

# Secured, but still poor: A comparative analysis of the formalisation of land rights in Namibia



27 January 2016



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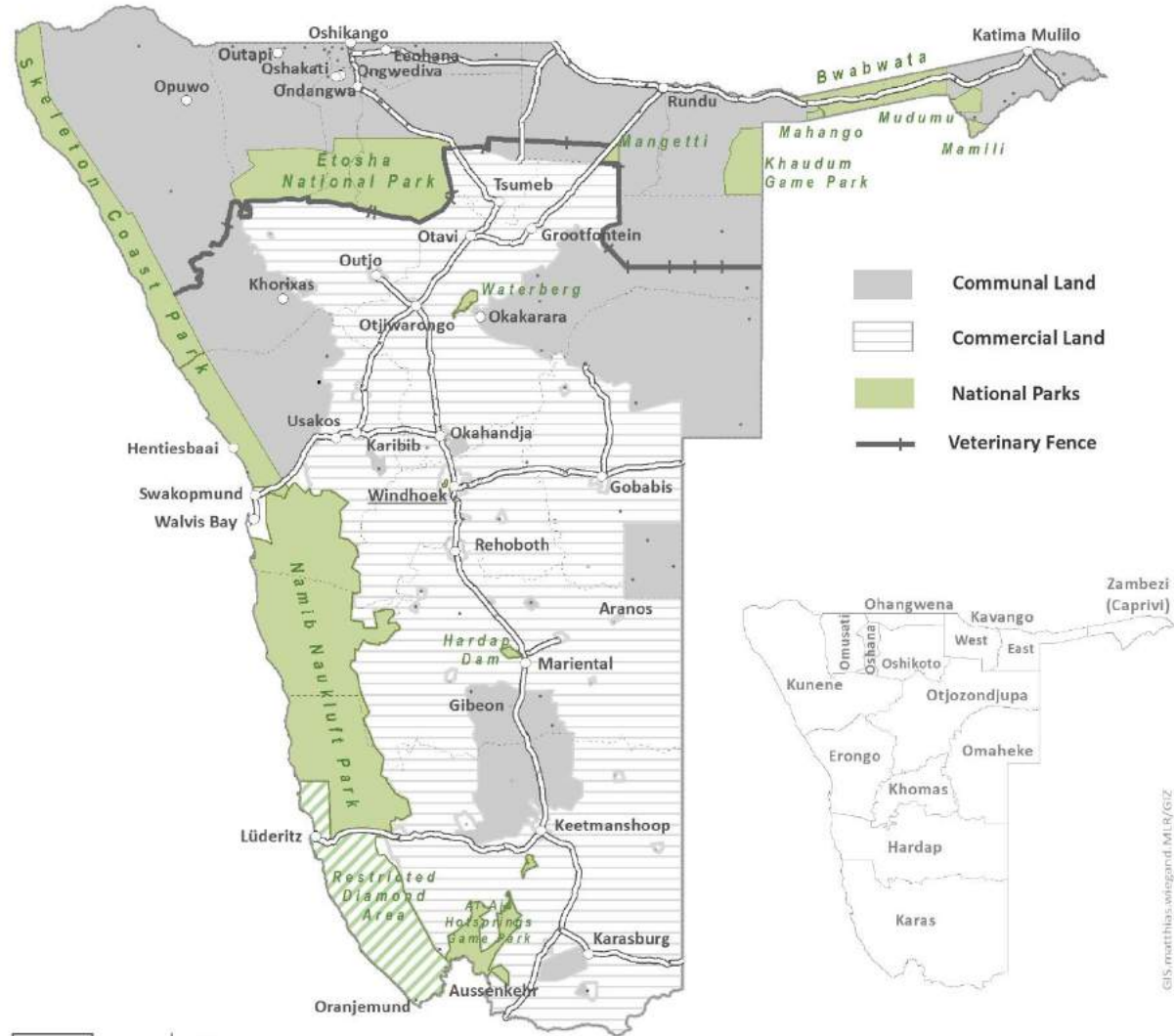


**Why do we want to secure land rights?**



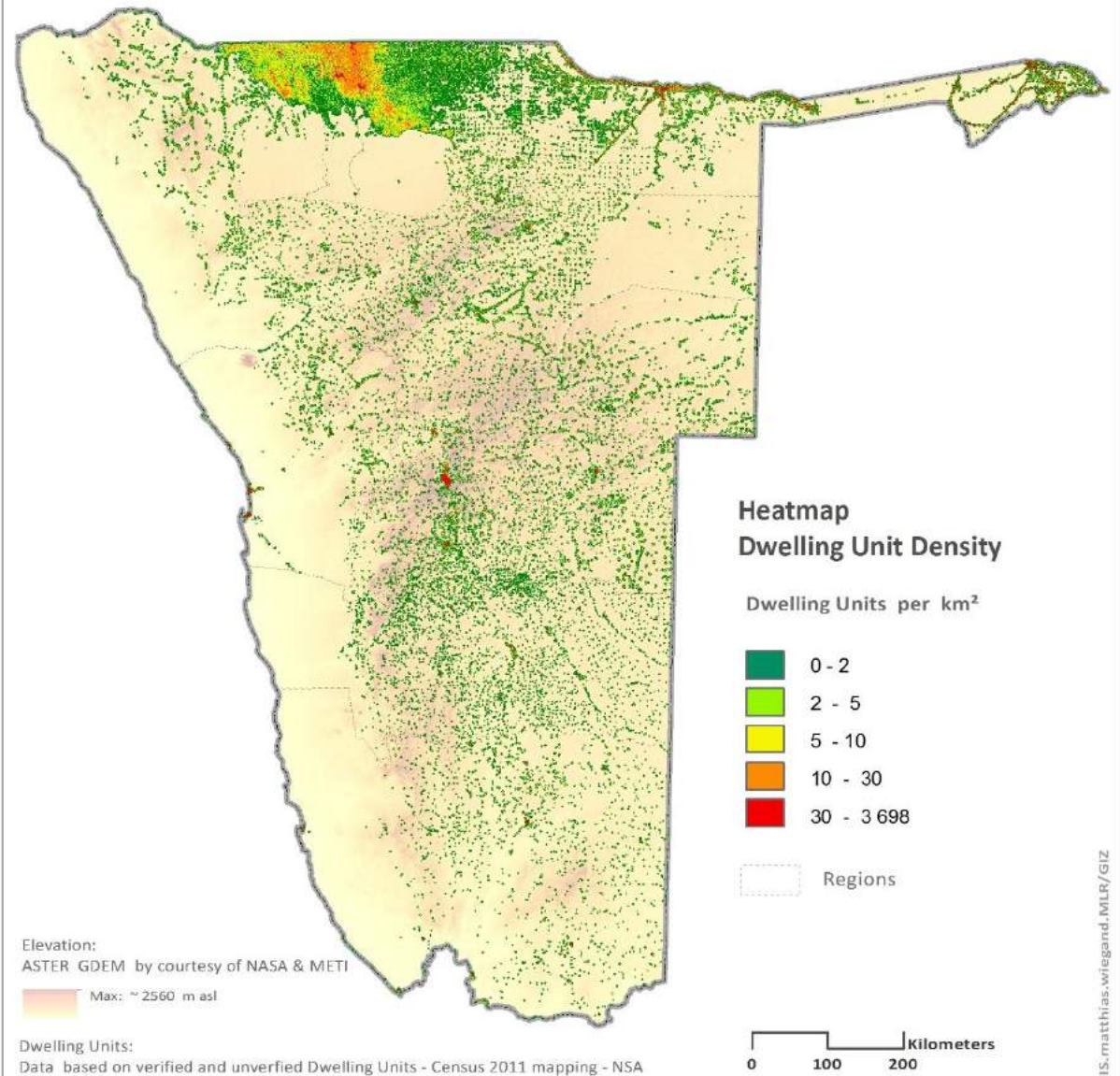


# Namibia



Ministry of Lands and Resettlement - LBTA - 2014

## Namibia - Population



Ministry of Lands and Resettlement - LBTA - 2014

- 1990: Start of a comprehensive land reform process
- National Conference on Land Reform and the Land Question, 1991
- Land Conference resulted in land policy development
  - Agricultural (Commercial) Land Reform Act, 1995
  - National Resettlement Policy, 1997
  - National Land Policy, 1998
  - Communal Land Reform Act (CLRA), 2002
- The National Conference on Land Reform and the Land Question, 1991
- Consultative Conference on Customary Law, Ongwediva 1993
- People's Land Conference, Mariental 1994
- Consultative Conference on Communal Land Administration, 1996



OUR LAND. OUR HERITAGE. OUR PRIDE

**Secure it**





# Land on the continental and international agenda



United Nations  
Economic Commission for Africa

English Français

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## About LPI

The Land Policy Initiative is a joint programme of the tripartite consortium consisting of the African Union Commission (AUC), the African Development Bank (AfDB) and United Nations Economic Commission for Africa (ECA). Its purpose is to enable the use of land to lend impetus to the process of African development. The programme is governed by a Steering Committee that meets periodically, while a joint secretariat implements day to day activities. The secretariat is assisted by an African Taskforce on Land.

After having developed the Framework and Guidelines (F&G) on land policy in Africa, and received the mandate from the African Union (AU) to use it in support of national and regional land policy processes, the LPI is now moving towards assisting AU Member States in developing or reviewing their land policies as well as in implementing and evaluating these policies.



## Vision

A peaceful and prosperous Africa realized through equitable access, efficient and sustainable utilization of land.

## Mission

To ensure all land users have equitable access to land and security of all bundles of land rights, by facilitating effective partnerships, dialogue and capacity building for participatory and consultative land policy formulation and implementation, as well as efficient and transparent land administration in both customary and statutory jurisdictions.

