



Republic of Namibia



Zambezi Regional Council



REGIONAL
CONSULTATIONS
IN PREPARATION
FOR THE SECOND
NATIONAL LAND
CONFERENCE,
26 - 27 July 2018

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Executive Summary

The second Workshop in preparation for the Second Land Conference scheduled for October 2018 took place on the 26-27th July 2018 in Katima Mulilo, Zambezi Region. The workshop was attended by more than 250 representatives of different stakeholders such as the Regional Council,

Traditional Authorities, Line Ministries, Farmers Unions, Conservancies, community members and other stakeholders. Central Government was represented by delegated members of the High Level Committee, Inter-Ministerial Committee and the Preparatory Committee for the Second Land Conference.

The workshop was informed that during the 2017 Regional Consultations, emphasis was more on reviewing the 24 resolutions of the 1991 Land Conference. The Governor encouraged regional stakeholders to identify key land issues affecting land administration in the region for the workshop to focus more on such issues and come up with regional positions for presentation at the Second National Land Conference. The Governor also said some sections of the Namibian society felt there were left out in the first consultations, hence the second round of consultations for inclusivity.

The Second National Land Conference shall be held in Windhoek over a period of five (5) days from 1 to 5 October 2018. The Conference will be attended by selected representatives from all 14 regions of the country. In addition, there will be invited guests representing regional and international organizations.

The workshop was further informed that three (3) Preparatory Committees are spearheading the preparations of the Second National Land Conference, namely: High Level Committee, Inter-Ministerial Committee and the Ministerial Preparatory Committee.

The expected outcome of the Second National Land Conference for 2018 is to seek clarifications and adopt desirable positions on the identified emerging issues. The overall expected outcome is to contribute towards an effective and efficient land reform programme in the country. This will in turn contribute to social and economic advancement in Namibia through land reform programmes and projects.

A presentation on the report from the Zambezi Regional Consultative Workshop of July 2017 was made to outline the purpose of the Consultative workshop which were:

- a) Sensitizing and preparing the Namibian people for the 2nd National Land Conference that was earmarked for September 2017 but postponed to October 2018.
- b) Engaging all stakeholders at the grassroots level on the agenda of the 2nd National Land Conference.
- c) Accord the regions an opportunity to engage its people further to contribute their inputs into the various land related matters.
- d) Creating 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.

Participants were divided into four (4) groups to identify and discuss regional land related key issues. More than 60 issues were identified but harmonized and arranged into six (6) categories and 33 key issues, as follows:

- 1) **Private Commercial Land Issues:** Land Purchase for resettlement purposes, Affirmative Action Loan Scheme and Ancestral land claims and restitution.
- 2) **Resettlement Commercial Land Issues:** Resettlement Criteria, Dual Grazing, Eviction of farm workers and Pre and post resettlement support.
- 3) **Communal Land Issues:** Land allocation and registration, Ancestral land claims, Inheritance of land rights, Bankability of communal land, Veterinary cordon fence, Valuation of communal land, Traditional Authorities areas of jurisdictions, Powers and relationships between Key Stakeholders, Sell of communal land, Fencing of communal land, Land disputes and the Development of communal land.
- 4) **Urban Land Issues:** Land allocation and administration, Servicing of land, Expansion of town lands and Roles and Powers of Key Stakeholders.
- 5) **Parks, Conservancies and Community Forests Issues:** Residential and projects land in Game Parks, Farming in Conservancies, Wildlife corridors in Conservancies, Human wildlife conflicts, Land use overlaps and Harvesting of natural resources.
- 6) **Policies and other Issues:** Land Bill, Integrated Land Use Plans, Implementation of Land Conferences Resolutions and Regional Boundaries.

The workshop made recommendations on each of the 33 key issues as reflected in Chapter 6 and 7 below.

In his closing remarks, the Governor of Zambezi Region extended his appreciation to all the participants for their inputs, maturity and dedication showed during the workshop. He further assured the participants that the recommendations made during the workshop will be made available to selected representatives before the Conference for further input if any. Equally, he emphasized the fact that not all recommendations may be taken up during the conference as the outcome should be a national document reflecting views from all 14 regions.



Workshop Facilitators & Report Writers:

Ms. Doufi Namalambo, Consultant

Mr. Alfred Ilukena, Consultant

Mr. Alfred Sikopo, Consultant

1) Introduction

Just like all other thirteen (13) regions in Namibia, the second Workshop in preparation for the Second Land Conference scheduled for October 2018 took place on the 26-27th July 2018 at Kamunu Village Hall, Katya Mulilo in the Zambezi region.

The Land Conference on Land Reform and the Land Question held in 1991 described the land question in Namibia as one of the most burning issues facing the country. Many years of colonialism resulted in a situation where the vast majority of the population has access to a fraction of all arable land in Namibia. This highly unequal distribution of land in turn laid the foundation for the structures of apartheid and labour exploitation, and thus urban and rural poverty. One of the principle challenges which is still facing the Government is redressing the imbalance and widening access to land.

As a result of the Land Conference on Land Reform and the Land Question of 1991, the Government of the Republic of Namibia developed a number of Policies and Legislations on Land Reform. Some of these key Policies and Legislations are as follows:

- The National Land Policy (1998)
- The National Resettlement Policy
- The Agricultural (Commercial) Land Reform Act (Act No. 6 of 1995)
- The Communal Land Reform Act (Act No. 5 of 2002)
- The Communal Land Reform Amendment Act (Act No. 13 of 2013)
- The Flexible Land Tenure Act

Despite all these Policies and Legislations being developed, the land reform sector continues to face a number of challenges such as claim of ancestral land, slow pace of land acquisition for resettlement purposes, high land prices, land disputes, illegal fencing, and many more.

In an effort to resolve the above-mentioned challenges and achieving the goal and the strategic plan as enshrined by the Harambee Prosperity Plan, the Ministry of Land Reform was tasked to hold the 2nd National Land Conference in order to review the progress of the implementation of 24 Resolutions of the 1991 National Land Conference in Namibia. In 2017, all fourteen regions were consulted over the themes, topics and items set out in the national land Conference.

This report highlights the deliberations and the main recommendations of the Zambezi Regional Consultation which was held from 19-20 July 2018 in Katima Mulilo. Key issues and recommendations of a similar workshop held in July 2017 forms part of the report. This Regional Report will therefore serve as resource materials and guide for the regional representatives who will attend the 2nd National Land Conference in October 2018.

Representatives to Zambezi Regional Workshop were drawn from various Institutions, NGOs Ministries and Faith based organization as follows: Traditional Authorities, Regional Council, Churches, Local Authorities, Farmers' Organizations, and Line – Ministries, Tertiary Institutions, NGOs, Communal Conservancies, Community leaders, Women Organizations, Youth Organizations, Political Parties, Business people and Civil Society Organizations. More than 250 people attended the Workshop.

2) Welcoming / Opening Remarks and Purpose of Workshop

The Chairperson of the Regional Council was tasked to do the welcoming remarks. He thanked the Ministry of Land Reform for according him the opportunity to welcome everyone to the Regional Consultative workshop on

land matters, in preparation of the forthcoming 2nd National Land Conference to be held in Windhoek the first week of October 2018.

In his opening remarks, he stressed the fact that the land question is one of the burning issues Namibia is faced with since independence. He stated that at independence, the new Government of Namibia inherited a divided and unfair land distribution pattern coming from many centuries of colonization and foreign occupation. Land was unfairly distributed along racial lines hence the purpose of this regional consultative workshop is to identify and focus more on land issues affecting land administration in the Zambezi Region and Namibia at large and come up with a regional positions for presentation at the Second National Land Conference. Last year's Regional Consultative Workshop put more emphasis on reviewing the 24 resolutions of the 1991 Land Conference and this should not be the case this time around, he said. He reminded participants that the "Land Question" is a Question that needs solutions not Questions on top of Big Question hence, the focus should be on finding solutions to the Land Question in Namibia.

He further stated that the second reason for the consultations was to accommodate some members of the Namibian Society who felt left out during the first consultations so as to accord them the opportunity to fully participate in the discussions and propose ways to advance the land reform program in Namibia.

The Regional Governor, Hon Lawrence Sampofu officially opened the workshop which he saw as an occasion for the region to engage all stakeholders in the building up to the activities that will culminate into the hosting of the 2nd National Land Conference in October, this year.

