

REPUBLIC OF NAMIBIA



STATEMENT BY HIS EXCELLENCY

DR. HAGE G. GEINGOB,

PRESIDENT OF THE REPUBLIC OF NAMIBIA,

AT THE CLOSING OF THE SECOND NATIONAL LAND CONFERENCE

OCTOBER 5, 2018

WINDHOEK

Check against delivery

- **Comrade Nangolo Mbumba, Vice-President of the Republic of Namibia;**
- **The Right Hon. Saara Kuugongelwa-Amadhila, Prime Minister of the Republic of Namibia and Chairperson of the Second National Land Conference;**
- **Founding Father and first President of the Republic of Namibia, Comrade Sam Shafiishuna Nujoma;**
- **Former President of the Republic of Namibia, Comrade Hifikepunye Lukas Pohamba;**
- **Hon. Prof. Peter Katjavivi, Speaker of the National Assembly;**
- **Hon. Margaret Mensah-Williams, Chairperson of the National Council;**
- **Your Lordship, Chief Justice Peter Shivute;**
- **Hon. Netumbo Nandi-Ndaitwah, Deputy Prime Minister and Minister of International Relations and Co-Operation;**
- **Former Prime Ministers and Deputy Prime Ministers;**
- **Hon. Ministers and Deputy Ministers;**
- **Hon. Members of Parliament;**
- **Comrade Sophia Shaningwa, Secretary-General of the Governing Party, SWAPO;**
- **Esteemed Traditional Leaders;**
- **Bishop Nambala**
- **Your Excellencies, Members of the Diplomatic Corps;**
- **Hon. Laura McLeod Katjirua; Governor of the Khomas Region; and other Governors present;**
- **His Worship Muesee Kazapua; Mayor of the City of Windhoek; and**
- **Honourable Regional and Local Authority Councilors;**
- **Local and international speakers and moderators;**
- **Members of the Media;**
- **Distinguished Guests;**

- **Ladies and Gentlemen,**
- **Fellow Namibians**

It is a privilege to be the President of a nation that believes in dialogue. It is a privilege to be the President of a nation whose Founding and Former Presidents spent five days sitting in a conference to listen to the voice of the people. This was like a five-day University class, as I believe that every single one of us, myself included, learnt new things from the insights shared at this Conference.

Therefore, I would like to express my sincere appreciation to all of you - participants to this Second National Land Conference. You have spent the past five days, deliberating peacefully, agreeing and disagreeing without being disagreeable in the Namibian spirit of tolerance. Furthermore, I wish to thank Namibians who followed, contributed and enriched deliberations in this Conference through radio, television, social media and other media channels. And lastly, I acknowledge the efforts of all the stakeholders, whose preparatory work helped ensure that this Conference is a resounding success.

Every human being is born with and is deserving of dignity. Human dignity is the most important human right from which all other fundamental rights are derived from. The demand for land and the demand for dignity are inextricably intertwined. The role of the state is to ensure that the right framework is in place to ensure land reform, reduction of poverty and inequality. The role of the citizen is to ensure we respect the identities of others and treat them with the dignity they deserve. The increasing demand for urban and agricultural land reform is in itself a demand for dignity. A demand to be heard, understood, recognized, given fair opportunity so that the citizens feel included.

Eradicating poverty and reducing inequality is the most crucial, and urgent, challenge of our time. The long-term solution to many of the issues raised involves growing the economy in a manner that increases jobs and reduces inequality. The free market has no morality. It celebrates growth and efficiency and does not concern itself if the rich become richer and the poor become poorer. Bureaucracy also lacks morality.

It celebrates power and authority and does not concern itself with the consequences of slow and inefficient decisions, and implementation. They are normally very effective but not efficient. As the market is sensitive and defends itself, the bureaucracy is also sensitive and resistant to change. The message from Namibians is clear. Enough is enough. We can no longer afford a market that is only efficient for the few. We can no longer afford a bureaucracy that only works for the powerful. The status quo has to change. The market is controlled by people. The bureaucracy is made up of people. You are the people. If we want to change the market to be more equitable and the bureaucracy to be effective, then WE need to change. We, the people need to become more equitable, more efficient and more respectful of the inherent dignity of others. For the status quo to change, we have to change.