## Goal

To assist Member States in the implementation of the declaration on land issues and challenges in Africa in accordance with the Framework and Guidelines on land policy in Africa in order to achieve socio-economic development, peace and security, and environmental sustainability.

Current targets of the initiative include:

- Twenty Member States developing land policies and adopting implementation tools that enhance women's secure access to land; and recognize the legitimacy of Africa's customary based land rights and institutions by 2020
- Ten Member States putting in place transparent, efficient and cost-effective Land administration systems which are reflective of Africa's unique realities by 2020



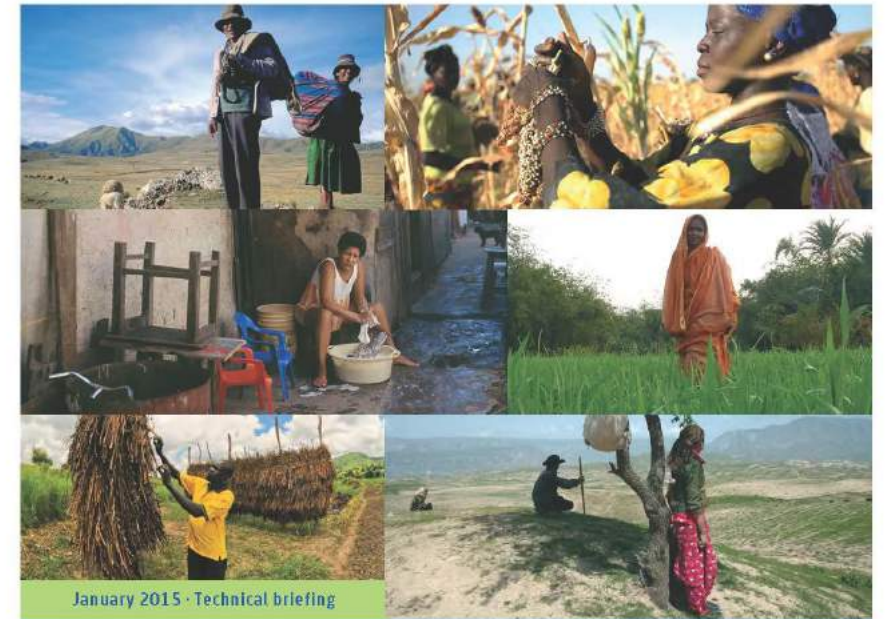
# UNITED NATIONS SUMMIT TO ADOPT THE POST-2015 DEVELOPMENT AGENDA 25 - 27 SEP 2015 NEW YORK

## Goal 1. End poverty in all its forms everywhere

- 1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day
- 1.2 By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions
- 1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable
- 1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance

## Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

- 2.1 By 2030, end hunger and ensure access by all people, in particular the poor and people in vulnerable situations, including infants, to safe, nutritious and sufficient food all year round
- 2.2 By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons
- 2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment



