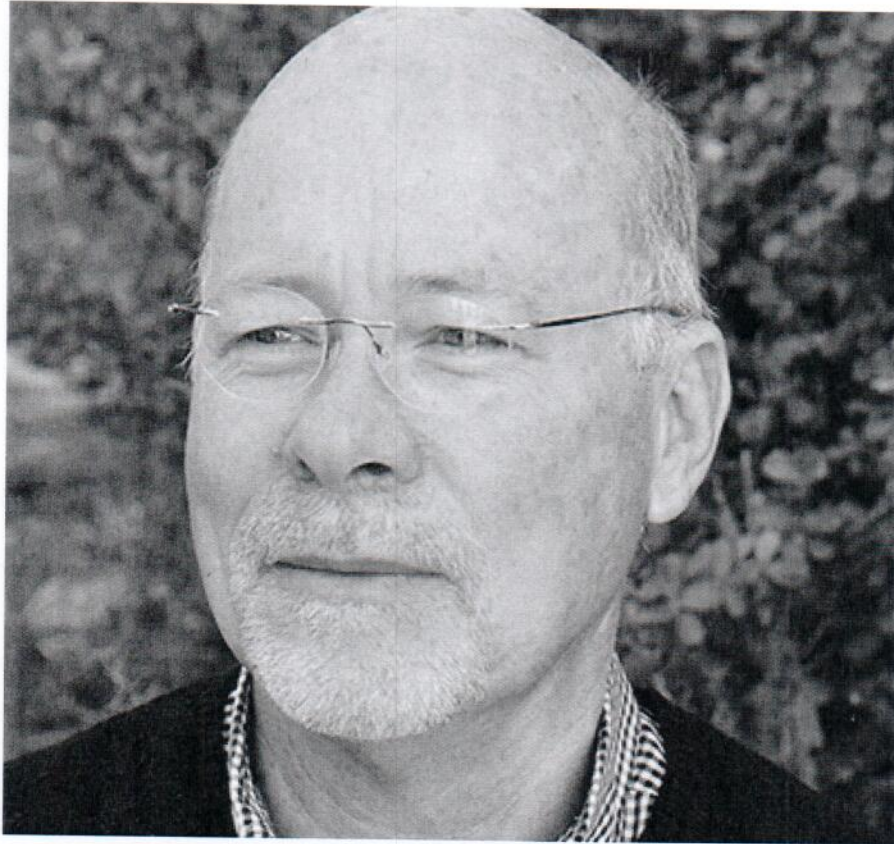


## Postpone the Second National Land Conference

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### • WOLFGANG WERNER

**THE second national land conference is set to be held from 10-22 September. Regional 'consultations' were held under the auspices of the Ministry of Land Reform (MLR) during a two-week period in July.**

If one can take this as the official beginning of preparations for the conference, it leaves very little time to do justice to the objectives of the land conference, as set out by the MLR during the regional 'consultations'.

These are to:

1. review the progress made in the implementation of the resolutions of the 1991 land conference;
2. take stock and address the encountered challenges;
3. discuss the emerging land-related issues; and
4. come up with strategic resolutions informed by the identified challenges and future aspirations of the Namibian people.

These objectives spell out what is required to bring our land policy and legislation in line with land-related issues that have developed over the past 27 years. The big question is whether the MLR allowed sufficient time to do justice to these

objectives. A number of NGOs under the umbrella of the Namibia NGOs Forum (Nangof) petitioned the Office of the President with a request to postpone the conference. Its main concern is that there was not enough time to prepare, and that there are no research documents for stakeholders to engage with prior to the conference. In support of its petition, it referred to the efforts which were invested in the first land conference in 1991.

The central aim of the 'regional consultations' was to assess the 'achievements and challenges in the implementation of the 24 resolutions taken at the first land conference in 1991. This assessment was prepared and presented by the MLR. That it amounted to little more than evaluating the performance of the MLR does not need further discussion. More pertinent is that this approach to any form of consultations restricts the discussion to the narrow parameters set out by the 24 resolutions. Important as these may be, they were discussed and agreed upon at a very specific political juncture of the Namibian nation. The presentation on its own is certainly not sufficient to ensure that stakeholders at grassroots' level were/are able to contribute to a systematic stock-taking that was anticipated.

Perhaps more important than a review of the conference resolutions would have been a review of HOW the first land conference was organised. In many ways, government's approach to the land question in 1991 amounted to best-practice.

To start with, an important aspect of the first land conference was a systematic review of land issues across the country. This took the form of a socio-economic survey, which was carried out in all regions by the Namibian Economic Policy Research Unit (Nepru). The results were analysed, summarised and presented to the national land conference. These research results formed a significant chunk (117 pages) of the 614-page conference document which was published by the Office of the Prime Minister in 1991.

In parallel with the survey, Nepru commissioned a series of briefing papers which were prepared by local and international researchers. The aim of these papers was to provide empirical information to inform debates at the land conference, and covered the following topics:

- alternative approaches to the settlement of land
- institutions of land reform
- land reform, and the position of women
- farmworkers and land reform
- subsidies, taxation and viability of the commercial sector
- economic analysis of land reform options
- government expenditure and agricultural support services.

The topics covered in these briefing papers are as relevant today as they were in 1991, and deserve to be revisited. They accounted for almost one-third of the conference.

Three position papers provided an overview of land dispossession, the legal framework and its implementation in communal areas, as well as the current land tenure system. The ministry of agriculture prepared the latter, which amounted



to a summary of detailed data on land ownership, farm sizes and minimum economic units and foreign land ownership.

Apart from these inputs by researchers and competent state institutions, the non-governmental sector responded to invitations with more than 50 submissions. These came from traditional authorities, church bodies, trade unions, organised agriculture and political parties.

A major review of land matters in Botswana in 2003 followed a similar procedure. It comprised the following steps:

1. A commission of inquiry (or an expert review); calls for a written submission; public meetings involving a wide range of stakeholders.
2. The preparation of a draft report, oral presentations and discussions at a national workshop covered by the media.
3. A draft paper, which is debated in parliament.
4. The publication of a government white paper setting out the policy change adopted, the recommendations, which have been accepted, amended and deferred (or rejected) with justification for government having done so.
5. Finally, where relevant, the drafting of laws or amending existing laws (Adams et al., 2003, p. 11).

The oft-quoted sensitivity of the land question demands that we do not allow political expediency to stand in the way of a systematic and thorough review of 26 years of land reform. A first output of such a review should be a comprehensive new land policy to inform the drafting of legislation, which addresses current land matters in an integrated manner. The country owes this to all land rights holders and claimants.

In view of this, the Ministry of Land Reform should postpone the 2nd national land conference in the interest of a robust new policy and legal framework in the land and natural resources sectors.

**\* Wolfgang Werner is an associate professor in the department of land and property sciences of the Namibia University of Science and Technology (NUST). The views expressed in this opinion piece are his own and do not reflect those of NUST. He served on the organising committee of the national conference on land reform and the land question in 1990-1991.**