Dialogue evolves from an understanding that if two or more people are unsure about a question, they can come together to search for an answer. Through a process of debate, careful dissection and analysis of ideas, finding inconsistencies but always remaining respectful and empathetic, reasonable human beings are able to attain deep insights and find solutions to the most difficult and challenging of issues.

The frank dialogue at this conference is an important step towards the change our people yearn for. Since the dawn of mankind, communication, most specifically dialogue, has been an integral component of human societies. We have fostered mutual insight and found common purpose. In the last five days, we have challenged each other's mindsets, educated one another and disagreed. Of the many things we agreed on, one thing is clear. The status quo must change.

The consequence of our Second Land Conference is that we have demonstrated to ourselves, and the international community that Namibia is a maturing democracy. We have demonstrated that when we hold hands, and pull together in the same direction, even on emotive, vexing and complex issues, we are able to use dialogue and mutual respect, as our primary instruments of conflict resolution. It is possible that the historic nature of this conference is yet to be internalized. This land conference is a seminal moment in our nation's history that all Namibians should be proud of. When we finish the short-lived celebration of the successful conclusion of this inclusive conference, we will embark on the long-term goal of restoring the dignity of all our people. But hard work lies ahead. We will encounter many challenges along the winding road of policy-formulation, legislative reform and implementation. Additionally, we must all realize that the integrity of our Namibian House rests on the foundation of peace, stability, unity and the rule of law.

However, for these foundations to remain intact, we need to ensure that we are living in a just and fair society, a society in which the mantra of "No Namibian must feel left out" permeates every facet of our coexistence. Frederick Douglass captured the grim reality of

societies in which there is an absence of justice, when he said, "Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is in an organized conspiracy to oppress, rob, and degrade them, neither persons nor property will be safe." It is with this understanding in mind that I called for this Conference, and have listened attentively, to all the view-points expressed over the past five days.

The politics of division and depravation painted by Frederick Douglass is one that should be in our past. In an independent Namibia – the Namibian House, our aim is to deliver justice, to fight poverty, to eliminate ignorance and to ensure that no race, tribe or class feels left out or denied. All those who have actively participated in discussions over the past five days have contributed to the furtherance of justice in our society, and our national development agenda. The lessons of the 2nd Land Conference serve as a cautionary tale to land owners about the importance of sharing. There is also a cautionary tale to those who seek land, not to do so at the expense of others. Another cautionary tale is the importance of competent and fair implementers of high integrity. In recognition and honour of the insightful contributions, camaraderie and unity of purpose demonstrated; I assure all delegates today, there will be a break from the past. Significant changes will take place after this Second National Land Conference. While we remain constrained by limited financial resources, there are many low-hanging fruits which can be reaped in the short term by simply challenging mindsets, streamlining processes and ensuring the necessary political will. In this regard, I implore all political parties to understand that to play politics with the land issue is to play with the lives of our people. If there was ever an issue we needed to resolve

outside of our tribal, racial and political identities, it is this issue of land.

At this juncture, I wish to comment on several issues that we have discussed over the past week:

On Ancestral Land Claims and Restitution

As I indicated in my opening statement, the demands for ancestral land claims are legitimate. Chief Goliath, in an emotional presentation, highlighted why we need to confront the generational trauma of the dispossessed. The cathartic nature of angrily offloading his burdens was evident when he took a deep breath and said, "I feel much better now." After fully exercising his freedom of speech, he has now left his burden with us, the leadership, to ensure that the divergent views on this painful issue are properly interrogated. There are indeed constitutional limitations to some of the ancestral land redress that is sought. But, as indicated in one of the presentations, we may need to apply an expansive interpretation of the Constitution and make due reference to the African Charter. There are also no constitutional limitations on freedom of speech and I encourage a robust debate where the right to freely express oneself is exercised with the duty to respect the rights of others. One thing we all agree on is that the pursuit of solutions to this important matter cannot take place at the expense of infringing upon the fundamental rights and freedoms contained in our Constitution.