## Secure and equitable land rights in the Post-2015 Agenda

A key issue in the future we want

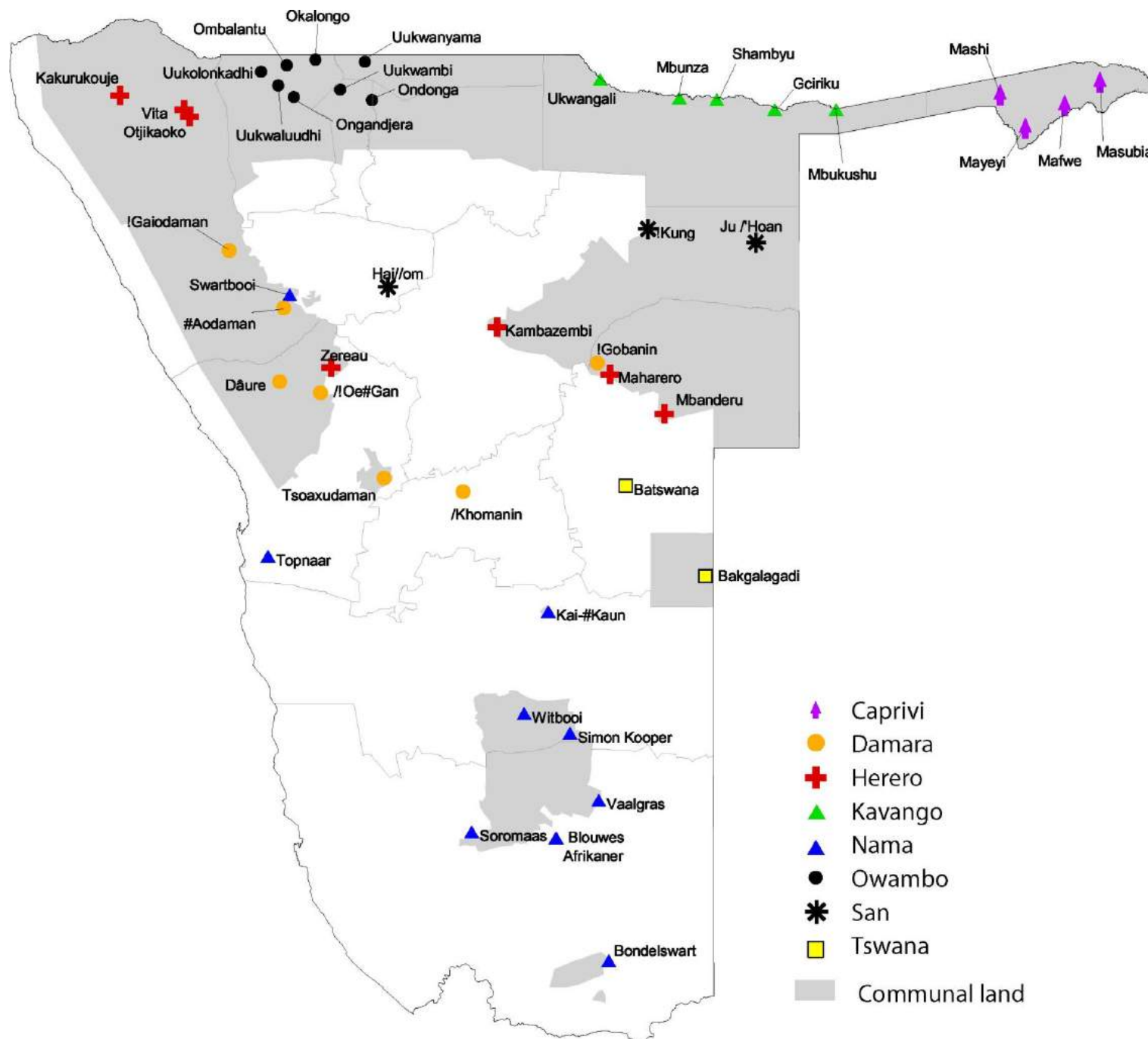




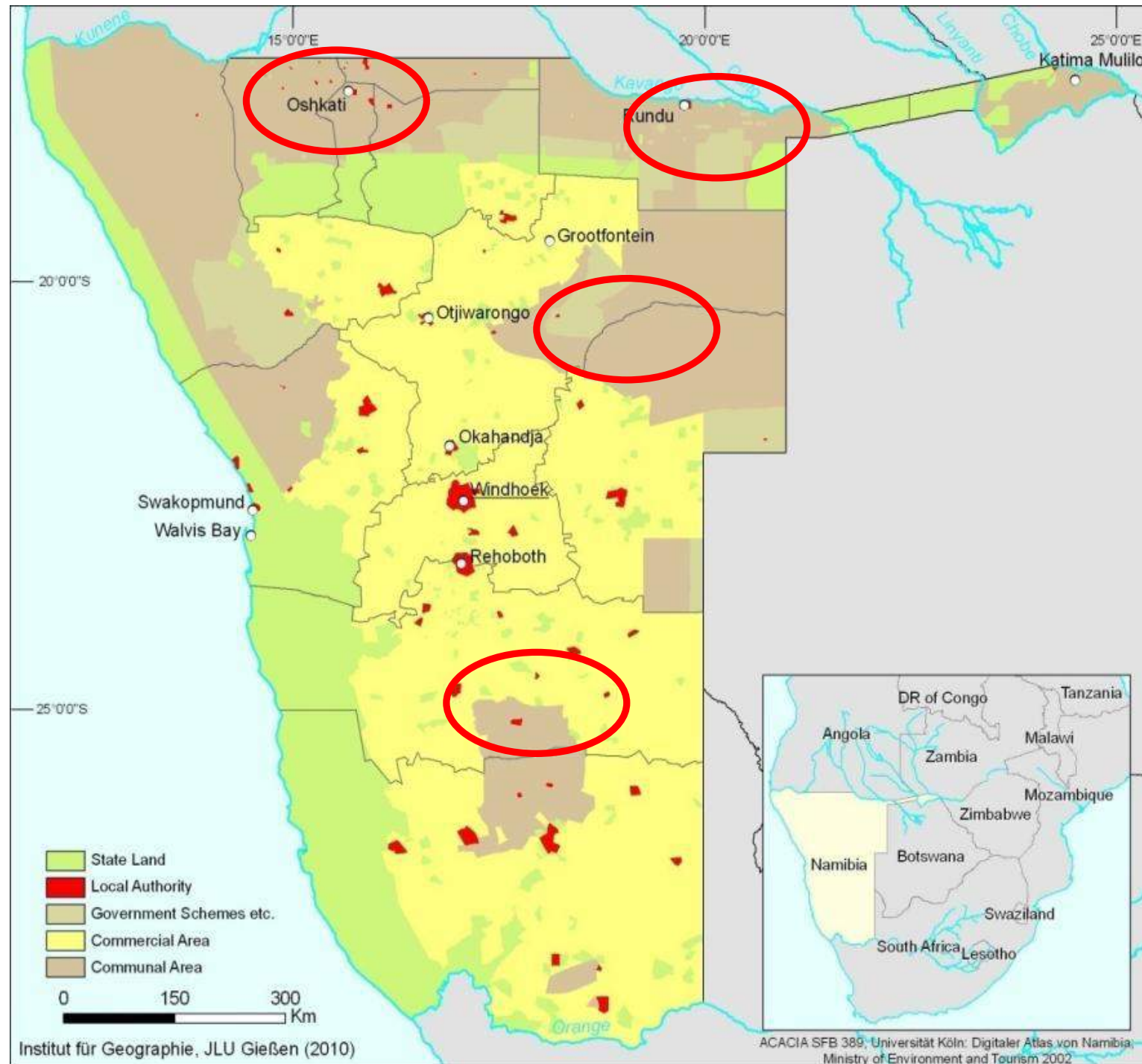
**What can we learn from Namibia?**











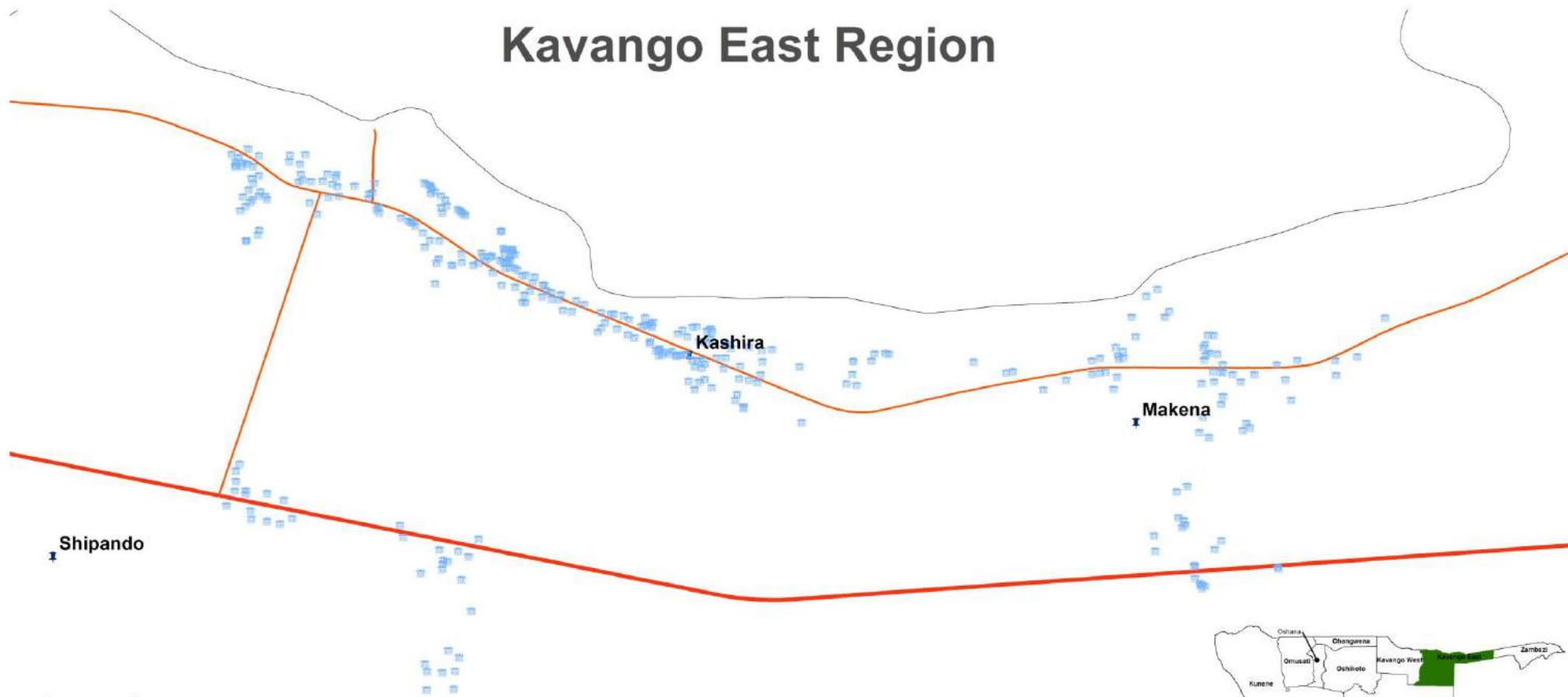


	Omusati	Kavango	Otjozondjupa	Hardap
Total population	243,166	223,352	143,903	79,507
Population density (persons/km²)	9.1	4.6	1.4	0.7
Cultural group	Ovambo	Kavango	Herero	Nama
Main language	Oshiwambo	Kavango	Herero	Khoekhoegowab
Land uses (small-scale agriculture on communal land)	Crop and Large Livestock	Crop and Large Livestock	Large and Small Livestock	Small Livestock
Average annual rainfall (mm)	400-450	500-550	400-450	150-200
Total number of registered communal land parcels (Oct. 2014)	21,261	0	2,647	1,426
Total number of expected communal land parcels to be registered	54,000	47,000	5,000	2,000
Percentage of total already registered	40%	0	53%	71%

Region	Parcel density per km²
Kavango	n/a
Omusati	28
Hardap	1.4
Otjizondjupa	1.8



# Kavango East Region



## Legend

-  Dwelling Units
-  Villages
-  District Roads
-  Trunk Roads
-  Regional Boundaries



Republic of Namibia  
Ministry of Lands & Resettlement

0 0.5 1 Kilometers



Published: 28/10/2013  
By: Mr. F Helao, GIS Technician, Windhoek  
Data Source: Ministry of Lands & Resettlement (NCLAS)





- (14/6/2008)
- x homestead
  - garden
  - o crop field
  - building
  - = road
  - // grazing area
  - ooo water point
  - ~ important path

↑ to Katiye

↑ North

crop fields

(14/6/2008) Main Road from Rundu to Katiye →















# GCIRIKU TRADITIONAL AUTHORITY

P. O. Box 1648  
Rundu, Namibia

CASH	CHEQ
2	

DATE 2012-05-09

10525

RECEIVED FROM:

Fifteen dollars only

15.00

FOR:

TRAB TAX

Received By

*[Signature]*

Rudi Rwa VaGciriku /Gciriku Traditinal Authority  
P.O. Box 1648 Rundu, Ndiyona  
LIKARATA LYA MUTERO / LOCAL TAX CARD

Lidina : (Name )

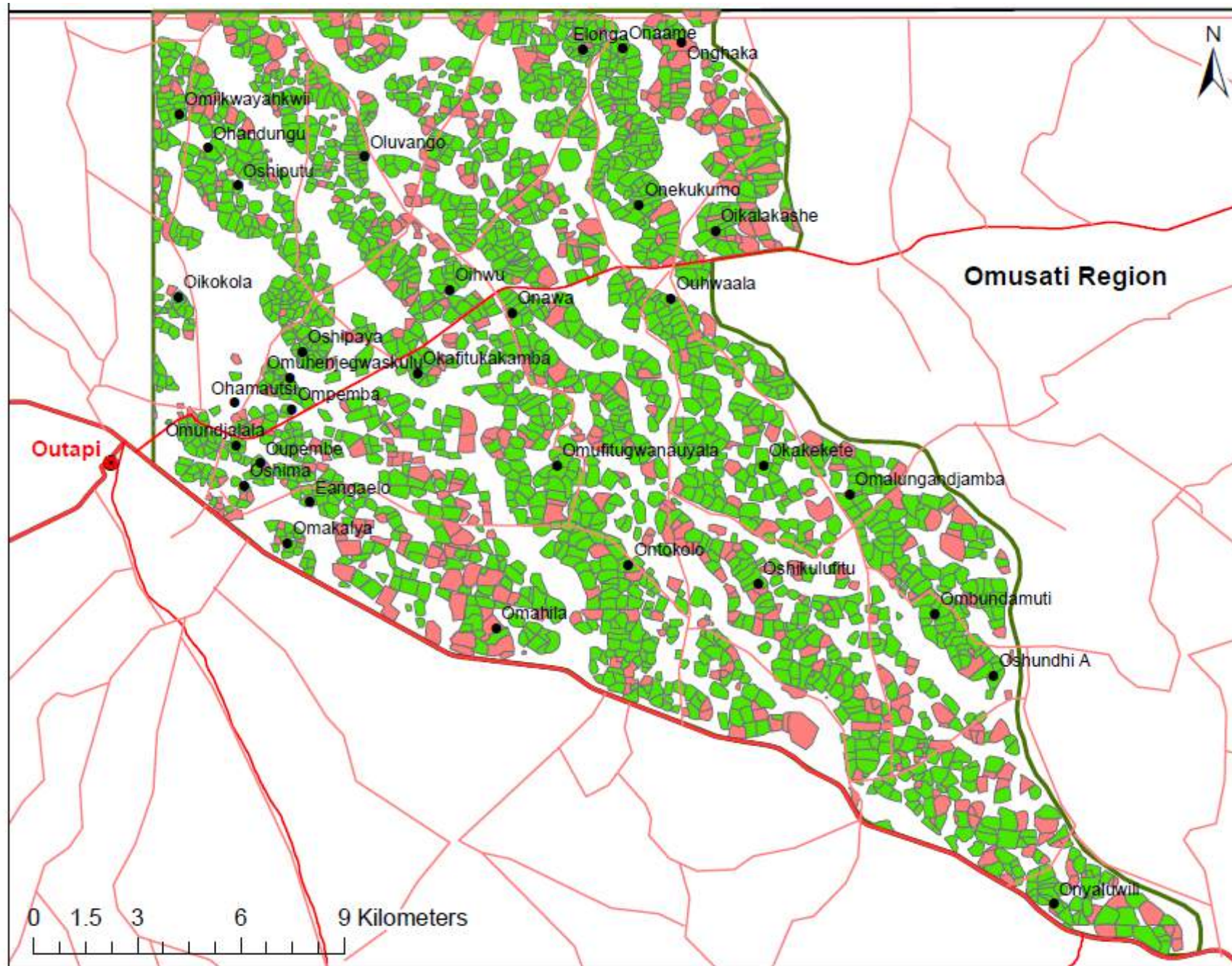
Nomora yaLifano.....

