



**STATEMENT BY HIS EXCELLENCY HIFIKEPUNYE
POHAMBAMBA, FORMER PRESIDENT OF THE REPUBLIC OF
NAMIBIA ON THE OCCASION OF THE SECOND
NATIONAL LAND CONFERENCE**

1-5 OCTOBER 2018

**SAFARI HOTEL & CONFERENCE
CENTRE,
WINDHOEK**

Check Against Delivery

Director of Ceremonies;
Your Excellency, Dr. Hage G. Geingob, President of the Republic of Namibia and Madam Geingos;
Your Excellency, Nangolo Mbumba, Vice President of the Republic of Namibia and Madam Mbumba;
Right Honourable Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia;
Your Excellency, Dr. Sam Nujoma, Founding President and Father of the Namibian Nation;
Speaker of the National Assembly, Dr. Peter Katjavivi;
Chairperson of the National Council, Mrs. Magreth Mensah-Williams;
Honourable Peter Shivute, Chief Justice;
Dr. Nickey Iyambo, Former vice-President of the Republic of Namibia and Madam Iyambo;
Right Honourable Nahas Angula, Former Prime Minister
Honourable Cabinet Ministers and Deputy Ministers;
Honourable Members of Parliament;
Comrade Sophia Shaningwa, Secretary General of the SWAPO Party;
Honourable McHenry Venaani; Leader of the Official Opposition;
Your Worship Muesee Kazapua, Major of the City of Windhoek;
Honourable Governors;
Regional and Local Authority Councilors;
Distinguished Members of Traditional Authorities;

**Your Excellencies Members of the Diplomatic
Corps;
Distinguished Representatives of Civic
Organizations;
Members of the Media;
Ladies and Gentlemen;**

It is with pleasure that I am here this morning at this important gathering in the history of our country, the Second National Land Conference.

I recall that in 1991, the SWAPO Party Government convened a National Conference on Land and the Land Question to address the imbalance in land distribution and ownership.

The implementation of the recommendations adopted at that Conference culminated in the enactment of the Agricultural (Commercial) Land Reform Act, 1995 (Act No: 6 of 1995) as a key legislative instrument to expedite land reform.

It is, therefore, my hope that this Conference will give an account on the status of the implementation of the Twenty-Four (24) Consensus Resolutions adopted by the 1991 Land Conference.

The land question should not only be a critical subject to landless Namibians, but to each and every patriotic and peace loving Namibian.

As a citizen of this country, I feel obligated to give my contribution to the debate on the land question. I have made my contribution through a document which will be distributed to you. I will, however, highlight some of the issues contained in that document.

1. Importance of Land for Human existence

Land is a basic need, and it is therefore, my expectation that this Conference will find a lasting solution to the land question in our country.

2. Constitutional Provisions on Property Rights and Land Ownership

In keeping with the spirit of the policy of national reconciliation, land reform in Namibia has been and is currently anchored on the principle of “willing buyer, willing seller”. The rationale behind this approach was to ensure smooth, orderly and peaceful implementation of the land reform programme.

However, I have observed that since the adoption of the “willing buyer, willing seller” principle, previously advantaged commercial farmers have been and continue to offer land to Government at inflated prices. In most instances, the land so offered is not suitable for resettlement and land reform.

The “*willing buyer, willing seller*” principle should, therefore, be abolished to enable Government to fast-track the land reform programme.

3. Communal Land Management

The implementation of the Communal Land Reform Act, 2002 (Act 5 of 2002) is faced with many challenges which I discussed in detail in my document that will be distributed to participants of this Conference.

I, therefore, urge the participants to interrogate these challenges in order to find solutions for the implementation of the Communal Land Reform Act, 2002 (Act 5 of 2002) and related Regulations.

4. Inequality in Land Ownership

Twenty-eight years after independence, massive inequality still exists in the ownership and distribution of land. This is partly attributed to the inconsistencies and ambiguities which are in Articles 16, 100 and 131 of the Namibian Constitution.

I, therefore, propose to the Second National Land Conference that Articles 16, 100 and 131 be reviewed through the established legal channels and procedures, including the holding of a referendum that would authorize the amendment of Article 16 under Chapter 3 and Article 131 under Chapter 19 of the Constitution of the Republic of Namibia.



5. Absentee Landlords and Foreign-owned Land

Another issue of concern to me is that 250 farms, which translate into 2% of freehold agricultural (commercial) land are owned by foreigners and absentee landlords.

I propose that agricultural (commercial) farm land owned by foreigners and absentee landlords be expropriated with just compensation on developmental capital invested therein and be transferred to the State, the owner of the land.

6. Ancestral Land Issue

Some segments of our society have been calling for the restitution of ancestral land. I believe that such calls are not in the best interest of our country and could be counter-productive.

I want to caution that, given the complexities of the matter and the fluid historical and anthropological consideration, interchanging patterns of land use by different communities in our country, and overlapping jurisdictions, going down that road could have unintended negative consequences and lead to divisions, tensions and civil strife.

It is unfortunate that this topic has been included on the agenda for discussion. However, I call on the participants to approach this topic with an open mind and come up with a resolution that will be in the best interest of the country. I took note of the consensus reached at the first Land Conference in 1991 on ancestral rights. I, therefore, propose that ancestral land claims be rejected.

Finally, I propose that the entire Namibian land, water and natural resources below and above the surface of the land and in the continental shelf as well as within the territorial waters and exclusive economic zone of Namibia, be placed under the ownership of the State. Thereafter, as the owner of the land, the State shall enter into long and short term LEASE AGREEMENTS with those currently occupying land in Namibia. The STATE shall, therefore, compensate for developmental capital invested on farm-land, should the occupier decide to leave.

I wish you all fruitful deliberations in the spirit of national reconciliation, guided by the motto “One Namibia, One Nation” and mindful that thousands of our people are in dire need of land to make a dignified living. We must not let them down.

I thank you.