The Governor said he was pleased to have the opportunity to address such an esteemed audience that includes the diverse representation of our Namibian population and all those who were free to join the gathering. He commended the efforts by the Office of the Right Honorable Prime Minister in collaboration with the Ministry of Land Reform as well as the Zambezi Regional Council for convening consultations aimed at discussing the land issues in preparation for the Second National Land Conference scheduled to take place in October this year.

The land question is a political, social and economic issue. It is about addressing dispossession, equity and promoting productive and sustainable livelihoods through implementation of programmes targeted at poverty eradication. Therefore, after 27 years of implementing the 24 Consensus Resolutions on Land that were reached during the 1991 National Conference on Land Reform and the Land Question, the Ministry, as articulated and directed in the Harambee Prosperity Plan, 2016/17- 2019/20 and as directed by His Excellency President Dr. Hage Geingob during the State of Nation

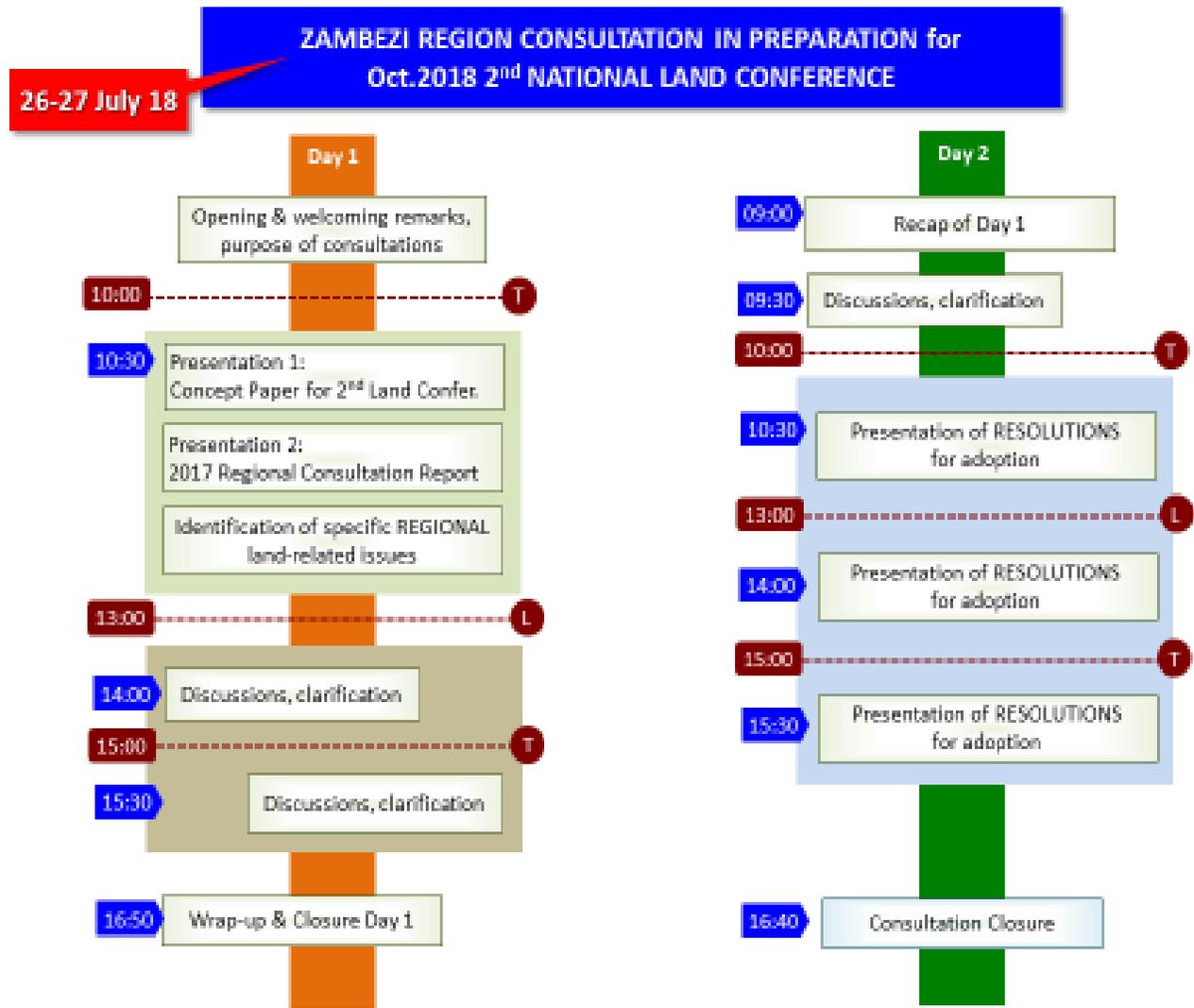
address, found it important to once again re-group, consult and accord the Namibian Nation the platform to contribute on the direction that the current Land Reform process should take. This call was made to all Stakeholders to review the progress made, challenges encountered and propose ways to expedite the Land Reform programme informed by contemporary issues.

All the inputs from the 14 Regional consultations will be compiled into a Final document that will guide the Heads of various Delegations to articulate the views of the people and communities at the grass root level during the 2nd National Land Conference.

The Ministry of Land Reform in collaboration with the Office of the Right Honorable Prime Minister as well as all the 14 Regions will ensure wide participation and open discussions on land issues in order to achieve consensus on the successful implementation of the land reform programme in Namibia.

Lastly, the Governor urged the Nation to be open and listen to each other and most importantly come out of these discussions with concrete resolutions that will inform our current land reform.

The Facilitator, Ms. Doufi Namalambo explained the Workshop Programme by using the graph below:



3) Concept Paper for the Second National Land Conference

The Ministry of Land Reform’s representative at the workshop, presented the Concept Paper for the Second National Land Conference to the audience.

The presentation revealed that the concept paper aims to set a tone for all the aspirations towards the convening of the Second National Land Conference in October 2018. It serves as a guiding tool and outlines the objectives of the Second National Land Conference, the approach, modalities and the expected outcomes.

The Second National Land Conference aims to create a platform where Namibians are accorded an opportunity to deliberate on the current land

reform programme and other emerging land related issues. It is therefore, the aim of the people and the Government of Namibia that the Second National Land Conference, guided by the country's Constitution and experience, would adopt policies, programmes and measures that could accelerate land reform programme in a democratic and sustainable manner for the benefit of all Namibians.

The 2nd National Land Conference specific objectives are as follows:

- a) To review progress on the implementation of the resolutions of the 1991 Land Conference
- b) To identify challenges and propose strategies to address these challenges,
- c) To share with the conference participants, the implementation of 86 resolutions assigned to the SCCLRM
- d) Identify and deliberate upon new emerging land related matters.
- e) Discuss and address the structures of land ownership in the country
- f) Deliberate and propose best options to address the number of land issues.

Some of the land issues identified to be deliberated upon at the National Land Conference are the following:

- a) Ancestral land claims and restitution
- b) Willing seller willing buyer principle for agricultural land acquisition
- c) National Resettlement Programme and Criteria
- d) Expropriation of agricultural land with fair compensation
- e) Urban land reform programme
- f) The removal of the veterinary cordon fence (Red Line)
- g) Land valuation and pricing
- h) Pre and post resettlement support to resettled farmers
- i) Affirmative Action Schemes and Resettlement Programme
- j) Accessibility to land by women and the youth
- k) Bankability of communal land
- l) Other land issues

The Second National Land Conference shall be held in Windhoek over a period of five (5) days from 1 to 5 October 2018. The Conference will be attended by selected representatives from all 14 regions of the country. In addition, there

will be invited guests representing regional and international organizations. The Conference will be guided by the agenda programme and facilitated by qualified and competent Namibian nationals with requisite knowledge on administration and management of Namibia's land reform and other land related matters. The identification of participants to the Conference will be facilitated by the Ministry of Land Reform in consultation with the relevant committees and the Office of the Prime Minister. It is envisaged there will be a strong representation of relevant stakeholders at the conference to ensure inclusivity of all sectors of the Namibian population.

Three (3) preparatory committees are spearheading the preparations of the Second National Land Conference, namely:

High Level Committee: The High Level Committee (HLC) is the clearing house for activities for the preparations of the Second National Land Conference. The Committee consist of Government Ministers, Heads of Institutions and organizations relevant to the preparations of the Conference. Other members include key stakeholders and experts. The committee is chaired by the Prime Minister, deputized by the Deputy Prime Minister and the Minister of Land Reform. The creation of the HLC was aimed at building the confidence of the general public on the process leading to the holding of the Conference.

