monitoring, evaluation and adjustment where necessary;
- The issue of dual grazing on communal land should be addressed;
- The resettlement criteria should be revised to prioritize those communities farming in smaller communal areas for resettlement to minimize pressure/congestion;
- A certain portion of farms acquired through the resettlement programme should be reserved to the mostly affected communities in those regions where they are bought;
- A commission of enquiry into injustices carried-out by the colonizers should be undertaken to guide the redressing the issue of injustice.
- The government of the day must take full responsibility to redress the injustices of the past;
- The Hai//om community should be provided with communal land

8.2 Ancestral Rights

- Hai-//Om San should be given back their land in the Okorusu area;
- Rudenau area should be declared as a communal land;

- Communities that lost ancestral land should be the first to benefit through the resettlement programme by reserving a certain number of farms bought for the affected communities;
- Mostly affected communities should be brought on board to decide and distribute resettlement farms proportionally;
- Government and communities should avoid mixing politics with land issues;
- Marginalized communities should not be excluded when addressing ancestral land rights;
 - The Government should enact a legislation that will redress ancestral land rights (something similar to the Veterans Act that caters to needs and aspirations of Veterans).
- The mostly affected communities that lost ancestral land should be the first to benefit through the resettlement programme by reservation of certain number of farms procured by government.

8.3 Foreign Owned Farmland

- No Resolution

8.4 Under-utilised

land

- Resettlement farms that are not productively utilized should be repossessed by government and reallocated to other serious landless farmers
- Much effort should be put into commercializing communal areas by developing virgin lands and providing Title Deeds to beneficiaries

8.5 Absentee Landlords

- Land belonging to absentee landlords should be expropriated with compensation and used for resettlement of affected communities;
- Land expropriated from absentee landlords should be allocated to those affected communities whose ancestors are buried there

8.6 Farm Sizes and Number

- The government should determine the maximum size for commercial land for each agroecological-zone and any land in excess of that should be expropriated for resettlement

8.7 Land Tax

- Land Tax should be categorized into three levels (commercial, excessive & absentee landlords);
- Commercial Land Tax should be determined after an assessment of the farm productivity value;
- Commercial land that exceeds 5000ha should be heavily taxed in order to force that farmer into selling the remaining portion to government for resettlement.
- Land tax collected should not go to Treasury but rather diverted to a Development Fund that will assist previously disadvantaged farmers
- Affirmative Action Loan Scheme farmers should still be exempted from paying land tax

8.8 Technical Committee on commercial farmland

- Technical Committees Terms of References should be clear in terms of how they are to be constituted and who they are recommending to;
- Technical Committees should comprise experts who would better advise the Ministry on land related matters;
- The appointment and allocation of resettlement farms should be decentralized to Regional Councils and Regional Resettlement Committees, to avoid a situation where only one person has the final decision such as the Minister

8.9 Land Tenure

- Land Tenure should be clarified and linked to tradable rights that can serve as collateral for communal farmers to access finances for their farming businesses;
- To any given land right in communal areas value should be attached to it in order to enable farmers to trade with their land right when approaching financial institutions

8.10 Farm Workers

- Farm worker's rights should also be applicable to communal areas;

- Generational farm workers (whose great-grand parents worked there) should be given a piece of land at respective commercial farms upon their retirement;
- Commercial farmers should start investing in the future of their farm workers by buying urban land for them to move to upon retirement;
- Government should allocate a certain number of farms for the resettlement of farm workers chased away and forced to encroach on town lands with livestock;

8.11 Assistance to commercial farmers

- NO RESOLUTION

8.12 Future role of communal areas

- Communal areas or villages should be well demarcated and fenced off in order to prevent vast grazing areas being fenced off by strong farmers to the detriment of the poor farmers;
- Natural resources in communal areas should be sustainably conserved and promotion of value addition to some resources to improve livelihoods and the creation of employment; •
The provision of water infrastructure to virgin land should be treated as high priority
- Adequate farming infrastructure including roads should be prioritized in communal areas