I have taken note that most regions have recommended that communities, who were dispossessed of their land, should be given special preference when it comes to resettlement. I also take note of

the recommendation that efforts be made to enable access to heritage sites located on privately owned lands. I have also heard the voice of Our Veterans of the Liberation Struggle who said that, “we fought to free every inch of this country after years of genocide followed by more years of Apartheid domination.” They said that the whole of Namibia is our Ancestral Land. Having listened and carefully considered viewpoints on this matter, I acknowledge that the issue of dispossession from Ancestral Lands requires concerted efforts for healing and provision of social justice. While we need to be realistic around possible solutions, it is clear that decisive action has to be taken. In the weeks and months following the conclusion of this Conference, we will interrogate this matter extensively to ascertain what statutory and policy reforms will help buttress our efforts to redress communities that may have been subjected to untold injustices which dispossessed them of both their ancestral land and dignity. The proposal for a Commission of Inquiry to look at this matter featured prominently and deserves further interrogation.

The work of such Commission should be evidence-based and be enriched by international experience on this matter. We must remain mindful that the consequences of colonialism and apartheid resulted in devastating consequences for all Black Namibians which persist from generation to generation. We recognize the untold suffering and our commitment is to have different solutions for the different ways in which we were all affected by our brutal past.

On Resettlement

In my opening statement, I expressed the view that our experience with the resettlement program has been less than satisfactory. Concerns have been raised about the resettlement process and criteria.

There is a burning need for this program to be infused with accountability and transparency. Trust is gained through transparency and accountability. Suspicion is sowed through secrecy and evasiveness. We will restore and increase trust and fairness in the process as a result. Numerous allegations have been made regarding the pre-2010 list and this troubles me deeply. No evidence has been provided to support the allegations of corruption and while corruption can't be ruled out, it is not inconceivable that the challenge around releasing the list has to do with poor record keeping. As the data on persons and areas of resettlement is an important management tool, a concerted effort will be made to find or use the available information to recreate a complete resettlement list, even if it means conducting an audit of all the resettlement farms. I have, at various occasions, expressed my views about the pre and post resettlement support. Here I would like to propose again that newly resettled farmers be linked to experienced commercial farmers for training, coaching and mentoring, and provision of shared services through the establishment of cooperatives.

Willing Seller, Willing Buyer and Expropriation without Compensation

Land reform must be carried out in an orderly fashion and within the confines of constitutionalism. We are enjoined by our constitution to redress injustices of the past. Expropriation of land to redress past injustices, or in the public interest, is not unconstitutional. Many of the concerns around access to land can be resolved through the legal reform of our policy and legislative framework and within the confines of our Constitution. Our Constitution permits expropriation, whether the owner is willing to sell or not. What the constitution does not permit is arbitrary deprivation of property. While the freedom of

speech of anyone who calls for expropriation of property without compensation is guaranteed, I, Hage Geingob, took an oath on 21 March 2015 to uphold and defend the Constitution and to do the best of my ability to ensure justice for all Namibians.

I will forever remain faithful to that oath. We have heard the outcry that the willing seller, willing buyer principle has been ineffective in achieving the desired outcomes. Willing seller, willing buyer is not in the Constitution and government will no longer allow a situation where there is one price for government which is highly inflated and another price for the market which is reasonable. The inflated prices for government reduces the number of farms we are able to resettle Namibians. This pursuit of wealth at the expense of poor, landless Namibians is part of the problem. Those with land have to become part of the solution. Expropriation with JUST COMPENSATION, will MODERATE land prices, and will consequentially make Government's land acquisition program more sustainable. Current landowners must make more land available for sale and not only barren land. The Conference gave us a clear mandate to proceed with expropriation of land owned by absentee Landlords, as well as underutilized land. Land is one of the key factors of production, and in that instance cannot just lie idle. We will unpack and define JUST COMPENSATION in order to deal with the stumbling blocks we experienced in the past. Enabling legislation and policies will accompany this process in the coming months.

