

REPUBLIC OF NAMIBIA



KEYNOTE ADDRESS BY HIS EXCELLENCY

DR. HAGE G. GEINGOB,

PRESIDENT OF THE REPUBLIC OF NAMIBIA,

AT THE OPENING OF THE SECOND NATIONAL LAND CONFERENCE

OCTOBER 1, 2018

WINDHOEK

Check against delivery

- 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;
- 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;
- 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;
- 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,

I welcome you to this widely anticipated Second National Land Conference, convening under the theme *"Towards A Comprehensive And Sustainable Land Reform In Namibia."*

Land is a gift from God. It is the result of his infinite powers of creation. Every human being was born to find it there and die to leave it there. President Julius Nyerere captured this point when he said, *"All human beings, be they children brought up in poor or rich families, or belonging to sinners or saints, or even those whose parents are either slaves or free men, were born to find land in existence. They can neither add to it nor reduce its extent. It is God's gift, given to all His creation without any discrimination..."*

Every Namibian has an inherent stake in this gift. This resource is limited in its extent and it is up to us, to collectively determine how to share this resource equitably and utilize it productively. The Namibian Constitution provides a framework to redress the effects of historical injustices endured by many Namibians, especially those Namibians who have been born landless because of colonial disruption.

We have made tremendous progress over the past 28 years. Our hallmark accomplishments have been our policy of national reconciliation, which upholds our hard-earned peace, stability and Rule of Law.

We have collectively achieved unity and liberty and now, seek to deliver justice.

Justice, I should add, is inclusive and fair in its application and can only be served when we respond decisively to the skewed structure of our economy and the racial imbalance in the distribution of resources, including land. Historian Yuval Noah-Harari in his book 21 Lessons for the 21st Century says, "Like all our other senses, our sense of justice has ancient evolutionary roots. ...Justice is not just a set of abstract values, but also an understanding of concrete cause and effect relations."

The causes that have resulted in the inequitable distribution of land and wealth in Namibia are known. Their effects are widely felt to this day. We all agree that the current pace of land reform is not sustainable, hence this second national land conference. The issues we will be discussing for the next five days are complex and emotive. Many Namibians were driven off their productive land and banished to barren Bantustans. I urge you to listen to one another patiently, respectfully and to extend empathy as fellow citizens articulate their positions.

I am pleased to note the diverse representation of stakeholders and appreciate the notable number of young delegates in our midst, who have become vocal champions of emerging land issues. As future custodians and implementers of the outcomes, they will undoubtedly inherit the resolutions from this watershed Conference. Although invited, those who have decided to exercise their democratic right not to participate in this consultation, do so within the enjoyment of rights in a Constitutional state. Those delegates who have been invited but withdrew their participation, remain welcome and I will be here throughout the conference, availing myself to engage those who may have misunderstandings on issues. It is apparent there have been key misunderstandings that certain issues are not going to be discussed at this Conference, such as Ancestral Land Rights. Quite the opposite, I have called for all relevant matters to be discussed.

Fellow Namibians,

The colonial wars that ensued following the arrival of German troops and eventually culminated in the infamous genocide of the Ovaherero and Nama people, between 1904 and 1908, dispossessed Namibians of their land, by force and without compensation. The armed liberation struggle was launched, under the auspices of SWAPO to restore the dignity of the oppressed people of Namibia, which includes access to land.

The settler colonies of Namibia, South Africa and Zimbabwe faced the unique challenge of white people, of foreign descent, settling in these localities. Subsequently their children were born, and "by soil and by blood", are descendants of the land.

The fundamental issue is the inequality, which classifies Namibia as the second most unequal society in the world, after South Africa. We also share a burning land issue and a racialised distribution of land resources with South Africa. This comes from a common history of colonial dispossession. What we also agree to, is that the status quo will not be allowed to continue. When the majority is economically excluded it poses a real threat. It is in all our interest, particularly the "haves" to ensure a drastic reduction in inequality, by supporting the redistributive model required to alter our skewed economic structure. We should all be cognizant of the fact that this is ultimately an investment in peace.

The concerns of Namibians around the slow pace of land reform, and those of the landless, are legitimate concerns and warrant our gathering here this week, to have this difficult conversation and resolve these issues. A situation where economic growth and prosperity are not shared will not be sustainable.

While I welcome the voices of the land dispossessed, I urge that it must not be pursued through undemocratic means. We can resolve the Land Question within the ambit of the law, without entering into a state of lawlessness.

SWAPO fought for the total liberation and independence of the length and breadth of this country and thus has no interest in dispossessing the rights, which constituted an important part of the struggle, to those who gave up life and limb.