8.13 Access to communal areas

- People should not be discriminated against who want to farm or settle anywhere in Namibia.
- Special attention should be given to all disadvantaged communities when it comes to the accessibility to communal land;
- Women should be more empowered and prioritized for land allocation in communal areas and town lands;
- Traditional Authorities should be more empowered in the allocation and management of communal land;

8.14 Disadvantaged Communities

- Disabled people have been neglected in the resettlement process thus special attention needs to be given to them through reservation of certain farms;
- Disabled people and the San should also have access to land rights in the communal areas;
- The Hai-//Om San should also be considered as a special group due to their destitute status of not having a specific communal area that could be referred to as theirs

8.15 Game conservation and farmers' rights

- Government should come up with a fair and just compensation to communal farmers who lose livestock due to predators;
- Kalkveld should be proclaimed as a matter of urgency so that it can start selling land to its inhabitants;

8.16 Payment for Land

- There should be enough grace period availed to new land owners in paying for their land in town lands;
- Any payment for land in communal areas should be paid to Traditional Authorities but not to central government
- The government should abolish the Willing Seller – Willing Buyer system with a new model of Willing Buyer - Demand Driven land reform system

8.17 Rights of women

- Women land rights still need to be promoted in order for them to benefit more on resettlement and communal land;
- Traditional Authorities should play a key role in advocating for women rights and appointment of women Traditional Leaders;
- There should be no discrimination against rural and urban women when it comes to the resettlement programme;

- Women should also be given right of ownership on customary land after divorce

8.18 Land allocation and administration

- Government should give full powers to Traditional Authorities in the allocation and management of communal land;
- The mushrooming of Traditional Authorities is causing duplication of land allocation in communal areas, so government should allow communities to elect a leader/authority of their choice to allocate and manage communal land in the respective regions;
- The allocation of customary land rights should not only be confined to the 20ha as it is not suitable to all farming practices especially livestock farming compared to crop production;
- communities must be involved in the appointment of members to Land Boards
- Resettlement farms bought in respective regions should be reserved for inhabitants of that region only.
- The government should prioritize farmers from proclaimed towns or villages for resettlement in groups.
- The National Land Conferences should be held at least every 5 years to allow for thorough and systematic monitoring, evaluation and adjustment where necessary.

8.19 Stock control barrier

- The Namibian meat status internationally should be maintained and guarded in our quest to remove the Redline;
- Government should do more in putting sustainable disease control measures in Nature Conservation Area to ensure that the required health status is attained before thinking of removing the Redline

8.20 Illegal fencing

- Resolution 20 of the 1st National Land Conference is not practical to current farming practices especially if we are driving towards commercialization of communal areas;

- Government new model in communal areas should be the fencing of villages as demarcated in order to prevent livestock losses and the management of grazing areas

8.21 Dual Grazing

- Dual grazing should be prevented at all cost not only in commercial but also in communal areas

8.22 Transfer of large communal farmers to commercial land

- The resettlement criteria should be revised in order to prioritize on those communities farming in smaller communal land areas. to minimize pressure/congestion.

8.23 Access of small-scale farmers to commercial land

- Review of the Affirmative Action Loan Scheme to suit needs and expectations of the previously disadvantaged farmers especially the control of interest rates on the loans;

8.24 NGOs and Cooperatives

- NO RESOLUTION

8.25 Urban Land

- Adjacent farms to Townlands should be incorporated/added to expand town boundaries in order to allow for more available land to residents.

9. CONCLUSION

The Otjozondjupa regional consultation took place at Otjiwarongo from 26-27 July 2018. It was attended by one hundred and eighty three people representing different stakeholders. His Worship, Bennes Haimbodi, the Mayor of Otjiwarongo, welcomed all participants to the city of Otjiwarongo. He appreciated the Ministry of Land Reform, MLR and the Otjozondjupa Regional Council for organizing the consultation workshop. He referred to the 1991 Conference which mandated the MLR to implement the land reform programme to ensure equitable access to land resources, and noted the importance of public participation towards the Second National Land Conference.

The meeting was opened by Hon. Otto Ipinge, the Governor of Otjozondjupa region who commended the Ministry of Land Reform and the Otjozondjupa Regional Council for organizing the Conference. He stated that the purpose of the regional consultation is to sensitize, engage, listen and compile views in support of the Second National Land Conference, SNLC. He noted that the land question is political, social and economic, aimed at addressing dispossession, equity and promoting productive and sustainable livelihood. He advised on the need for open discourse that ensures inclusivity and in the language of choice of participants.