Mukunda:Village.....Kutere

Mwaka /Year	Vifutwa/ N\$	Kamutjangi/Receiver	Lishayino/Sign
12/12 /2009	Mahangu	Mukaya Simon	<i>[Signature]</i>
21/07/2010	Mahangu	Mukaya Simon	<i>[Signature]</i>
21/09 /2011	Mahangu	Mukaya Simon	<i>[Signature]</i>
09/05 /2012	15-00	Mukaya Simon	<i>[Signature]</i>
/ /2013			
/ /2014			












# Omusati Region



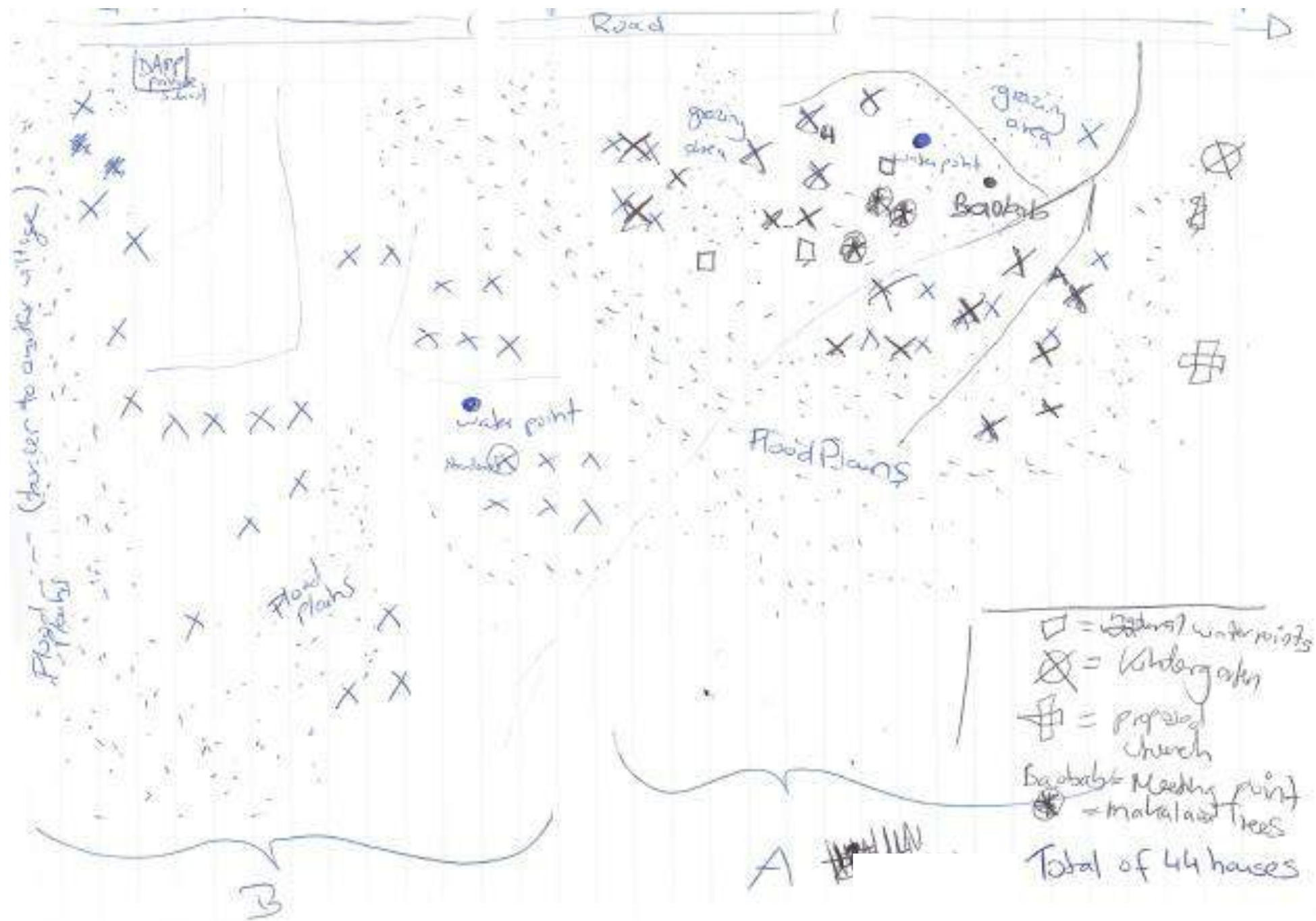
REPUBLIC OF NAMIBIA  
Ministry of Land Reform  
Programme for Communal Land Development

### Legend

-  Village
  Registered land parcels
-  Town
  Unregistered land parcels
-  Track
  Anamulenge constituency
-  District road
  Regional boundary
-  Main road