Inter-Ministerial Committee: The Inter- Ministerial (IMC) is the Technical Committee that play an advisory role in the preparations of the Conference. The Committee consists of Permanent Secretaries of Government Offices/Ministries and Agencies relevant to land matters. This Committee is chaired by the Secretary to Cabinet who reports to the High Level Committee

Ministerial Preparatory Committee: The Ministerial Preparatory Committee (MPC) comprises Ministry of Land Reform Heads of Departments and Directorates. The Committee is chaired by the Permanent Secretary of Ministry of Land Reform. It is responsible for the drafting of relevant documents as well as compilation and production of conference materials. The committee is further responsible for the facilitation of conference logistics. It comprise of sub-committees tasked with financial matters, transport and accommodation, documentation and communication as well as security and protocol.

The expected outcome of the Second National Land Conference for 2018 is to seek clarifications and adopt desirable positions on the identified emerging issues. The overall expected outcome is to contribute towards an effective and efficient land reform programme in the country. This will in turn contribute to social and economic advancement in Namibia through land reform programmes and projects.

4) Regional Workshop of July 2017: Issues and Key Resolutions

The Deputy Director for Planning at Zambezi Regional Council, presented the report from the Zambezi Regional Consultative Workshop of July 2017. The purpose of the Consultative workshop was outlined as follows:

- e) Sensitizing and preparing the Namibian people for the 2nd National Land Conference earmarked that was earmarked for September 2017 but postponed to October 2018.
- f) Engaging all stakeholders at the grassroots level on the agenda of the 2nd National Land Conference.
- g) Accord the regions an opportunity to engage its people further to contribute their inputs into the various land related matters.
- h) Creating 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 workshop of July 2017 made a number of recommendations and regional positions on different issues as follows:

- a) **Injustice:** The unjust system of land acquisition in the past was unlawful and should be reversed. Since the concept of willing buyer willing seller has not worked, the best way to acquire land is through expropriation. Further proposals were made to conduct studies in other countries to find alternatives to the willing buyer willing seller concept. It was further suggested that a distinction should not be made between the terms “communal land” and “commercial land”, but that only the term “land” should be used. The 1991 resolution which states that something practical should be done to rectify the injustice concerning the acquisition of land was upheld. The region further submitted that the concept of willing buyer willing seller has not worked and therefore the land should be acquired through expropriation. Secondly, case studies should be conducted in other countries to find alternatives to the willing buyer willing seller concept.
- b) **Ancestral land:** It was observed that while full restitution may not be possible, the land conference should consider partial restitution. Ancestral land should not be nationalised, but rather should be dealt with on a case-by-case or region-by-region basis due its complexity. When allocating land, preference should be given to those who were removed from their ancestral land. The power to allocate land should rest with the traditional leaders (chiefs), hence the state should apply for land from them. Those who were removed from Salambala Conservancy and Bukalo Village Council without compensation and are now denied the right to return to their ancestral land raised their concerns. They were subsequently advised by the Regional Governor to follow the right appeal procedures. It was recommended that resolution of the ancestral land issue should be exhaustively discussed at the land conference. Due to the complexity of this issue, the region

submitted that full restitution is not possible, therefore the land conference should consider partial restitution and apportionment.

- c) **Foreign-owned farmland:** The leasehold period for foreign-owned farmland should be reduced to 20 years with an extension of 10 years. The leasehold period should apply to both those leasing land from the state and from private individuals. However, others were of the view that limiting the leasehold to 20 years might disadvantage investors that have projects lasting longer than 20 years in terms of a return on their investment. It was therefore proposed that each case should be treated based on its own merits. Foreigners who own farmland in Namibia should be listed (known) as well as the number of farms they own. It was agreed, in line with the 1991 land conference resolution, that foreigners should not be allowed to own farmland but should be given the right to use and develop it on a leasehold basis. The region further submitted that the period of the leasehold should be revised or be scaled down.
- d) **Underutilised land:** The virgin land or underutilised land east of Grootfontein (on the way to Botswana) should be provided with water so that it can be put to good use. The 1991 land conference resolution that states that abandoned and commercial land that is underutilised should be identified and brought into productive use was upheld.
- e) **Absentee landlords:** The region took note of the regulations gazetted in 2016 and the fact that the government is being challenged by farmers. It was subsequently proposed that government should examine why it is being challenged when expropriating the land owned by absentee landlords and close the loopholes; in addition, the government should expedite the amendment of the current legislation and its implementation. Farms owned by foreign absentee landlords should be expropriated while Namibian absentee landlords should be assisted with either finance and/or training. The 1991 land conference resolution which says that abandoned and underutilised commercial land should be identified and brought into productive use was upheld. The region further recommended that the expropriation criteria should be reviewed and loopholes should be closed.
- f) **Farm sizes and numbers:** Farmland in Namibia should be listed (known) as well as the numbers of farms owners. It was agreed, in line with the 1991 land conference resolution, that very large farms and ownership of several farms by one owner should not be permitted and that such land should be expropriated. The region further recommended that the expropriation criteria should be reviewed and loopholes should be closed.
- g) **Land tax:** Land tax is one of the best ways of collecting revenue for the

government and impelling some farmers with multiple ownership of farms to sell them. The gaps/loopholes leading to objections to the implementation of land tax should be closed so that the government cannot be challenged. The 1991 land conference resolution, which states that there should be land tax on commercial farmland, stands. Nevertheless, the gaps/loopholes should be closed so that the government cannot be challenged.

- h) **Technical Committee on commercial farmland:** The price of land in Namibia is exorbitant; as a result the government is unable to acquire many farms. The technical committee should therefore put a ceiling on land prices. It was agreed, in line with the 1991 land conference resolution, that the regions should further recommend that the technical committee on commercial farmland should apply its mind to the price of land in the country.
- i) **Land tenure:** It is only those who are better-off and who can provide collateral that are benefiting from financial institutions. In addition, financial institutions are unwilling to finance projects or programmes outside the urban areas or commercial farms. There is a need to learn from case studies in West and East Africa in terms of the land tenure system. The government should also enact a law that would cater for poor people (equity). The 1991 land conference resolution that states that a technical committee should be established to evaluate the legal options concerning possible forms of land tenure consistent with the Constitution is upheld. It is further recommended that the government should learn about the land tenure system in West Africa, as well as other countries with similar issues, and emulate where possible.
- j) **Farm workers:** Farm workers should return to their respective ancestral lands after retirement. The existing loopholes that lead to farm workers being forced out of commercial farm by farm owners should be identified and closed. There is also a need to come up with a legal instrument that would protect farm workers after retirement. It was agreed, in line with the 1991 land conference resolution, that farm workers should be afforded rights and protection under a labour code. Legislation providing for a charter of rights for farm workers should be enacted; the charter should include provision for maximum working hours, sick leave, annual leave, schooling for children, medical care for workers and their families, adequate housing on the farm, pensions, the right to reside on the farm after retirement and grazing rights for farm workers' livestock. The region further recommended that that farm workers should be given preferential treatment on resettlement farms. There is also a need to come up with a legal instrument that would protect farm workers after retirement.
- k) **Assistance to commercial farmers:** Assistance for emerging farmers

or beginner farmers should be explicitly stated. It was agreed, in line with the 1991 land conference resolution, that established commercial farmers should only receive financial assistance from the government in exceptional circumstances, which include natural disasters such as drought. The government should also consider providing assistance to commercial farmers for programmes of affirmative action, such as improving the conditions of farm workers. The region further recommends that the assistance provided to emerging/beginner farmers should be explicitly stated.

