



REPUBLIC OF NAMIBIA
MINISTRY OF AGRICULTURE, WATER & LAND REFORM

Ministerial Speech, the Establishment of Communal Land in the
Khomas region

National Assembly

BY

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- **Hon. Prof Peter Katjavivi, Speaker of the National Assembly.**
- **Distinguished Hon. Members of Parliament.**

It is my honor to stand before you and deliver this statement, pertaining to the establishment of communal land in the Khomas Region. Our land reform process has as a fundamental goal the correction of past injustices inflicted by colonial regimes, that is both the German and South African. It entails amongst others the restoration of the lost dignity through the loss of land ownership and livelihoods of our people and the resultant skew economic situation in current Namibia.

Honorable Speaker

Honorable Members

I am speaking about the colonial legacy of unequal distribution of land in our country. Yes, we have now attained our political independency- However, we have a journey to walk together- the journey to correct unequal distribution of land among our people and communities. We have indeed taken a deliberative policy position to take corrective measures through our land reform programs as a country. This policy position promotes to redistribute land to the rightful owners, improve tenure security and dignity restoration. We made it a point to put to an end the disenfranchisement of communities.

As you may recall, my ministry has expanded some communal areas which were too congested, we hold the 2nd National Land Conference to reflect on our achievements while also looking into the challenges. We equally understand that such achievements did not yet eliminate the imprints of land inequality which was perpetuated by the colonizers many years ago, neither a panacea to the needs of the dispossessed communities, but our political commitment towards land is real and unapologetic. We are resolute on a numbers of issues to advance the land reform within the legal framework work, which promotes the social and political order safeguarding the interests of the previously disadvantaged communities. It is repugnant, to us as government to continue seeing communities in corridors of farms. Hence we will continue to reach out to such communities.

Honorable Speaker

Honorable Members,

We are aware that the land reform has not been implemented at the required speed to address all these complex and expensive matters, but we have indeed achieved some success. Nevertheless we have taken a conscience decision to reach out to such communities, because it only the government which has social contract with them hence to address their plight.

Honorable Speaker,

Our conscience decision is to respond to the plea of the Khomanin Traditional Community. This community is still displaced in farms situated in different directions of the Khomas region because they don't have communal land. They lived in farms as generational farm workers while those who are not employed live at the mercy of the land owners. Thus after a lengthy consultations, we arrived at this decision- the decision to establish communal land for this community.

Unlike other regions, the Khomas Region is the only region in Namibia without a communal land yet it has a substantial number of people who cannot afford to live in cities and towns. There have been discussions and calls from various stakeholders amongst others the civil societies and in particular the /Khomanin Traditional Authorities requesting my Ministry to establish communal land in Khomas Region. These calls were reverberated by one of the resolutions we took at the 2nd National Land Conference.

Honorable Speaker

Honorable Members,

Many of you participated in the said watershed conference. During that conference you may have heard calls to establish a communal land in the Khomas region, you may have seen countless peaceful demonstrations from the members of the said Traditional Authority appealing to government to look into their plight. As members of this August House, I am sure we are unified by one thing in common, the land reform agenda. It is my conviction that each time a hectare of land is acquired for redistribution to the previously disadvantaged people, the more we applaud our governance system. However, much is still to be done. When I think of my meetings with the Khomanin Traditional Authority, there is always one thing which quickly comes to my mind- the voice of their leaders' which says" please minister, help us, we have nowhere to stay"! Today, in my view, is an important day when we take a decisive step in fulfilling a long outstanding obligation towards the Khomanin people to restore at least some of of they have been robbed of.

As leaders, we promised them of our dedication to deliver service to them, we promised them to restore their dignity by returning some of the lost land. History will judge us as leaders, that today, we will decide the fate of our fellow Namibians, the Khomanin community, who have been patiently waiting from government to identify suitable land which could be allocated to them and to proudly refer to it as their communal land.

Honorable Speaker

Honorable Members

I would like to inform this August House and the nation at large that the Ministry of Agriculture, Water and Land Reform has acquired two commercial farms in the Khomas Region in order to establish a communal land for the said Traditional Authority.

The details of the acquired farms are as follows:

No:	Farm Name:	Farm No:	Farm Size (ha)	Acquired Amount (N\$)
1.	Remainder of the farm Groot Korasieplaats	440	4321.4135	22,601,313.15 (Inclusive of Transfer fees)
2.	Portion 1 of the Farm Groot Korasieplaats	440	3811.5334	11,257,785.85 (Inclusive of Transfer fees)
TOTAL			8132.9469 (ha)	N\$ 33,859,099.00

These farms are located 140 KM North East of Windhoek Town in the Khomas region on a B6 road from Windhoek and then turn in M53 road to the farm.