Cartographer:  
Malcon Mazambani







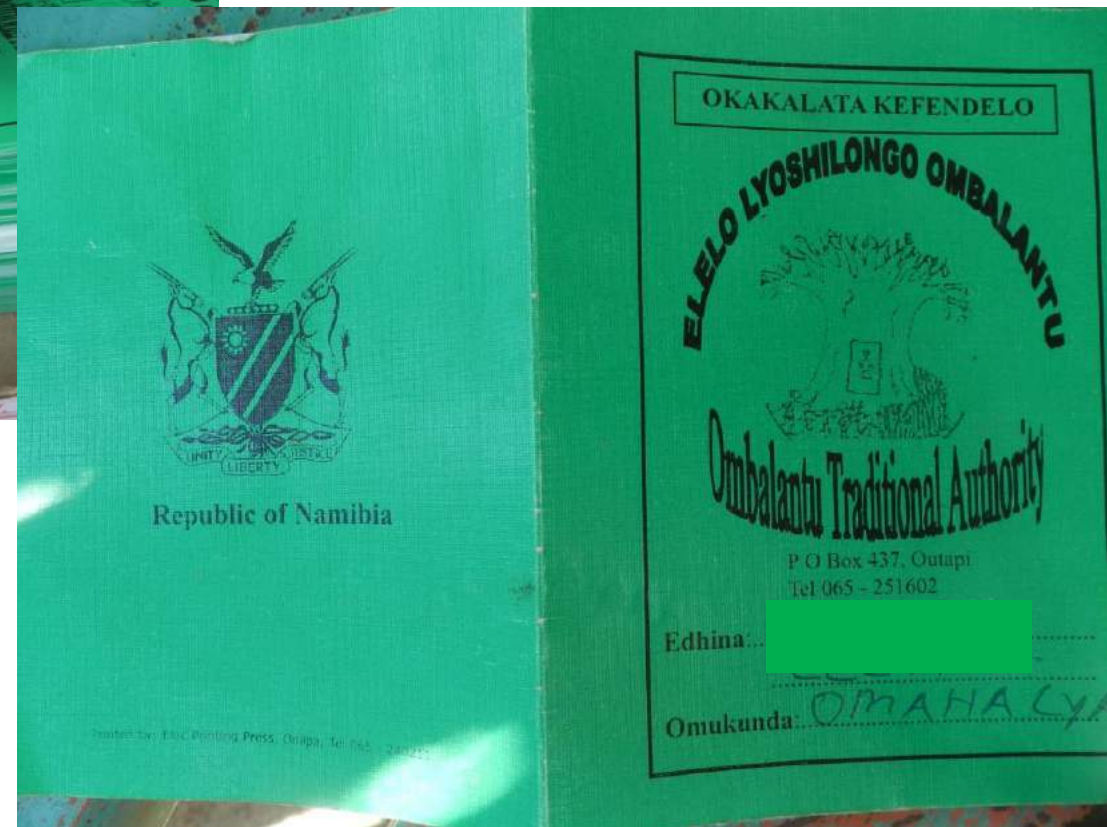




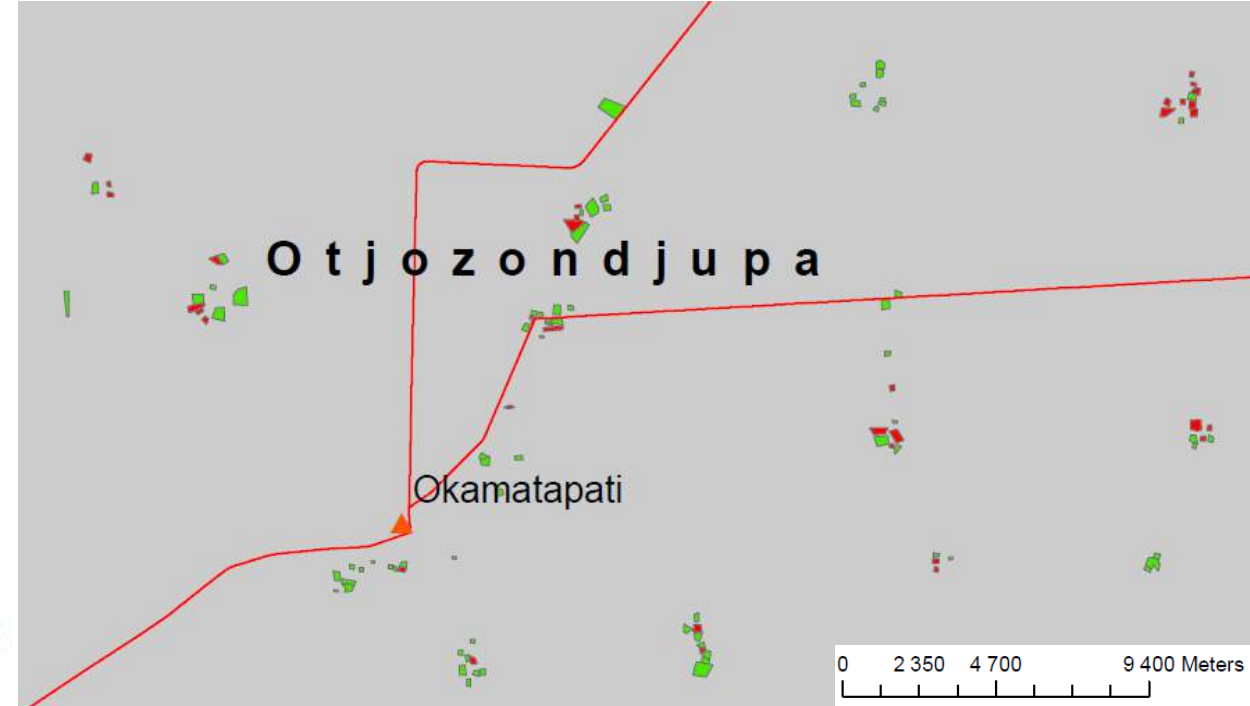
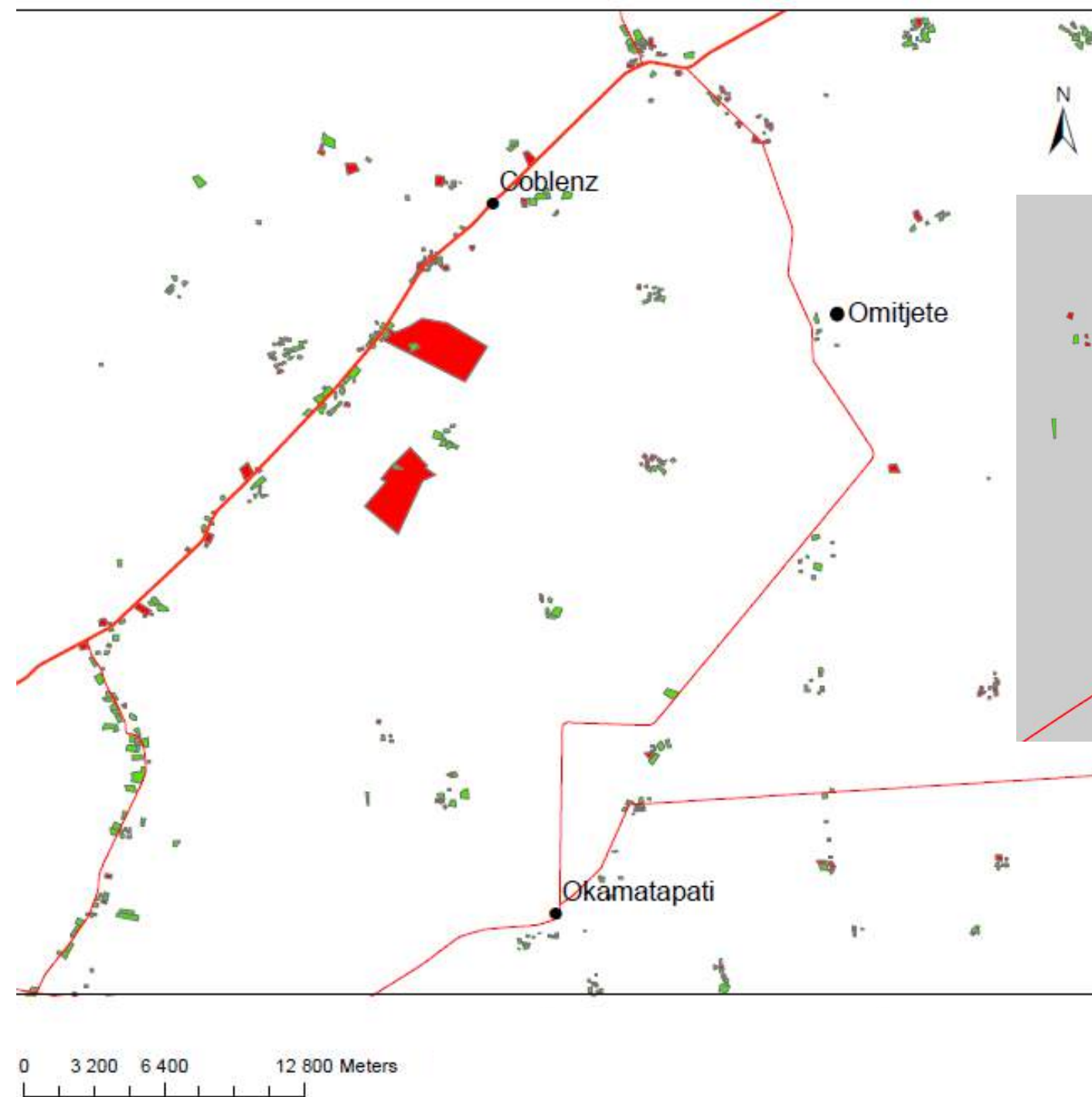








# Otjozondjupa Region

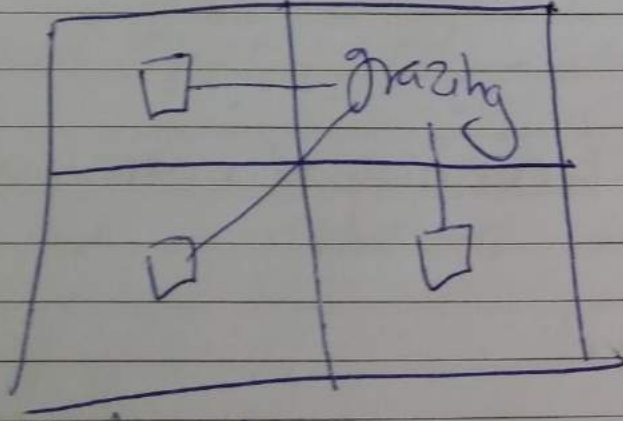


## Legend

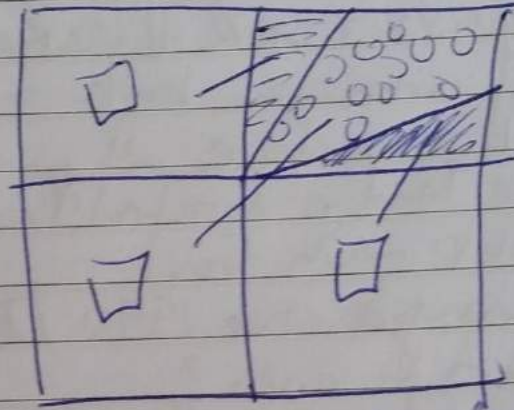
- ▲ Settlements
- Distric roads
- Main roads
- Trunk roads
- Registered parcels
- Unregistered parcels
- Communal Land
- Regions



## GRAZING

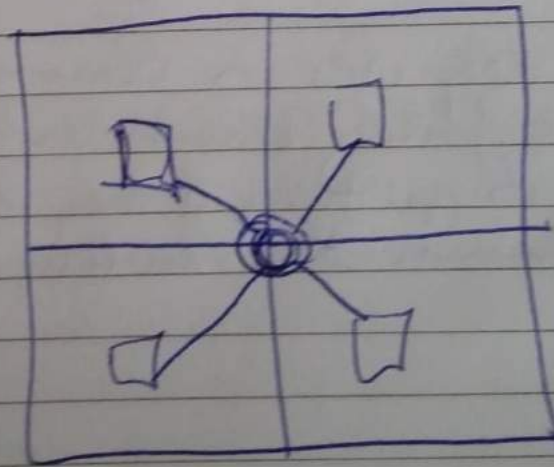
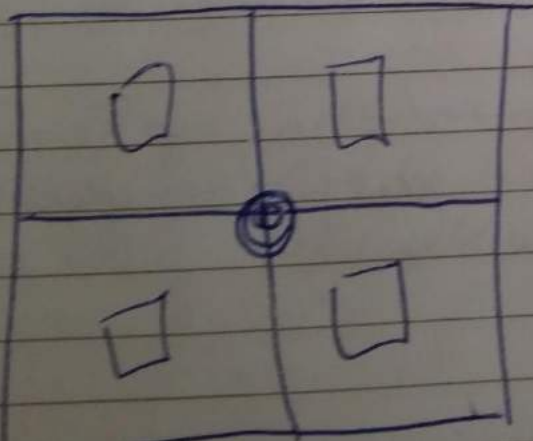


- shared grazing btw. a few households = ~~all~~
- can also be used in a block (often relatives)



open area divided into equal parcels - each farm gets an individual piece  
**OR** entirely individual communal farms