- l) **Future role of communal areas:** The shortcoming in the Communal Land Reform Act (CLRA) that leads to some Traditional Communities resisting its implementation should be identified and the loopholes should be closed. Public education on awareness of the CLRA Act, its provisions and implications should be strengthened. The 1991 land conference resolution, which states that communal areas should for the present be retained, developed and expanded, was endorsed. The region further recommended that the loopholes in the CLRA should be closed and public awareness of the CLRA should be enhanced.
- m) **Access to communal land:** Public education in regard to the CLRA should be speeded up. It was agreed, in line with the 1991 land conference resolution, that all Namibian citizens have the right to live wherever they choose within the national territory. In seeking access to communal land, applicants should take account of the rights and customs of the local community living there. Priority should be given to the landless and those without adequate land for subsistence. The region further recommends that public education in regard to the CLRA should be enhanced.
- n) **Disadvantaged communities:** The resolution which states that the San and the disabled should receive special protection of their land rights was agreed to.
- o) **Game consevation and farmers's rights:** The offset/compensation/payment to the victims of human-wildlife conflict should be increased. The majority of households derive their livelihood from crop and livestock production rather than from tourism. There is thus a need to study the number of conservations that are suitable for the region. The land use plan/zoning should be revisited and implemented. All animals that destroy livestock and farm crops should be put on the list for compensation. The evidence (pictures) that is required to qualify for compensation from human-wildlife conflict should be relooked at. To facilitate the administration of compensation it was recommended that the Game Trust Fund should resort under Conservancies and not with the Ministry of environment and Tourism. It was agreed, in line with the resolution, that farmers in communal

areas should be allowed to give their crops and livestock effective protection from wild animals. The region recommended that in instances where there are losses, the compensation/offset should be increased commensurate with the value of losses. The land use plan should be revisited.

- p) **Payment for land:** Proposals were made that rental fees for business purposes should be paid to communities/conservancies and traditional authorities to alleviate poverty and assist with the development of traditional authorities respectively. It was opined that not all areas are under conservancies and therefore those who reside in areas outside conservancies will not benefit if such payment were made to conservancies. With regard to traditional authorities, the counter argument was that it would encourage Conservancies to sell their land. The 1991 resolution that all payment for land (business purposes) should be made to the GRN rather than Traditional Leaders was upheld.
- q) **Rights of women:** The term “women” is too general and should read “Namibian women”. The 1991 land conference resolution that women should have the right to own land and to inherit land was upheld with emphasis on the definition of Namibia women.
- r) **Land allocation and administration:** The legislative houses should fast track the enactment of the land bill into a law. And the officials of the Ministry of Land reform and community members should be capacitated with regard to the provision and implications of the land bill. The 1991 resolution, which states that the role of Traditional Leaders in allocating communal land be recognised but properly defined under law, was upheld. The introduction of land boards was agreed upon. The region further submits that the enactment of the land bill should be fast tracked while public education for community members be stepped up and officials of the Ministry should be capacitated.
- s) **Stock control barrier:** Removing the stock control fence now would make it difficult to control foot and mouth disease, which would ultimately affect the market for livestock in the country as a whole. Foot and mouth disease in the region is caused by conservancies. To contain the disease, it was suggested that the region should be zoned by keeping wild animals far away from people, crop fields and livestock. Therefore the implementation of the regional land use plan should be fast tracked. The 1991 resolution, which states that the stock control fence – the so-called ‘Red Line’ – be removed as soon as possible, must take into consideration the overall national impact in order to preserve Namibia’s access to cattle export markets. During this period, the government should set up quarantine camps to allow farmers in the

northern communal areas to market their livestock south of the fence. The efforts being made by government to remove the stock control fence was noted; however, it will be a long time before the stock control fence can be removed. The region further submits that to contain the outbreak of foot and mouth disease, the region should be zoned, the implementation of the land use plan be expedited and a round table discussion should be held.

- t) **Illegal fencing:** Proper procedures should be followed before fencing land. The 1991 land conference resolution, which states that Illegal fencing of land must be stopped and all illegal fences must be removed, was upheld.
- u) **Dual grazing rights:** Monitor and enforce the relinquishing of grazing rights by commercial farmers from communal areas. The resolution that commercial farmers should not be allowed to have access to communal grazing land still stands. The region further submits that the relinquishing of grazing rights by commercial farmers from communal areas should be monitored and strictly enforced.
- v) **Transfer of large communal farmers to commercial land:** While there is assistance for large communal farmers to move to commercial areas, the workshop recognised that there is a shortage of land under the National Resettlement Programme. Therefore it was recommended that the government should assist larger communal farmers in communal areas. The resolution that large communal farmers should be encouraged to move to commercial areas is upheld; however, given the shortage of land under the National Resettlement Programme, it was further recommended that assistance should be provided to larger communal farmers in communal areas.
- w) **Access of small farmers to commercial land:** While there is assistance for small farmers in the communal areas to obtain access to land in the present commercial zone, the worksho recognised that there is a shortage of land and that it will take time to address this. It was recommended that the government should assist small farmers in communal areas. The region agreed with the resolution that small farmers in the communal areas should be assisted to obtain access to land in the present commercial zone. Small farmers moving into commercial land should be given training, technical advice and assistance to buy and improve their livestock. However, given the shortage of land under the National Resettlement Programme it was further recommended that assistance should be provided to small farmers in communal areas. In addition, the Ministry of Land Reform should strengthen public education.
- x) **NGOs and Cooperatives:** Most of the NGOs and cooperatives in

agricultural development have been liquidated; thus, given their importance, it was recommended that NGOs and cooperatives in agricultural development should be re-started. The region noted that other regions are benefiting from donors fund – these funds should be shared equally among regions. The resolution that the work of NGOs and cooperatives in agricultural development should be recognised, encouraged and promoted and that the government should assist all NGOs and cooperatives which are active in the field of rural development still stands. The region further recommends that, given the importance of NGOs and cooperatives and the challenges they have experienced in terms of financial constraints, the funding for cooperatives should be increased.

5) Identification of Regional Land Related Key Issues

Workshop participants were divided into four (4) groups to identify and discuss regional land related key issues. More than 60 issues were identified but harmonized and arranged into six (6) categories and 33 key issues, i.e. Private Commercial Land Issues, Resettlement Commercial Land Issues, Communal Land Issues, Urban Land Issues, Parks, Conservancies and Community Forests Issues and Policies and other Issues. The table below reflects all the key issues identified:

Classifications	Land Issues Identified
Private Commercial Land Issues	<ol style="list-style-type: none"> 1) Land Purchase for resettlement purposes 2) Affirmative action Loan Scheme 3) Ancestral land claims and restitution
Resettlement Commercial Land Issues	<ol style="list-style-type: none"> 4) Resettlement Criteria 5) Dual Grazing 6) Eviction of farm workers 7) Pre and post resettlement support
Communal Land Issues	<ol style="list-style-type: none"> 8) Land allocation and registration 9) Ancestral land claims 10) Inheritance of land rights 11) Bankability of communal land 12) Veterinary cordon fence 13) Valuation of communal land

	<ul style="list-style-type: none"> 14) Traditional Authorities areas of jurisdictions 15) Powers and relationships between Key Stakeholders 16) Sell of communal land 17) Fencing of communal land 18) Land disputes 19) Development of communal land
Urban Land Issues	<ul style="list-style-type: none"> 20) Land allocation and administration 21) Servicing of land 22) Expansion of town lands 23) Roles and Powers of Key Stakeholders
Parks, Conservancies and Community Forests Issues	<ul style="list-style-type: none"> 24) Residential and projects land in Game Parks 25) Farming in Conservancies 26) Wildlife corridors in Conservancies 27) Human wildlife conflicts 28) Land use overlaps 29) Harvesting of natural resources
Policies and other Issues	<ul style="list-style-type: none"> 30) Land Bill 31) Integrated Land Use Plans 32) Implementation of Land Conferences Resolutions 33) Regional boundaries
Classified in 6 classifications	Harmonized into 34 Key Issues

6) Discussions on Regional Land Related Key Issues

As discussed under Chapter 5 above, each of the four groups discussed and prioritized their identified issues and made recommendations which were further discussed and harmonized in plenary. Section 6.1 – 6.6 below provides descriptions, challenges and proposed solutions or recommendations for each of the six (6) categories and 33 key issues:

6.1 Private Commercial Land Issues

6.1.1 Land Purchase for resettlement purposes

The workshop regarded the purchase of commercial farms, as provided for in the Agricultural (Commercial) Land Reform Act, for resettlement purposes important for the Land Reform Programme. The challenge is that the willing seller willing buyer principle is very slow and the expropriation method, which could be fast is not being implemented.

Recommendation: Accelerate land purchase for resettlement purposes of previously disadvantaged Namibians whose ancestral land was taken from them in such areas or on particular farms purchased. It was further recommended that implementation of commercial land acquisition through expropriation without compensation be further discussed for consideration. This is because people's ancestral land was taken without purchase, thus, GRN should only compensate for the infrastructure done on the farms and not for the land. Land never bought cannot be sold.