Honorable Speaker,

Hon. Members,

The Communal Land Reform Act, 2002 (Act No: 5 of 2002), as amended, requires that before a new communal land is established, the National Assembly must approve such a proposed establishment of a new communal land. Thereafter, a proclamation can be placed in a Government Gazette by the President.

The main purpose to establish a communal land in Khomas Region is amongst others, to ensure that the residents of the Khomas region who do not have land are provided with land/commonage for settlement and grazing purposes. Once communal land is established in the Khomas Region, I will establish the Khomas Communal Land Board in terms of Section 2 Subsection (1) and (2) of the Communal Land Reform Act, Act No 5 of 2002 to administer all land allocations and cancellation on the said communal land.

In terms of the said Act, The Khomas Communal Land Board will consist of representatives from amongst others, !Khomani Traditional Authority, Organized Farmer's Union in Khomas region, Conservancies, Ministry of Environment Forestry and Tourism, Ministry of Urban and Rural Development, Ministry of Agriculture, Water and Land Reform and the Khomas Chief Regional Officer.

Furthermore, Four (4) women will be deliberately appointed to the Khomas Communal Land Board. These will be Two (2) women who are engaged in farming operations in the board's area; and Two (2) women who have the expertise in the functions of a board.

In summary, the Khomas Communal Land Board is expected to perform the following functions:

- a) **To exercise control over the allocation and the cancellation of customary land rights by Chiefs or Traditional Authorities under this Act;**
- b) **To consider and decide on applications for a right of leasehold under this Act;**
- c) **To establish and maintain a register and a system of registration for recording the allocation, transfer and cancellation of customary land rights and rights of leasehold under this Act;**
- d) **To advise the Minister, either of its own motion or at the request of the Minister, in connection with the making of regulations or any other matter pertaining to the objectives of this Act; and**
- e) **To perform such other functions as are assigned to a board by this Act.**

In a nutshell, the forms of tenure rights that will be allocated on the communal land are **Customary Land Right, Rights of Leasehold** and **Occupational Land Right**. To ensure a coordinated land allocation, people will be required to apply for land rights, as per the provision of the Communal Land Reform Act, and thereafter, land rights certificates will be given once the due processes is completed. We are encouraging a secure tenure system, because we believe that it supports social stability and reduce insecurity and conflicts over land.

I would like to underscore here that the communal land will be administered in terms of the provisions of the Communal Land Reform Act, as amended. The Traditional Authorities will play a huge role in primary land allocation as the primary allocator, and provide consent letters to each and every allocation. Just like in other regions, the Communal Land Board will exercise control on allocations and cancellations made by Traditional Authorities.

Honorable Speaker,

Hon. Members,

All communal lands vest in the State in trust for the benefit of the traditional communities residing in those areas and for the purpose of promoting the economic and social development of the people of Namibia, in particular the landless and those with insufficient access to land. No right conferring freehold ownership will be granted to or by any person in respect of any portion of communal land. **Honorable Speaker,** we have a strong reservation of foreign nationals applying for allocation of customary land rights. Our stance is supported by one of the resolution of the 2nd National Land Conference. Any foreign national who wishes to be allocated a customary land right or a right of leasehold on the to be established communal land must be rejected, on the basis that he/she does not fit the traditional customs that are being practiced in Namibia, and that the land is already not sufficient for the growing Namibian

population. We would strongly encourage that the land be allocated to those who really need it for a livelihood.

In conclusion, we know that the hectares of land we designated to establish the communal land in the Khomas Region might sound too little. However, to us, we believe it will make a huge difference in the lives of our people and once resources become available in future, the extent of the communal land will be expanded. The establishment of communal land in Khomas region, will be added to Schedule 1 of the Communal Land Reform Act, 2002, as amended. We will continue to work around the clock to ensure that the Khomas Communal Land is expanded in the near future.

The Ministry of Agriculture, Water and Land Reform will capacitate the Khomas Communal Land Board and the /Khomani Traditional Authority by providing training, information dissemination for the successful implementation of the provisions of the Communal Land Reform Act, 2002 (Act No 5 of 2002) as amended.

Furthermore we will provide mentorship with regards to agricultural related disciplines such as modern agricultural practices, adherence to the carrying capacity to enhance land productivity.

I therefore appeal to you Hon. Members to approve the establishment of communal land in Khomas region on the above stated farms.

I thank you for your attention!