I note that discussions on land reform are primarily focused on agrarian reforms and rightly so given our stated policy objective of ensuring food security and the productive use of land. However, I wish to assure the business community that more will be done to improve

the provision of adequate land for business and industrial purposes. I am aware that discussions on expropriation may send concerns into the investment community with regard to the status of their current or anticipated investments. Let me reassure you that Namibia remains committed to maintaining and improving the business and investment environment. However, we cannot allow inequality to prevail at the expense of retaining the status quo. By discussing the issue of expropriation openly, we are demonstrating our intent to meet the challenges of inequality head-on, for the purpose of ensuring that Namibia will enjoy sustainable and inclusive growth and development.

On the plight of Farmworkers

Fellow Namibians and Dear Delegates,

As the son of a farmworker, the plight of generational farmworkers, is close to my heart. The living conditions of many farmworkers in Namibia are inhumane and must be attended to. I have challenged commercial farm owners before to provide decent housing, remuneration and sanitation to farmworkers and I re-iterate that call today. Each one of us has a responsibility to ensure the dignity of our fellow Namibians. We have legislated better protections for farmworkers, but we are unable to legislate decency. This is a question of our common humanity.

Farmers need to respect the dignity of their farmworkers and start treating their workers like human beings. It is also incumbent upon us to enforce the law that protects workers, with greater vigor.

On Communal Land Reform

It is common knowledge that the bulk of the Namibian population derives livelihood from communal areas. Yet this sector remains under-developed.

From the discussions during the past five days, we have noted some of the challenges that farmers in the communal sector experience. These include amongst others, tenure rights, access to credit, double grazing, the rights of women to own land, insufficient veterinary and other support services, illegal fencing, the size of land allocated, challenges with dispute resolution and the infamous red line which limits the market size for northern farmers.

I agree with the presenter who said that illegal fencing of large tracts of land is tantamount to land grabbing. These practices are anti-poor and those who practise and allow it must be dealt with. I appreciate the constructive suggestions that were made to curtail this problem. The painful truth is that many who are guilty of this practice have more livestock than commercial farmers but prefer to benefit from grazing in communal areas, at the expense of the poor. I recall a statement from the Kavango-West that when they ask culprits to remove illegal fences, the response is: "we fought for this country." We did indeed fight for this country. We fought to liberate this country for the benefit of the masses. The fight was never for individual benefit.

We have heard the outcry against the Veterinary Cordon Fence/Red Line. One of the conference participants correctly asked, "Why can I consume meat at my homestead in the communal area, but I cannot consume the same meat south of the red line?" Those of you who

attended the presentation by the Permanent Secretary of the Ministry of Agriculture, were informed that moving the red line is a complex and costly exercise. Despite this fact, we recognize that in the interim, we will have to address the legitimate demands of farmers above the red line, to optimize the full agricultural potential of this sector.

At present, Government, under the Harambee Comprehensively Coordinated Initiative on Agricultural Development Programme, is working hard to make the area north of the cordon fence, disease free, through increased quarantine services and erection of abattoirs while a long-term solution around the fence is sought. Government will pursue the most feasible way to accelerate the implementation of this program.

On Urban Land Reform

Dear Delegates and fellow Namibians,

Land in towns and cities has become unaffordable, primarily due to lack of limited supply of serviced land. In addition, the expanding nature of informal settlements necessitates a comprehensive review of the legal framework and process to deliver land and to expedite delivery. Part of dealing with a problem is to call it by its name. The situation in informal settlements constitutes a national humanitarian crisis. There is no other way to look at it. Government will declare it an emergency in order to oblige relevant stakeholders to mobilize resources and accelerate implementation of Conference recommendations. We cannot say that it cannot be done when community-led mechanisms such as the Shack Dwellers Federation and Build-Together Programme have been able to increase the output of

low-income housing units. We look forward to working with civil society to address the crisis of informal settlements.

I agree with the presenter who pointed out that the environment we live in shapes us. Imagine for one second, a child living in the stress, poor sanitation, lack of safety and uncertain tenure of an informal sector environment. Imagine for one second how that environment shapes that child.