## WATER









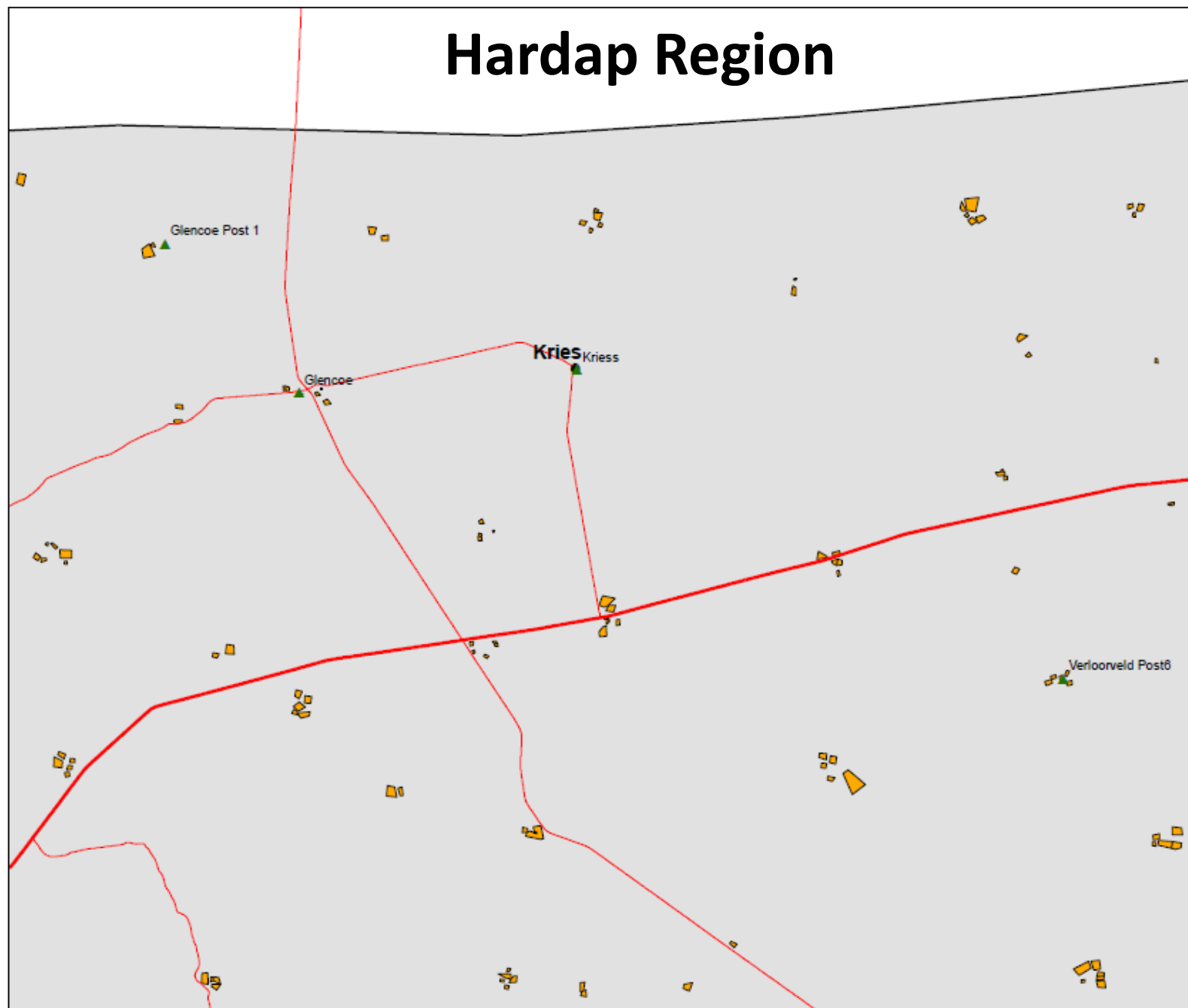








# Hardap Region



0 0.75 1.5 3 4.5 6 Kilometers

## Legend

- ▲ Settlements
- Towns
- District Roads
- Trunk Roads
- Townlands
- Communal Parcels
- Communal Land
- Regional Boundary