Programme Director,

The SWAPO leadership had a window in 1990 to take back the land by any means necessary. During that time of transition and uncertainty, the descendants of the settlers were prepared for drastic action. After all, we were revolutionaries. Founding Father Comrade Sam Nujoma, in his wisdom, opted instead for a methodical approach. This was crucial to ensure stability and to comply with the Constitution. Although the revolutionary and fully transformational ideals of SWAPO remained, they could not be implemented.

A new era of peace dawned, in which different population groups reconciled and lived side by side. The Government at that time negotiated and introduced the policy of willing-buyer-willing-seller, as a tool for redistribution of land, which was and remains in the hands of the white minority.

The policy of national reconciliation worked to the advantage of Namibia and her people. However, we remain challenged by structural inequalities which remain stubbornly high. To restore these inequalities, we need to exit identity-based, interest groups of a racial and ethnic nature, created to defend economic interests, which are standing in the way of redress.

The equal distribution of resources among all Namibians is a national interest that warrants a drastic transformation of the status quo.

We must accept that land affects all of us differently, and the solutions to land reform will therefore appear differently for different Namibians. I would like to remind us of the obvious, we are first and foremost Namibians. This country belongs to all of us and we have a shared obligation to resolve these issues fairly and sustainably.

Fellow Namibians,

One of the first things I did in my April 2016 State of the Nation Address, was to direct for a second national conference on land to be held, to evaluate the progress on the land reform programme. Despite progress made, we acknowledge the need to fast-track efforts to accelerate socio-economic transformation and deliver social justice.

The acquisition of commercial agricultural land on the principle of willing-buyer-willing-seller depends on the willingness of commercial farmers to offer their farms to government for sale. It has been observed over the years that many farmers, especially absentee landlords, were reluctant to sell and those who offered their farms, inflated prices and by so doing, made it difficult for Government to acquire adequate land for resettlement purposes.

Over time, the concept of *just compensation* became equated to *fair market value* and as I highlighted in my doctoral thesis, "the result was that landowners began to demand exorbitant prices overnight" (*Geingob Thesis, p. 214*). Others argue that Government cannot abandon the willing-buyer-willing-seller policy, because Article 16(2) of the Constitution provides sufficient room for government to expropriate land, if it is deemed to be in the public interest, subject to the payment of *just compensation*. The same Article 16(2) states that, "*The State or a competent body or organ authorized by law may expropriate property in the public interest subject to the payment of just compensation, in accordance with requirements and procedures to be determined by Act of Parliament.*"

The consensus is that the willing-buyer-willing-seller principle has not delivered the desired results. Careful consideration should be given to expropriation. In my 2017 Independence Day address, I stated "*After 27 years, the willing-buyer-willing seller approach has failed to bear anticipated fruit... We need to revisit the*

Constitutional provisions which allow for the expropriation of land with just compensation, as opposed to fair compensation, and to look at foreign ownership of land, especially absentee land owners”.

We can pursue the constitutional mechanisms to achieve land equity. This is the position of the SWAPO led Government on land acquisition and this position stands, provided expropriation is carried out in the public interest.

The plight of farmworkers is of great concern. Legislative interventions have been developed to protect the rights of farm workers but the emerging issue of generational farm workers needs our collective consideration. Generational farm workers are expelled from land on which they were born and are dumped onto road corridors. All resettlement programmes should pay special attention to the plight of generational farm workers who themselves are inherently landless, more so when the farm they lived on all their lives changes in ownership.

Programme Director,

The process for resettlement has proven cumbersome. As a result, farms are vacant for extended periods, resulting in vandalism, illegal grazing and theft. Post resettlement support to farmers needs to be urgently strengthened to boost productivity and empower resettled farmers through the transfer of skills. In my Doctoral thesis I argued, *“...land reform should go beyond just allocation of land. After settling people on land, an attempt should be made to bring them together in a farming cooperative or a farming enterprise managed by professionals, until such time as the farmers themselves are trained to take over the responsibility of running the farm as a commercially viable entity. Eventually, the farm should become these farmers’ property.”* (Geingob Thesis, Pg. 215) Economic empowerment through shareholding schemes should also be considered, not only in farming but also in other economic sectors.

We are aware that the resettlement criteria has not been consistently applied. People who do not meet the minimum criteria have been resettled and provided post-resettlement support. This undermines our objectives of achieving equity and social justice. We should use resettlement as an instrument to enable those previously dispossessed to access land. Any resettlement farm purchased should have due consideration to the landless, poor and vulnerable.