6.1.2 Affirmative Action Loan Scheme

The Workshop noted that the Agricultural Bank of Namibia provide loans for the purchase of agricultural land in commercial areas. The Scheme is currently not providing funds to communal farmers who need funds to develop their small scale commercial farms.

Recommendation: Communal farmers who are allocated small scale commercial farms be considered for loans under the Affirmative Action Loan Scheme for the development of their farms.

6.1.3 Ancestral land claims and restitution

The workshop was of the opinion that resettlement farms being acquired by Government are on ancestral land of some people, thus, such people should be the ones to be resettled on such farms first before others are resettled there.

In his statement, the Chief of the Mafwe Traditional Authority said he observed that GRN is using the resettlement programme to promote commercial farming with people who are already well up in society. In other words, GRN is resettling people who have land where they belong. He further said, no Namibian citizen should be resettled on the Namibian soil, as everyone has a place of origin which is ancestral land, also known as customary land rights in communal areas.

The challenge is that the 1991 Land Conference could not describe ancestral land and make appropriate recommendations, thus, the law is not clear on how ancestral land, in both communal and commercial areas, should be handled.

Recommendation: Ancestral land should be defined in the context of both communal and commercial land sectors as it is important that there is a common understanding on ancestral land meaning in Namibia. The law should be amended to make provision for the protection of ancestral land in communal areas and enable the registration of all ancestral land to the rightful owners.

The workshop of 2017 recommended that ancestral land should not be nationalised, but rather should be dealt with on a case-by-case or region-by-region basis due its complexity. When allocating land, preference should be given to those who were removed from their ancestral land.

6.2 Resettlement Commercial Land Issues

6.2.1 Resettlement Criteria

The National Land Policy provides for the selection of settlers of commercial acquired resettlement farms. The Policy further provides for the general eligibility criteria for resettlement applicants. The Ministry of Land Reform developed some point scoring resettlement criteria which are being used by Regional Resettlement Committees.

The challenge identified by the workshop was the ineffectiveness of the resettlement criteria as it always results in the resettlement of people who are not in need of agricultural land.

Recommendation: The Resettlement Criteria be revised in consultation with all relevant Authorities or stakeholders. The Ministry of Land Reform is advised to resettle Namibians who are in need of land and not everyone who want to own a piece of agricultural land.

6.2.2 Eviction of farm workers

The plight of farm workers being evicted on commercial private and resettlement farms was discussed and described as a serious concern. The workshop was of the opinion that generational farm workers should not be evicted on commercial farms and should be considered for resettlement whenever a farm is acquired for resettlement.

Recommendation: The workshop of July 2017 recommendation that farm workers should be allowed to return to their respective ancestral lands after retirement is still valid. The existing loopholes that lead to farm workers being forced out of commercial farm by farm owners should be identified and closed. A provision should be made for farm workers to be given preferential treatment in terms of settlement farms. There is also a need to come up with a legal instrument that would protect farm workers after retirement. It was agreed, in

line with the 1991 land conference resolution, that farm workers should be afforded rights and protection under a labour code.

6.2.3 Dual Grazing

The National Land Policy prohibits dual grazing. The workshop described dual grazing as people who graze their livestock on resettlement farms and still keep some of their livestock in communal areas. The Policy states that persons with exclusive access to areas of grazing in commercial land will not be allowed to have access to areas of communal grazing land, except by express permission of the communities holding rights to such communal land.

The challenge is that most farmers who were resettled on resettlement farms still keep some of their livestock in communal areas. This is a problem in the sense that people are being resettled to relieve pressure in communal areas, thus, if settlers still keep their livestock in communal areas then the purpose of resettlement cannot be realized.

Recommendation: The law prohibiting dual grazing be fully implemented. All people resettled in commercial areas should not be allowed to keep livestock in communal areas.

6.2.4 Pre and post resettlement support

The workshop noted that the Ministry of Land Reform has a Programme of supporting resettled farmers financially, through the Agricultural Bank of Namibia (Agribank). This support is not introduced for small scale commercial farmers in communal areas while such farmers are in dear need of financial support.

Recommendation: Agribank's Loan Scheme for resettlement farmers be introduced in communal areas.

6.3 Communal Land Issues

6.3.1 Land allocation and registration

Communal land allocation and registration was also one of the issues extensively discussed. Some of the concerns of workshop participants were as follows:

- The referral of land allocations to the Minister due to larger sizes is not supported.
- Land allocation and registration for women and disabled people be strengthened.

Recommendation: The workshop recommended that sizes of customary land rights which Traditional Authorities may allocate be increased to 100 hectares.

6.3.2 Ancestral land claims

Ancestral land claims was one of the issues extensively discussed by the workshop participants. For Zambezi Region, ancestral land was defined as family land inherited from parents and grandparents.

The challenge is that the 1991 Land Conference could not describe ancestral land and make appropriate recommendations, thus, the law is not clear on how ancestral land, in both communal and commercial areas, should be handled.

Recommendation: Ancestral land should be defined in the context of both communal and commercial land sectors as it is important that there is a common understanding on ancestral land meaning in Namibia. The law should be amended to make provision for the protection of ancestral land in communal areas and enable the registration of all ancestral land to the rightful owners.

6.3.3 Inheritance of land rights

Inheritance of land for women and children in communal areas need to be addressed. The current provisions of inheritance in the Communal Land Reform Act is difficult to implement. A good example given was the inheritance of a piece of land to a widow and children for the deceased which are not children of the widow.

Recommendation: The provision on inheritance should also be amended to protect land rights of both women and the children, irrespective of whether the children are for the widow or not.

6.3.4 Bankability of communal land

Bankability of communal land was briefly described as lack of collateral for businesses in communal areas. Because communal land is state land and not lawfully owned by individuals, the Banks are reluctant to provide loans for businesses in communal areas due to lack of land ownership.

Recommendation: The Workshop recommended that a strategy be developed on which communal land can be used as collateral for businesses in communal areas

6.3.5 Veterinary cordon fence

Workshop participants agreed with the Concept Paper for the second Land Conference that there is an outcry from northern communal farmers that the Veterinary Cordon Fence should be gradually removed in order for farmers to market their livestock south of the fence. Currently, the Northerners communal farmers do not have access to markets south of the veterinary fence.

Recommendation: The Workshop recommended that Zambezi region be divided into zones to separate animal disease areas from non-disease areas and that the red line be removed to international borders to allow for free market within Namibia. This will enable Zambezi Region to have access to the market.

6.3.6 Valuation of communal land

Indeed valuation of communal land was just mentioned in passing to emphasize the need for communal farmers to be allowed to use land in communal areas for collateral, thus, the need to attach values to the land.

6.3.7 Traditional Authorities areas of jurisdictions

In Zambezi Region, four (4) Traditional Authorities are recognized and have been allocating land rights to their people. However, boundaries are not demarcated and mapped. This situation has always caused conflicts between Traditional Authorities as they always end up allocating land claimed by neighboring Traditional Authorities.

The workshop acknowledged that most common land disputes between Traditional Authorities are between the Masubia and the Mafwe Traditional Authorities, between the Mafwe and the Mayeyi Traditional Authorities and between the Mafwe and the Mashi Traditional Authorities.

The Chief of the Mafwe Traditional Authority called for the full implementation of the Katima declaration of 1993. This is because, according to him, other Traditional Authorities have been allocating land in areas under the jurisdiction of the Mafwe Traditional Authority.

Recommendation: Define boundaries of Traditional Authorities and develop strategies for implementation.

6.3.8 Powers and relationships between Key Stakeholders

The Workshop acknowledged that there are misunderstandings on the powers between Key Stakeholders. These are as follows:

- a) Powers of Traditional Authorities over communal land, especially on the payment of fees to Traditional Authorities
- b) Powers of Traditional Authorities in Conservancies as at times, disputes arise between the two Authorities over land administration in Conservancies.
- c) Powers and relationship between Traditional Authorities and the State over communal land administration also need to be clarified.

Recommendation: Powers and responsibilities between the State, Traditional Authorities and conservancies over communal land be clarified and clearly regulated.

6.3.9 Sell of communal land

The Workshop participants were reminded that communal land is state land and cannot be sold and registered in individuals' names. Participants felt that this provision weakens powers of Traditional Authorities on land allocation as they are not allowed to sell land.

Recommendation: Communal land be owned by Traditional Authorities who should be empowered to allocate land to their people.