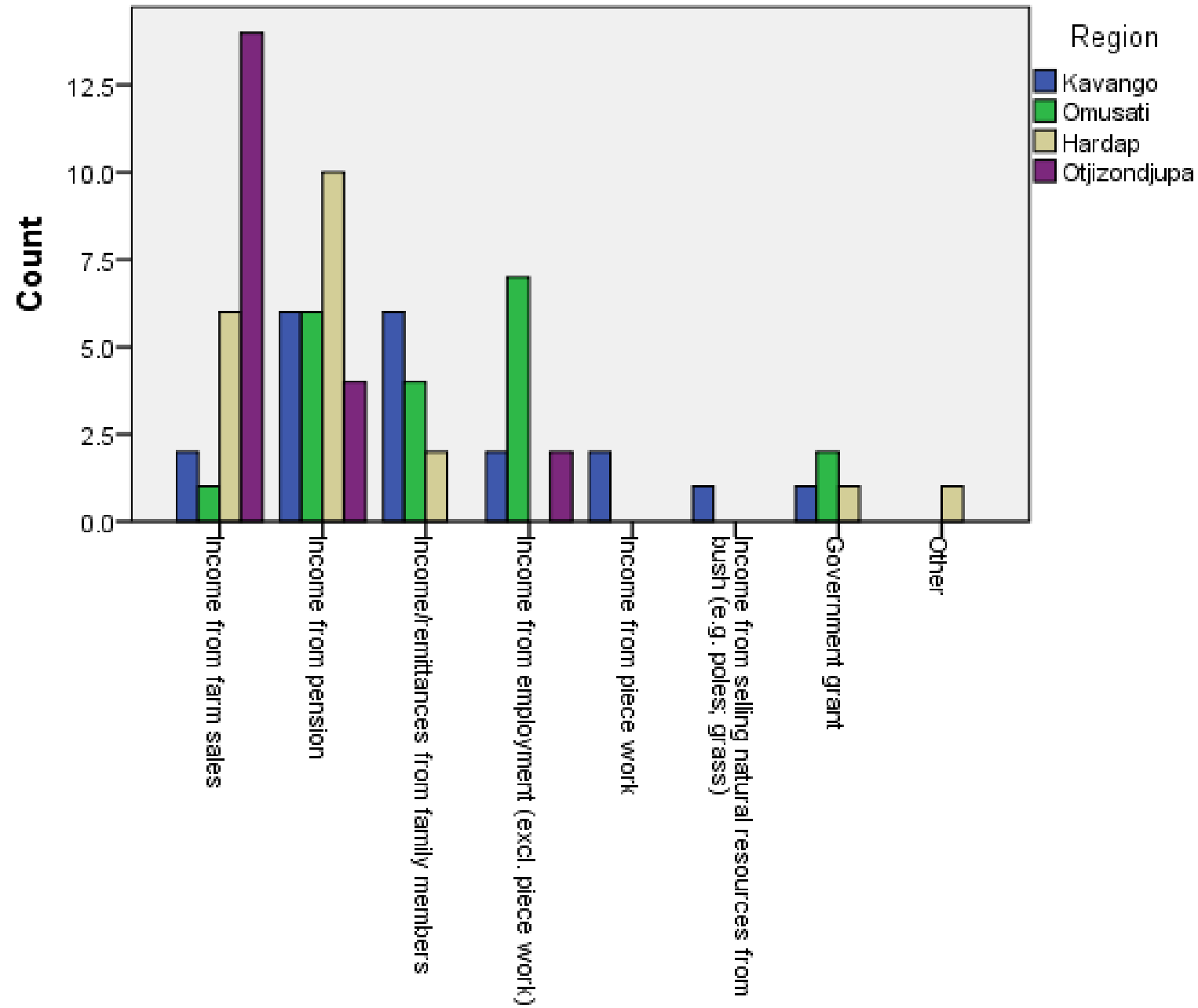




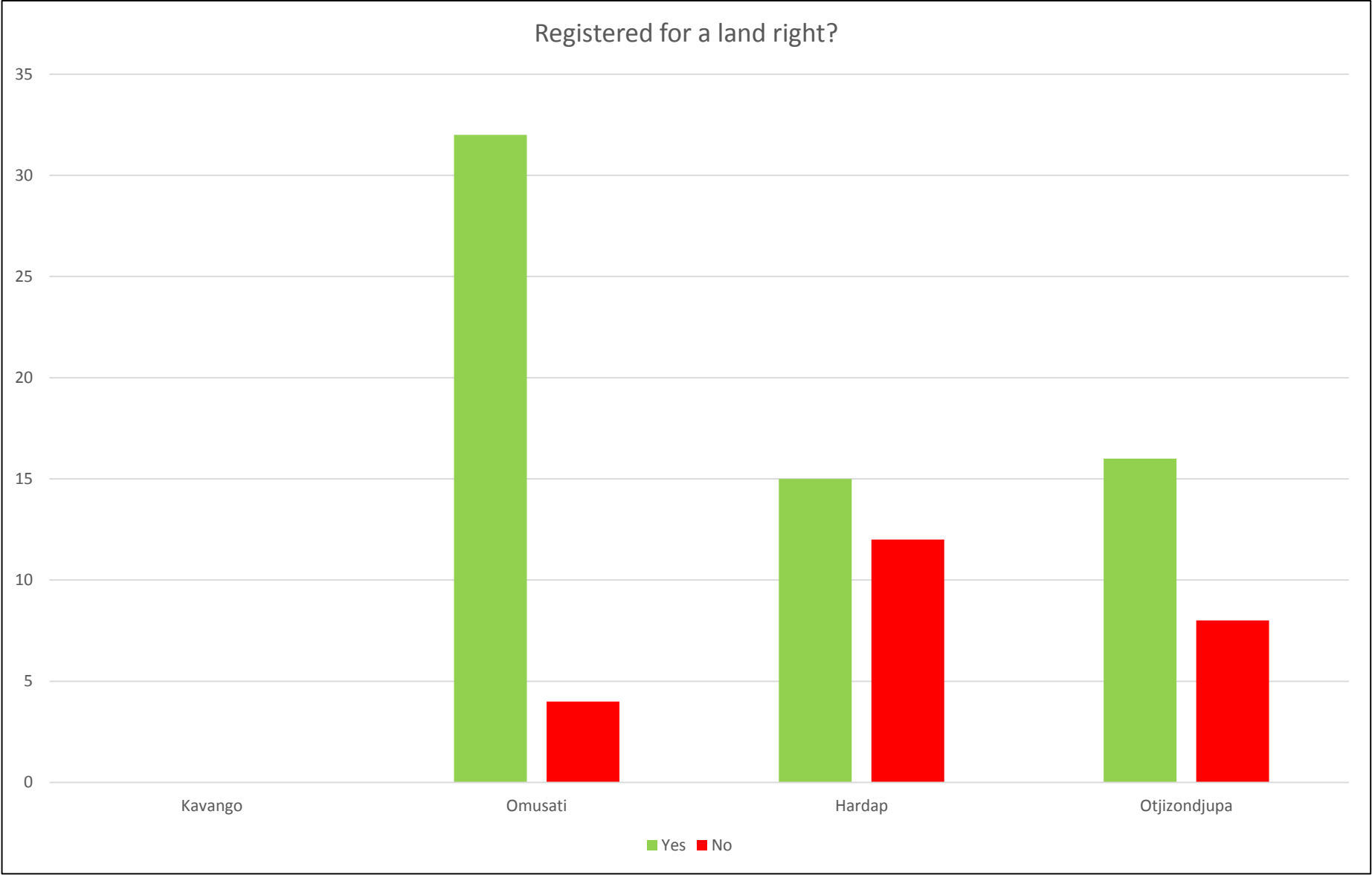




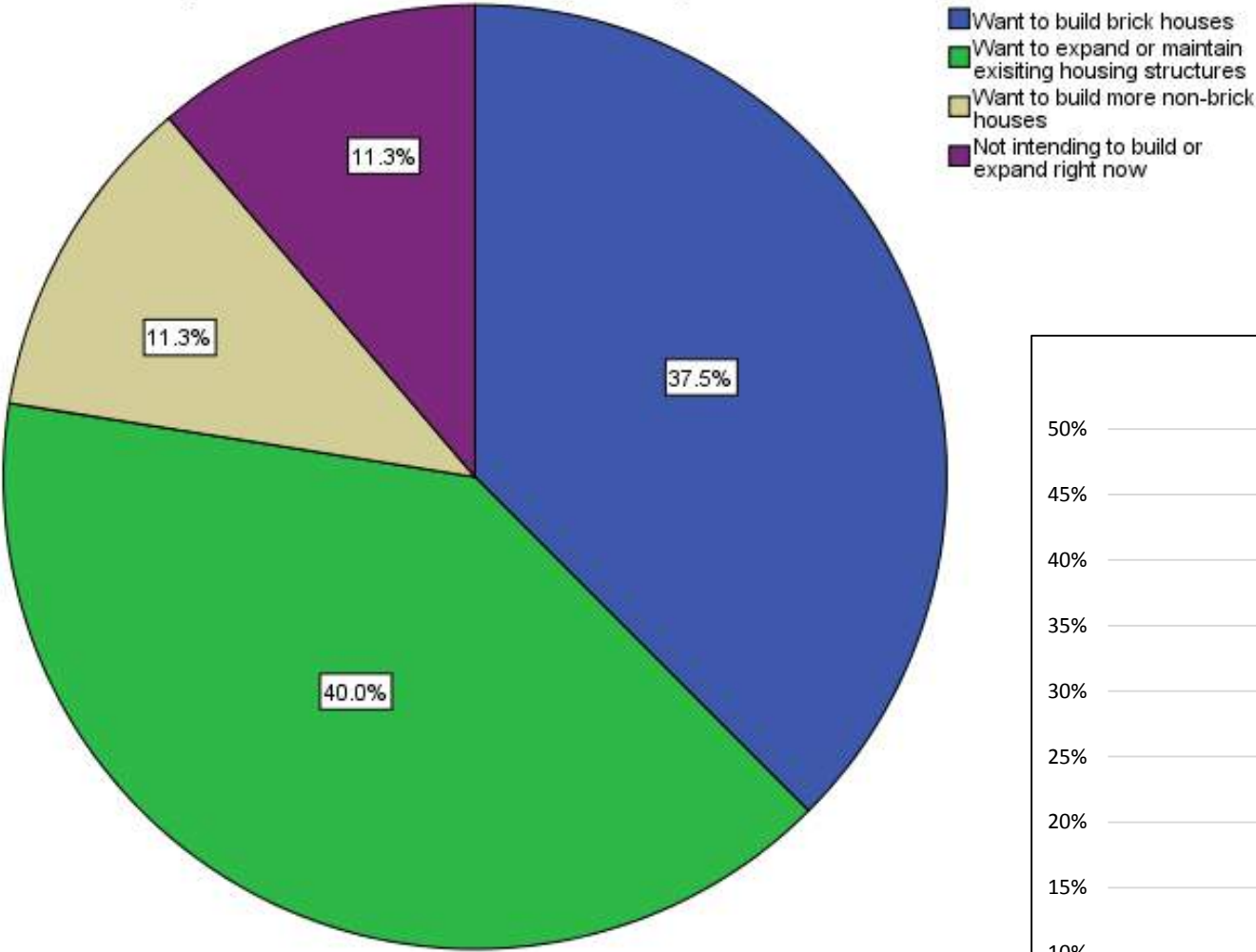
Main income on communal farms



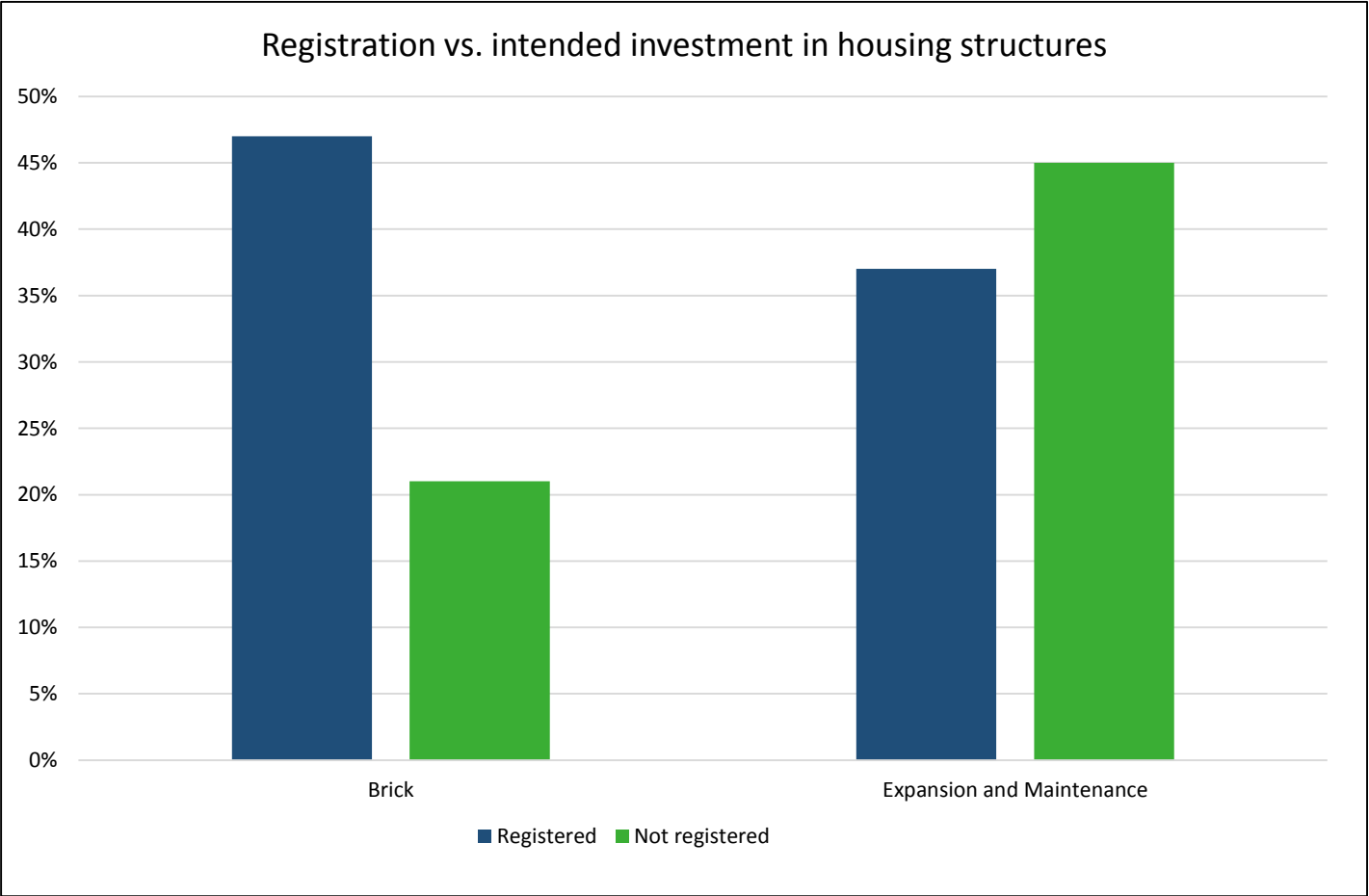