To set the tone for the consultation, Mr. Peter Nangolo, the Director of Land Reform from the Ministry of Land Reform presented a concept paper. The concept paper gave the background leading to the consultation. He gave a brief overview of the progress made since 1991, the challenges faced and the interventions introduced to address the challenges. The paper highlighted some emerging issues like ancestral rights, bankability of communal land rights and urban land reform. The administrative structure for the second national land conference was also introduced in addition to the objectives of the SNLC and expected outcomes of the consultations.

The consultation started with soliciting key issues from the participants and subsequent discussion of identified issues. The discussions concluded with complementing each issue with its resolution. The Otjozondupa region discussed only two of the 24 resolutions reached at the 1991 conference and came up with their own resolutions. They thereafter reaffirmed the other twenty two resolutions taken during the 2017 regional consultations. At the 2017 regional consultations, the 1991 resolutions were grouped in their discussions. As a result, resolutions on three of the 1991 resolutions, NGOs and Cooperatives, Assistance to commercial farmers and Foreign-owned farmland were omitted.

Thereafter two of the 2017 resolutions were revisited with a view to reviewing it for reaffirmation or revision. Some of the key issues raised included redefinition of injustice to align with those who lost land, enactment of Ancestral Rights Act, convening of a National Land Conference every five years and reservation of acquired farms for restitution purposes. Other issues include, regional committees to be given power to resettle people, retention of the stock control barriers until conditions for removal are put in place.

There are seventy one resolutions adopted covering urban land reform and the twenty- four high level issues raised at the 1991 conference. The Otjozondjupa region believe that resolving the issue of ancestral rights by means of restitution is central to redressing colonial injustice and installing equity in the national resettlement programme.

The wide spread view that WSWB approach has failed and should be replaced with expropriation is not supported by available data. The available data shows that at least in the last three years, the MLR has more land offered across all agro-ecological zones than the Government could buy, thereby, leading to significant number of farms being waived. In the last five years, a total of seven hundred fifty nine farms were offered to government, but only one hundred and one, representing 13%, was bought by government. The offered farms included two hundred and five farms spread across Erongo, Kunene, Otjozondjupa, Khomas and Omaheke.

10. LIST OF ACRONYMS

AALS:	Affirmative Action Loan Scheme
DCA:	Development of Communal Area
LRAC:	Land Reform Advisory Commission
MET:	Ministry of Environment and Tourism
MLR:	Ministry of Land Reform
NRP:	National Resettlement Programme
SNLC:	Second National Land Conference
SWAPO:	South West Africa People's Organisation
VCF:	Veterinary Cordon Fence
WSWB:	Willing Seller – Willing Buyer

11. ANNEXURES

- 11.1 Technical Report: Consultative Conference 12 -13 July 2017, Otjiwarongo, Otjozondjupa Regional Council

- 11.2 Concept Paper: Second National Land Conference July 2018
- 11.3 Attendance Register
- 11.4 Speech by Hon. Otto Ipinge, the Governor of Otjiwarongo region
- 11.5 Speech by His Worship, Bennes Haimbodi, the Mayor of Otjiwarongo
- 11.6 Submission by Otjozodjupa Conservancies
- 11.7 Submission by Ovaherero Traditional Authority
- 11.8 Submission by U. Behnke
- 11.9 Submission by Previously Disadvantaged Namibian Commercial Farmers
- 11.10 Submission by Selma Nuuyoma and Thusnelde Nghtjinazo
- 11.11 Submission by Daure Daman Traditional Authority
- 11.12 Submission by Wilhem Hoabeb
- 11.13 Submission by Namibia National Liberation Veterans Association
- 11.14 Submission by Chief Seblon Tjiuoro
- 11.15 Submission by Hai//omsan Royal Traditional Authority
- 11.16 Submission by Headman Derk Gubeb
- 11.17 Information farms offered, bought or waived by government - MAANS DREYER
– AQUA REAL ESTATES**