6.3.10 Fencing of communal land

The Communal Land Reform Act prohibits fencing of large tracks of communal land, unless permitted by Traditional Authorities and Communal Land Boards. The only fences which may be erected without approval are for homesteads, crop fields and water points.

Recommendation: as provided for in the Communal Land Reform act, the Workshop recommended for the full implementation for the removal of illegal fences.

6.3.11 Land disputes

Workshop participants were of the opinion that procedures for disputes resolutions are not clearly spelt out in the Communal Land Reform Act. The powers, responsibilities and relationships between Traditional Authorities, Communal Land boards and Appeal Tribunals on disputes resolutions, for example, are not clear.

Recommendations: The powers, responsibilities and relationships between Traditional Authorities, Communal Land Boards and Appeal Tribunals on disputes resolutions be made clear in the Law.

6.3.12 Development of communal land

The Communal Land Reform Act makes provision for the designation of areas for agricultural purposes. Once gazetted, Communal Land Boards may allocate small scale commercial farms in such areas. The issue regarded as a challenge by the Workshop was that such land may be ancestral land of other people, thus, such people should be given priority when allocating farms in those areas.

Recommendation: Ancestral land should always be recognized when allocating land in areas designated for agricultural purposes.

6.4 Urban Land Issues

6.4.1 Land allocation and administration

Land allocation in urban areas, especially in Katima Mulilo, was described to being done unfairly and that the application process takes too long to be

completed. There is poor administration of the land which always leads to illegal occupation of land in different parts of the town. The demolition of some houses by Katima Mulilo Town Council erected unlawfully was said to be because of the poor administration of land issues in Town.

Recommendation: Regulation on land allocation and administration in Katima Mulilo should be developed in consultation with Traditional Authorities and other relevant stakeholders. All allocated land but not developed should be taken back by the Town Council for reallocation to those who are in need of the land.

6.4.2 Servicing of land

None servicing of urban land was described as one of the cause for lack of land in urban areas. There is always enough land for residential purposes in towns but since the land is unserviced it becomes useless or unallocated.

Recommendation: GRN should consider allocating sufficient funds for the servicing of urban land. There should be mandatory of funds in budgets of respective Government Authorities for the servicing of land.

6.4.3 Expansion of town lands

A concern was raised that there is not enough residential land in urban areas caused by lack of cooperation between Local Authorities and Traditional Councils with regard to the expansion of town lands.

The Chief of the Mafwe Traditional Authority also complained about the expansion of Katima Mulilo township into the communal land under the Traditional Authority without consultations and/or agreement. The Town Council even went to the extent of demolishing people's houses which, according to him, were legally allocated by the Traditional Authority. The Chief further said the boundaries of the town were moved or extended many times into communal land without any consultation. All this was described to being done due to poor administration by the Town Council.

Recommendation: Strengthen the cooperation between Town Councils and Traditional Authorities to avail enough land for the expansion of towns whenever necessary.

6.4.4 Roles and Powers of Key Stakeholders

The need was identified for the clarification of rights and powers of Local Authorities on urban land as well as the rights and powers of traditional Authorities and other stakeholders in urban land. Some examples cited were the rent control administration and rezoning of urban land for residential purposes which according to participants, they are mismanaged.

Local Authorities are also not sharing Master Plans of the expansion and development of town land with traditional Authorities and other stakeholders which may provide advice for the development of town lands.

Recommendation: Develop regulations on the roles and powers of all stakeholder in urban lands.

6.5 Parks, Conservancies and Community Forests Issues

6.5.1 Residential land and Projects in Game Parks

In Zambezi Region, National Game Parks exist and in some of them, communities have been living in those Parks. The Bwabwata National Park is one example cited where the san community have been living for centuries. Land allocation and administration in these Parks is not been done by Traditional Authorities and/or Communal Land Boards.

The challenge is that people living in these Parks do not have secure land rights and their residential areas are not registered with Communal Land Boards and Traditional Authorities.

Recommendation: Develop modalities for the allocation and registration of customary land rights in Parks.

6.5.2 Farming in Conservancies

Farming in Conservancies was also one of the issues discussed at the Workshop. There is always conflicts between Conservancies and farmers as it is not very clear on what is allowed or not allowed in Conservancies with regard to farming.

Recommendation: The law should be made clear on the administration of Conservancies with regard to farming.

6.5.3 Wildlife corridors in Conservancies

In most Conservancies, wildlife corridors exists. These are corridors where livestock always moves in from one area to the other. Even though, these areas are mapped, Traditional Authorities were said continue allocating customary land rights in such corridors which causes human wildlife conflicts.

Recommendation: Traditional Authorities be encouraged not to allocate new customary land rights and other conflicting land uses in wildlife corridors and that they should always consult Conservancies when such allocations are done. Mapping should be done (updated) to secure original wildlife corridors.

6.5.4 Human wildlife conflicts

Human wildlife conflicts was described to be on the increase, especially in areas bordering Conservancies and Game Parks. Off sets (monies paid) for

damages to crop fields, animals and humans by wildlife were said to be very low.

Recommendation: The Policy on human wildlife conflicts provision on off sets should be revised and/or increased.

6.5.5 Land use overlaps

Game Parks, Conservancies, community Forests and agricultural production were identified as the main land uses in communal areas. It was made clear that Game Parks cannot accommodate other land uses such as farming and community forests. The main purpose of Game Parks and Nature Reserves is the propagation, protection, study and preservation of the wild animal life, fisheries and wild plant life. With regard to Conservancies and Community Forests, workshop participants noted there are some overlaps in some areas which may cause land use conflicts.

The harmonization of socio-economic developmental activities to the same target groups is important because the lack of synergies has constantly caused great confusion to the extent that some communities find it hard to reach consensus on other developmental projects thus delaying the rolling out or quick delivery of government developmental programmes to the Namibian citizens.

Recommendation: Strategies be developed for the harmonization of land uses for same target groups

6.5.6 Harvesting of natural resources

In communal areas, most communities depend on the harvesting of natural resources like trees, grass, fruits, etc. However, workshop participants were concerned that the harvesting of mopane trees will cause deforestation if not controlled. Trees must always be reserved for the future generations. Large timber blocks are being chopped down by a Chinese company and shipped to China thus depriving the Namibian people and in the process creating deforestation.

Recommendations: The Ministry of Agriculture, Water and Forestry should put protection measures in place for sustainable harvesting of natural resources such as mopane trees. This may be done through community awareness campaigns.

6.6 Policies and Other Issues

6.6.1 Land Bill

The Ministry of Land Reform is currently in the process of harmonizing the Agricultural (Commercial) Land Reform Act with the Communal Land Reform Act, i.e. the Land Bill. Concerns were raised with regard to the harmonization

of communal and commercial land laws citing that the two are different and should be administered differently.

Recommendation: That the harmonization of these pieces of legislation must be accelerated to enable proper and timely implementation of the Acts.

6.6.2 Integrated Land Use Plans

Zambezi Regional Integrated Land use Plan was developed, as was done with many other regions. The workshop participants understood that Integrated Land Use Planning is a sector-overlapping and integrative decision-making process that facilitates the allocation of land to the users thus providing great sustainable benefits. Planning and management of land use requires interdisciplinary cooperation, sectoral integration, and civic engagement. Stakeholder participation promotes active involvement of government at all levels, local institutions, non-governmental organisations (NGOs) and civil society. Land Use Planning aims at sustainable development by balancing both current and future social, economic and environmental needs.

The concern of the workshop was the non-implementation of Zambezi Integrated Regional Land Use Plan.

Recommendation: Develop strategies and enforce the implementation of Zambezi Integrated Regional Land Use Plan

6.6.3 Implementation of Land Conferences Resolutions

The Ministry of Land Reform presented the 24 Conference Resolutions for the 1991 Land conference. The concern was that some of these resolutions were not implemented or partially implemented after more than 15 years after the conference was held.

Recommendation: Develop strategies and ensure the implementation of the October 2018 land Conference Resolutions.

6.6.4 Regional boundaries

The boundary between Zambezi Region and Kavango East Region was said to have been moved three times in favor of Kavango East Regions at all times. Kavango Region was too big and that's why it was divided into Kavango East and West, thus, workshop participants could not understand why the boundary between Zambezi Region and Kavango East Region have been moved eastwards into Zambezi Region which is a small region.