Even before we embarked upon the process of planning for this Conference, we acknowledged that the Land Issue is complex, multi-dimensional and laced with layers of conflicting demands and high expectations. However, we have taken the first step by coming together to engage in dialogue. We have listened attentively and note the various recommendations that will emerge from the conference. All Offices/Ministries/Agencies must ensure that these recommendations are prioritized in their list of activities. I wish to state with confidence that, going forward, we will implement the Land Reform Program at the required speed, and with clear legislation. We will commence with a comprehensive review of laws that are impeding progress. This should take place in tandem with the formulation of an Urbanization and Spatial Development Policy.

The emerging activities call for research that can identify the magnitude of the work to be done. The research will culminate in an implementable plan with a specific time frame and dedicated resources. The Government will continue consulting stakeholders before and after the Plan is finalized to ensure that accountability and transparency are maintained. In this regard, the National High-Level Committee on Land Reform, under the leadership of the Prime Minister,

will remain intact until this exercise is completed. Special task forces, with the full participation of civil society will be added to ensure that the voice of the people remains heard. If the current composition of the High Level Committee is not inclusive of all key stakeholders such as the business community, I request the Prime Minister to look at this issue and address such shortcomings and invite critical stakeholders to be part of this Committee. Furthermore, we will strengthen our monitoring system and build our capacity on land related issues. We commit to improve our database and produce result-based reports to inform the nation.

In addition to the national Monitoring and Evaluation system, I urge the Right Honorable Prime Minister to incorporate these recommendations in the Performance Management Contracts of affected Offices, Ministries and Agencies. In order to move forward, we need to be honest about our challenges and face them head on. This country belongs to all of us. We all need to own this process. The Land Question is urgent and multi-dimensional, and requires a multi-dimensional response.

For centuries, colonial oppression brought great suffering to our people. So devastating was the effect of the racist policies of the past that our society continues to carry the burden. Due to our past we now, find ourselves at a crossroads. The path towards our future is ours to determine. This issue of land is destiny's challenge to the children of the Namibian House. The issue of land is a problem that needs solving, not tomorrow but today. As Nigerian author Wole Soyinka reminds, "You cannot live a normal existence if you haven't taken care of a problem that affects your life and affects the lives of others...."

At this juncture, I wish to speak directly to white Namibians. You will have heard some emotional sentiments expressed at this conference and wondered whether you are safe or welcome. This is your country. You are Namibians. As Namibians, we all have rights, but we must never forget our duties and obligations to fellow Namibians. There is no expectation that you must feel guilty for the colonial and racist brutality of the past. The expectation is that you acknowledge that those brutal policies benefited some to the disadvantage of the majority. The fundamental issue is not race. It is the disproportionate wealth of the few, to the exclusion of the majority. Inequality is a global phenomenon and it just so happens that because of our past, the majority of wealth remains vested in the hands of an economic minority, many of who are white. It is the quintessential dilemma of a minority of haves and a majority of have-nots. The expectation is thus that the Haves, regardless of their colour, must take responsibility to ensure the inclusion of the have not. We must all take responsibility for ensuring a future where all our children have fair opportunities, respect one another's dignity and have empathy for the poor. You are not under any existential threat. The threat is the danger to peace presented by structural inequality.

To the youth, you have a rare opportunity to be part of a historic conference. I was the Chairman of the First Land Conference and while the discussions were robust, this time, the discussions were totally different. I was impressed by the diversity of views, the depth of knowledge of the experts, and the strong demands for the restoration of dignity and justice. As an observer of the Second Land Conference, my observation is that the consciousness of the Namibian people has deepened. My children describe this condition as being "woke."

Relative to 1991, Namibians have become “woke” as they have developed a heightened awareness of social justice. I listened to the young man of San descent, speaking on behalf of his Chief. He was “woke.” The youth are “woke.” I understand that the only way we can address the concerns of the youth is if we, the older generation, raise the level of development to meet your level of “wokeness”.

The problem of land, whether we like it or not, is a problem which affects all of us in the Namibian House. We all share in this land. We all share in its destiny. By holding this successful Conference, we have taken the first huge step towards resolving the dilemma of land poverty. Hard work lies ahead, but if we continue on the path of fairness, inclusivity and tolerance, we will witness the dawn of an era in which all our people will be able to enjoy the fruits of Unity, Liberty and Justice.

I thank you.