Programme Director,

There is need to draw distinction between the ownership of commercial agricultural land and urban land for housing and commercial activity by Non-Namibians. The latter has implications on investment attraction and retention. Potential investors seek to secure their investment with land ownership, particularly in urban, commercial zones. The current policy to only permit leasehold agreements may discourage prospective investment and requires us to apply our minds, in consideration of our economic development agenda.

Fellow Namibians,

According to the Comprehensive Conservation Agriculture Programme for Namibia 2015–2019, two thirds of the Namibian population is estimated to be living in rural areas where majority depend on smallholder crop production as a means of livelihood and survival. Despite lower agricultural productivity of communal land, when compared to commercial farmland, communal areas are becoming overcrowded due to population growth. Communal land expansion has therefore become essential.

I caution however that communal expansion without resourcing to improve productivity may be at the expense of commercial farming output.

Large-scale communal farmers who have outgrown the confines in the communal areas should purchase farms in freehold commercial farming areas. This would open space for emerging communal farmers. Responsive financing instruments are required to support graduating farmers to move out of communal areas.

Fellow Namibians,

Ancestral land is a contentious issue in our policy discussion. Claims for restitution were discussed at the 1991 Conference. However the subject raised acrimonious debate and no consensus could be reached, given the complexity of redressing ancestral land claims.

Article 21 of the Constitution, provides for all Namibians to move freely throughout Namibia, to reside and settle in any part of a unitary State. How do we resolve this fundamental right and freedom espoused in the Supreme law of the land, with the claims for ancestral land restitution? We are ready to discuss it here.

Programme Director,

Delivery of affordable housing is a priority for Government.

The demands for urban housing continue to outstrip supply, owing to the rapid rate of rural-urban migration. Distinction should therefore be drawn between those who seeking land for farming purposes and those seeking shelter. In the case of the latter, the delivery of more affordable housing in urban areas may lessen the demand for agricultural land.

Pertaining land tenure, it should be noted that Urban Land Reform was not considered at the Land Conference in 1991. However, Government has subsequently established the Urban Land Reform Programme to implement the land tenure programme in urban areas, targeting vulnerable communities in informal settlements to have security of tenure in urban areas.

There is no specific policy directive as far as the land tenure system for urban and commercial agricultural land is concerned and this remains one of the key challenges to date.

Although gender mainstreaming is an essential part of land reform in Namibia, there are other impediments that continue to undermine women's access to land, including the formal legal system, access to finance, formal education and traditional/customary norms and religion. It is a fact that women toil the land without reaping the economic benefit. I urge delegates to ensure that women's rights in communal areas are discussed.

The Veterinary Cordon Fence remains in place because the Northern Communal Area has not yet been declared a Foot-and-Mouth Disease free area. The northern livestock volumes represent significant export potential given the large human and livestock population that is currently left out of the market. Although this not a straightforward issue, it must be discussed and solutions found to responsibly open up and create market access.

Programme Director,
Fellow Namibians

I have often shared my personal experience as a Namibian, born in the Grootfontein district, at a cattle post called Tsabes. I am the son of a farmworker, raised between the farms on which my father and grandfather worked. As a child, playing with the son of the farm-owner, I had no conception of my own landlessness. As an adult, I understood my landlessness when I had to use my own life savings to buy land, while the son of the farm-owner inherited his father's farm. A God-given gift which should also have been my birthright.

As we discuss the skewed distribution of land, we must do so within the context of inequality, unemployment and poverty.

Historically we may have underplayed the role the business community and trade unions could have played to support the land reform process. Let us craft appropriate resolutions that are implementable within our current means. Ultimately the cry for land is a cry for economic resource.

The reason I have not gone into details is because I want to encourage open debate. As we move forward, I make the following commitments to accelerate our land reform agenda:

1. Improved Administrative capacity;
2. Accountability;
3. Transparency;
4. Inclusivity; and
5. Reform of the legislative framework.

As the head of this Namibian House, I am committed to ensuring that the basic needs of all inhabitants are met.

I believe that each and every Namibian should live a dignified life. I feel the pain of the landless. I feel the pain of the dispossessed. I feel the pain of the hungry and impoverished.

Although we may have differences of opinion from time to time, one thing we must understand is that we can only resolve our problems by holding hands. Let us use this platform to converse in the spirit of unity and love and embrace dialogue to resolve our differences. Through our collective sense of purpose, we will ensure that no inhabitant will feel left out. We shall be grounded by decisions taken in this assembly, create the necessary frameworks and institutions, adapt existing ones in order to make land justice a reality for the well-being of the Namibian nation.

Let us hold hands and work together, in the best interests of Namibia, our God given gift. The country we call home. The country we love.

I thank you.