Recommendation: The boundary between Zambezi Region and Kavango East Region should be moved to Andara where is supposed to be. This should be done within two months of the 2018 Land Conference Resolution implementation.

7 Summary of Recommendations and/or Resolutions

- **Land Purchase for Resettlement Purposes:** Accelerate land purchase for resettlement purposes of previously disadvantaged Namibians whose ancestral land was taken from them. Land never sold cannot be bought.
- **Affirmative Action Loan Scheme:** Communal farmers be considered for loans under the Affirmative Action Loan Scheme for the development of their farms.
- **Ancestral land Claims and restitution:** Ancestral land should be defined in the context of both communal and commercial land sectors as it is important that there is a common understanding on ancestral land meaning in Namibia.
- **Resettlement Criteria:** The Resettlement Criteria be revised in consultation with all relevant Authorities or stakeholders
- **Eviction of Farm Workers:** Provision should be made for farm workers to be given preferential treatment in terms of settlement farms and that they be afforded rights and protection under the labour code.
- **Dual Grazing:** The law prohibiting dual grazing be fully implemented. All people resettled in commercial areas should not be allowed to keep livestock in communal areas.
- **Pre and Post Resettlement Support:** Agribank's Loan Scheme for resettlement farmers be introduced in communal areas.
- **Land Allocation and Registration:** Regulation on land allocation and administration in Katima Mulilo should be developed in consultation with Traditional Authorities and other relevant stakeholders.
- **Inheritance of Land Rights:** Provision on inheritance should also be amended to protect land rights of both women and the children, irrespective of whether the children are for the widow or not.
- **Bankability of Communal Land:** A strategy be developed on which communal land can be used as collateral for businesses in communal areas
- **Veterinary Cordon Fence:** Zambezi region be divided into zones to separate animal disease areas from non-disease areas and that the red line be removed to international borders to allow for free market within Namibia.
- **Powers and Relationships between Key Stakeholders:** Powers and responsibilities between the State, Traditional Authorities and

conservancies over communal land be clarified and clearly regulated.

- **Sell of Communal Land:** Communal land be owned by Traditional Authorities who should be empowered to allocate land to their people.
- **Fencing of Communal Land:** Full implementation of the removal of illegal fences in communal areas.
- **Land disputes:** The powers, responsibilities and relationships between Traditional Authorities, Communal Land Boards and Appeal Tribunals on disputes resolutions be made clear in the Law.
- **Development of Communal Land:** Ancestral land should always be recognized when allocating land in areas designated for agricultural purposes.
- **Land Allocation and Administration:** Regulation on land allocation and administration in Katima Mulilo should be developed in consultation with Traditional Authorities and other relevant stakeholders.
- **Servicing of Land:** GRN should consider allocating sufficient funds for the servicing of urban land.
- **Expansion of Town Lands:** Strengthen the cooperation between Town Councils and Traditional Authorities to avail enough land for the expansion of towns whenever necessary.
- **Roles and Powers of Key Stakeholders:** Develop regulations on the roles and powers of all stakeholder in urban lands.
- **Residential Land and Projects in Game Parks:** Develop modalities for the allocation and registration of customary land rights in Parks.
- **Farming in Conservancies:** The law should be made clear on the administration of Conservancies with regard to farming.
- **Wildlife Corridor in Conservancies:** Traditional Authorities be encouraged not to allocate new customary land rights and other conflicting land uses in wildlife corridors.
- **Human Wildlife Conflicts:** The Policy on human wildlife conflicts provision on off sets should be revised and/or increased.
- **Land Use Overlap:** Strategies be developed for the harmonization of land uses for same target groups.
- **Harvesting of Natural Resources:** The Ministry of Agriculture, Water and Forestry should put protection measures in place for sustainable

harvesting of natural resources such as mopane trees.

- **Land Bill:** Harmonization of these pieces of legislation must be accelerated to enable proper and timely implementation of the acts.
- **Integrated Land use Plans:** Develop strategies and enforce the implementation of Zambezi Integrated Regional Land Use Plan
- **Implementation of Land Conference Resolutions:** Develop strategies and ensure the implementation of the October 2018 land Conference Resolutions.
- **Regional Boundaries:** The boundary between Zambezi Region and Kavango East Region should be moved to Andara where is supposed to be.

8. Closing Remarks and Conclusion

The Governor of Zambezi Region officially closed the workshop and extended his appreciation to all the participants for their inputs, maturity and dedication showed during the workshop. He further assured the participants that the recommendations made during the workshop will be made available to selected representatives before the Conference for further input if any. Equally, he emphasized the fact that not all recommendations may be taken up during the conference as the outcome should be a national documents reflecting views from all 14 regions. He concluded by acknowledging and thanking the facilitators for guiding the discussion in a professional manner that allowed free discussion and free flow of ideas.

ANNEXURES

Annex 1: Workshop Programme

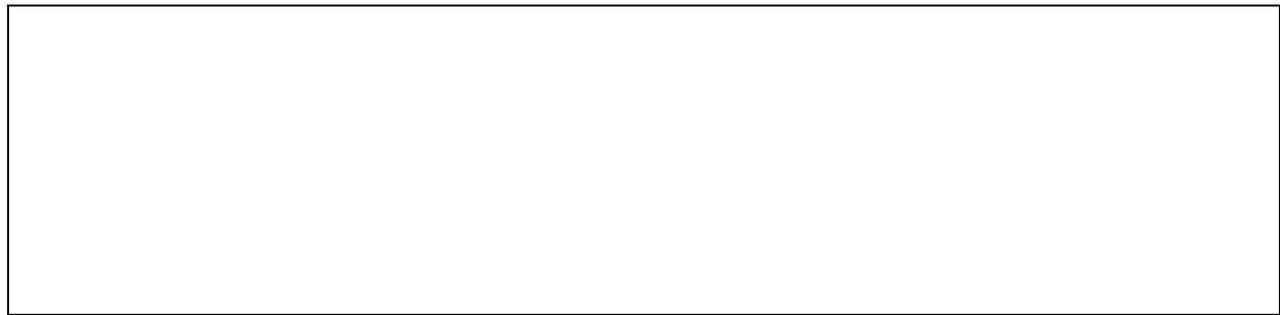


REPUBLIC OF NAMIBIA

**REGIONAL CONSULTATIONS IN THE PREPARATION FOR
THE SECOND NATIONAL LAND CONFERENCE, OCT. 2018**

Zambezi Region
Zambezi Regional Council

26 – 27 JULY 2018



Day 1: Thursday, 26 July 2018

TIME	ACTIVITY	RESPONSIBLE
08H00 – 09H00	Arrival of invited Guests and Registration	
09H00 – 09H10	National and AU Anthems	All
09H10 – 09H20	Welcoming Remarks and the purpose of the Consultations by the Director of Ceremonies	DC
09H20 – 09H40	Official Opening Remarks for Regional Consultation by the Hon. Governor Lawrence Sampofu	
10H00 – 10H30	HEALTH BREAK	
10H30 – 11H30	Presentation on the Concept Paper for the Second National Land Conference.	Ministry of Land Reform
11H30 – 112H30	Presentation of the Regional consultation Report for 2017	Regional Council
	Comments and adoption of the Report 2017	Facilitators
13H00 – 14H00	LUNCH	
14H00 – 15H00	Identification of topical regional land related issues (in 4 groups)	Facilitators:
15H00 – 15H30	Health Break	
15H30 – 17H00	Identification of topical regional land related issues (in 4 groups)	Facilitators:
17H00	End of Day One	

Day 2: Friday, 27 July 2018

TIME	ACTIVITY	REPORTER
09H00 – 10H00	Breakaway Sessions on topical regional land related issues	Facilitators:
10H00 – 10H30	TEA BREAK	
10H30 – 13H00	Group Session presentations, discussions and adoption	Facilitators:
13H00 – 14H00	LUNCH	
14H00 – 15H00	Group Session presentations, discussions and adoption	Facilitators:
15H00 -15H30	TEA BREAK	
15H30 – 16H40	Summary of Regional consultation Land Issues and resolutions	
15H40 – 16H50	Closure	
16H50 – 17H00	AU and National Anthem	
17H00	End of Regional Consultations	

Annex 2: Attendance Register

Annex 3: Speech: Welcoming Remarks

**WELCOMING REMARKS AND PURPOSE OF THE LAND CONFERENCE
REGIONAL CONSULTATIVE WORKSHOP: 26-27 JULY 2018, ZAMBEZI
REGION**

- **Director of Ceremonies**
- **Honorable Governor Alfea Sampofu**
- **Members of the High-Level Committee,**
- **Members of the Inter-Ministerial Committee,**
- **Your Worship the Mayor,**
- **Honorable Chiefs and all Traditional Authorities present,**
- **Chief Regional Officer**
- **Special Advisor to the Governor,**
- **Representatives of Political Parties,**
- **All Regional and Local Authority Councilors present,**
- **Senior Government officials,**
- **Representatives of Churches,**
- **Representative of Civil Society,**
- **Academia;**
- **Namibia Agricultural Union,**
- **Namibia National Farmers Union,**
- **Namibia Farm Workers,**
- **Conservancy Representatives**
- **NGOs**
- **Trade Unions**
- **Business Fraternity,**
- **Development Partners present,**
- **Invited Guests,**
- **Media Representatives.**

Thank you very much for have accorded me this opportunity to welcome you all to this Regional Consultative workshop on land matters in preparation of the forthcoming 2nd National Land Conference to be held in Windhoek the first week of October 2018.

The land question is one of the burning issues Namibia is faced with since independence in 1990. At independence, we inherited a divided and unfair land distribution pattern coming from many centuries of colonization and foreign occupation. Land was unfairly distributed along racial lines hence the purpose of this regional consultative workshop is to identify and focus more on land issues affecting land administration in Zambezi Region and Namibia at large and come up with regional positions for presentation at the Second National land conference. Last year's regional consultative workshop had put more emphasis on reviewing the 24 resolutions of the 1991 Land Conference and this should not be the case this time around. We should be reminded that

“Land Question” is a Question that needs solutions not Questions on top of Big Question hence our focus in this workshop should be on finding solutions to the Land Question in Namibia.

Another reason why we are gathered here today is to accommodate some Namibian Society who felt there were left out in the first consultations. As we all know that land is a very sensitive and painful issue, we need to fully participate in the discussions and propose ways to advance the land reform program in Namibia.

Lastly, let me once again say loudly that you are all welcomed to this very important regional consultative workshop. Please, inject your contributions to this workshop without fear or favour.

I THANK YOU

Annex 4: Speech: Opening Remarks

OFFICIAL OPENING REMARKS OF THE LAND CONFERENCE REGIONAL CONSULTATIVE WORKSHOP: 26-27 JULY 2018, ZAMBEZI REGION

- **Director of Ceremonies**

- **Hon. Chairperson of ZRC**
- **Members of the High-Level Committee,**
- **Members of the Inter-Ministerial Committee,**
- **Your Worship the Mayor,**
- **Honorable Chiefs and all Traditional Authorities present,**
- **Chief Regional Officer**
- **Special Advisor to the Governor,**
- **Representatives of Political Parties,**
- **All Regional and Local Authority Councilors present,**
- **Senior Government officials,**
- **Representatives of Churches,**
- **Representative of Civil Society,**
- **Academia;**
- **Namibia Agricultural Union,**
- **Namibia National Farmers Union,**
- **Namibia Farm Workers,**
- **Conservancy Representatives**
- **NGOs**
- **Trade Unions**
- **Business Fraternity,**
- **Development Partners present,**
- **Invited Guests,**
- **Media Representatives.**

It is my distinct honour and privilege to address and welcome you all once again to this remarkable event, being the occasion for our region to engage all our stakeholders in the build up to the activities that will culminate to the hosting of the 2nd National Land Conference by our country in October, this year.

I am pleased to have this opportunity to address such an esteemed audience that includes the diverse representation of our Namibian population and all those who were free to join this gathering today. I would like to commend the efforts by the Office of the Right Honourable Prime Minister in collaboration with the Ministry of Land Reform as well as our Zambezi Regional Council to convene this important consultation aimed at discussing the land issues in preparation of the Second National Land Conference that is scheduled to take place in October this year. I cannot over emphasise the importance of this second round of consultations and the ones that have preceded this one in July 2017.

In the past two years, we all have witnessed regional consultations towards our envisaged Second National Land Conference, such events took place in August 2016 and July 2017 and all were geared towards sensitising, engaging and

listening to the views of the Namibian communities in all the 14 Regions in preparation for the deliberations on land issues in October, this year.

One may ask why we are still having regional consultations now if we held similar workshops last year in preparation for the Second National Land Conference. The Government decided to hold these regional consultations again due to the following two main reasons;

- a) For the 2017 regional consultations, emphasis was more on reviewing the 24 resolutions of the 1991 Land Conference. We now need regional stakeholders to identify key land issues affecting land administration in the region for these workshops to focus more on such issues and come up with regional positions for presentation at the Second National land conference.
- b) Some sections of Namibian society felt there were left out in the first consultations, hence the second round of consultations for inclusivity.

The land question is a political, social and economic issue. It is about addressing dispossession, equity and promoting productive and sustainable livelihoods through implementing programmes targeted at poverty eradication. Therefore, after **27 years of implementing the 24 Consensus Resolutions on Land that were reached during the 1991 National Conference on Land Reform and the Land Question**, the Ministry, as articulated and directed in the **Harambee Prosperity Plan, 2016/17- 2019/20** and as directed by His Excellency, the President, Dr. Hage Geingob during the State of Nation's address, found it important to once again re-group, consult and accord the Namibian Nation the platform to contribute on the direction that the current Land Reform process should take. This call is made to all Stakeholders to review the progress made, challenges encountered and propose ways to expedite the Land Reform programme informed by the contemporary issues.

As a Government, we are asking the nation to be ready to re-assess, discuss and map the way forward in terms of our mandate. This time we are also guided and make reference to our different experiences as Namibians on what has worked, what did not work, what is currently not working, what needs to be adjusted, fine-tuned or totally discarded in terms of our land policy and legal framework.

At these consultations we should ask a lot of questions and take cognisance of the way various programmes and projects have been implemented within the general framework of the mandate of the Ministry.

Today, as we start the discussions to build up to our 2nd National Land Conference that is to be held on the **1st – 5th October 2018**, let us be mindful of the responsibility to provide and maintain a platform for open discourse on land matters. These consultations are inclusive and will be conducted in the

language of choice that people understand so that no Namibian is left out of the discussion. All inputs are important, and none are too small. We want everyone to participate and contribute to the agenda that has been set for today.

As alluded to in August 2016 and July 2017, I pay particular homage to our independent Government for providing the first platform for wide participation and open discussions on land issues. Our Country at that time, still in its infancy, managed to achieve consensus on the issue of land. More than 500 participants representing all facets and the diversity of our country made their voices heard and known. Thus in conformity with our democracy and our country's traditions of consulting our people before taking major decisions that affects their livelihoods, we are today informing the Namibian Nation that the anticipated Regional Consultations begins in earnest today until the **27th of July 2018**.

As this is the year of reckoning, the Government is mindful and hugely indebted to the Namibian people for their support and patience as we strive to find the best way to deliver on our mandate in a sustainable manner. Let us be open and listen to each other and most importantly come out of these discussions with concrete recommendations. The Ministry of Land Reform will make a presentation on the Concept Paper for the Second National Land Conference followed by the presentation by the Regional Council on the Regional Report pertaining to the concluded regional consultations that were held last year, 2017 for your comments and inputs.

Director of Ceremonies, on our programme, we have a session where we shall identify and discuss specific topical regional land related issues that are pertinent to our region. Let thereafter ensure that collectively we identify, discuss and reach consensus on such issues that, as a region will have an impact on land reform programme.

All the inputs from the 14 Regional consultations will be compiled into a Final document that will guide the Heads of various Delegations to articulate the views of the people and communities at the grass root level during the 2nd National Land Conference.

The Ministry of Land Reform in collaboration with the Office of the Right Honorable Prime Minister as well as all the 14 Regions will ensure wide participation and open discussions on land issues in order to achieve consensus on the successful implementation of the land reform programme in Namibia.

Lastly, Director of Ceremonies, I urge the Nation to be open and listen to each other and most importantly come out of these discussions with concrete resolutions that will inform our current land reform. With these remarks, it is

now my singular honour to declare to the Region that the Zambezi Regional Consultations on the 2nd National Land Conference are officially opened.

I THANK YOU

Annex 5: Statement by the Mafwe Traditional Authority

Annex 6: Statement by the Mayeyi Traditional Authority