Do you intend on making any changes to the housing structures

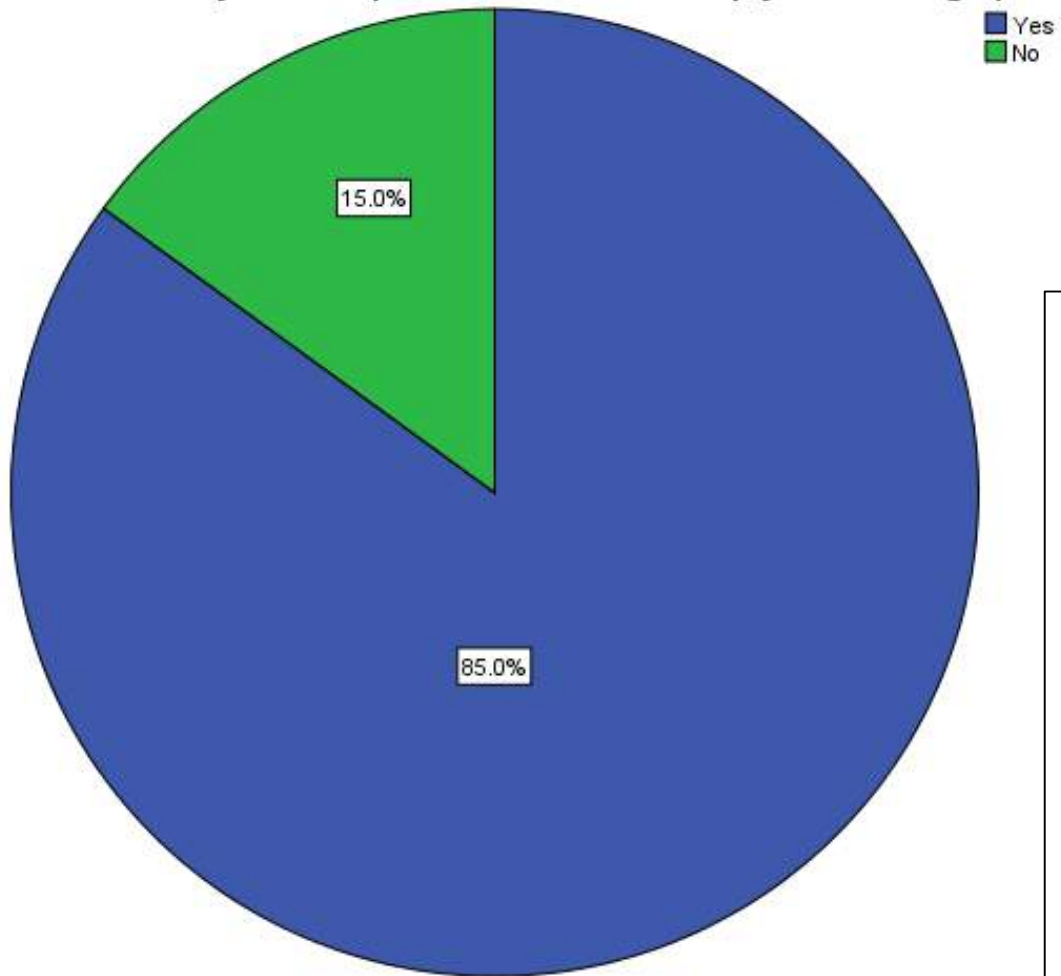


Registration vs. intended investment in housing structures

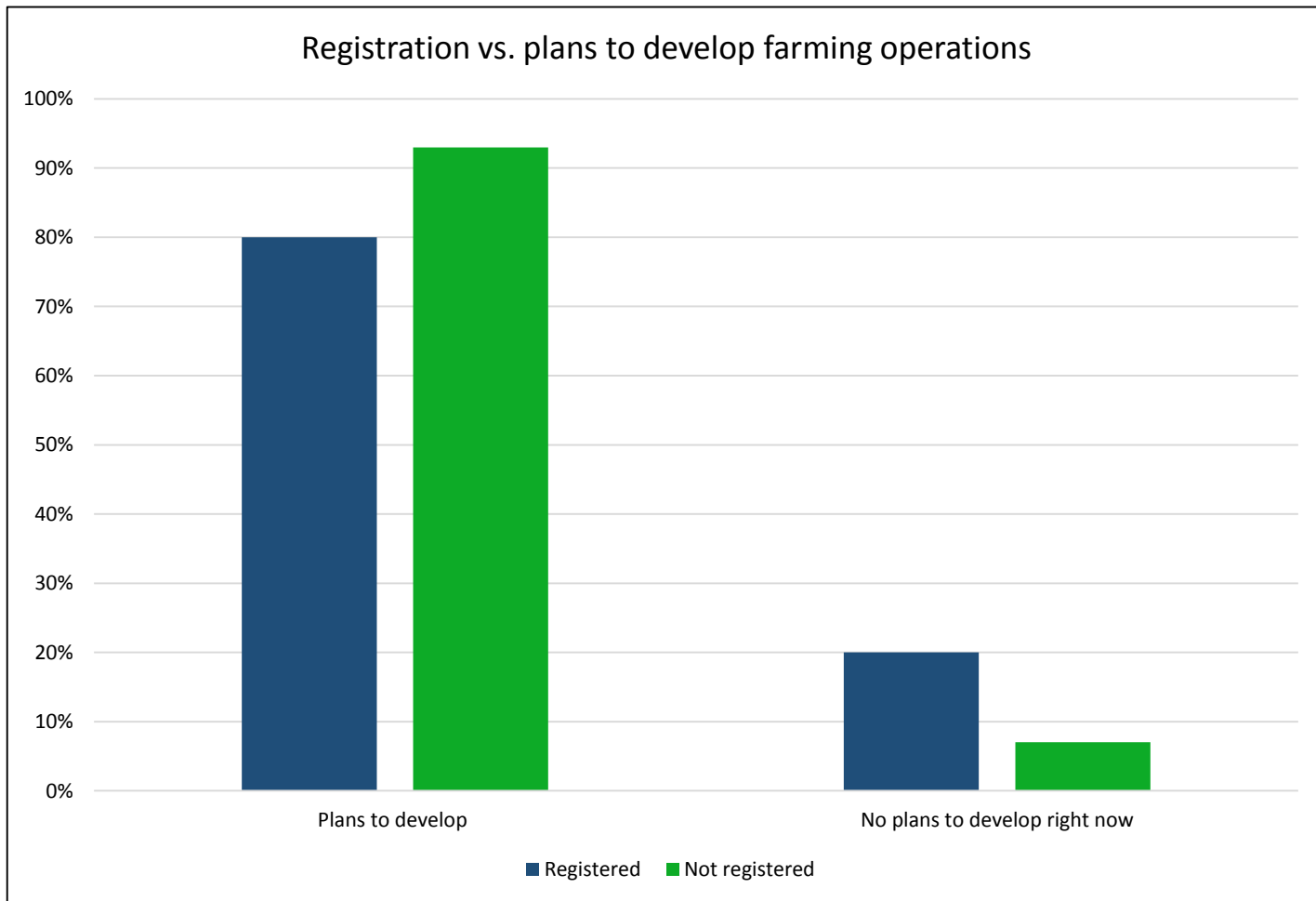


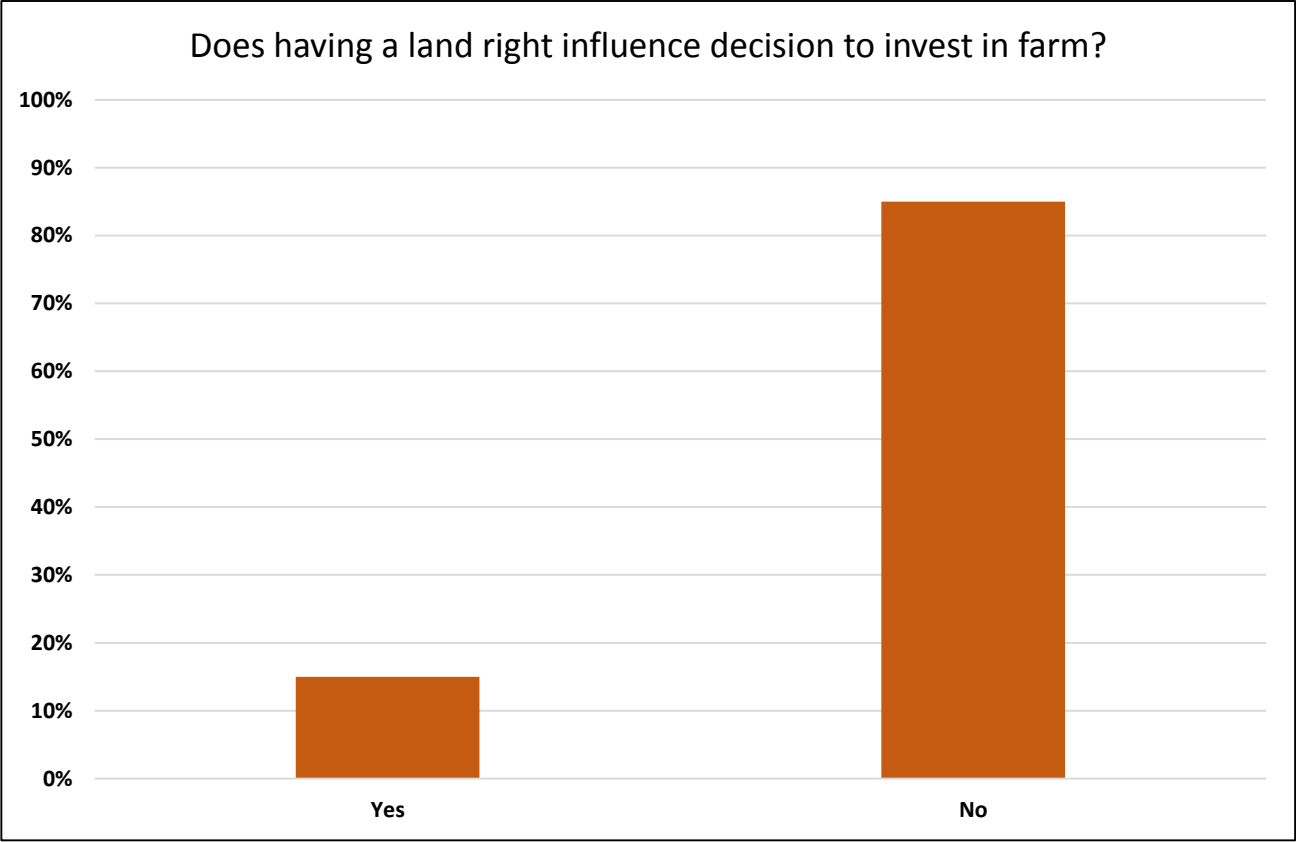
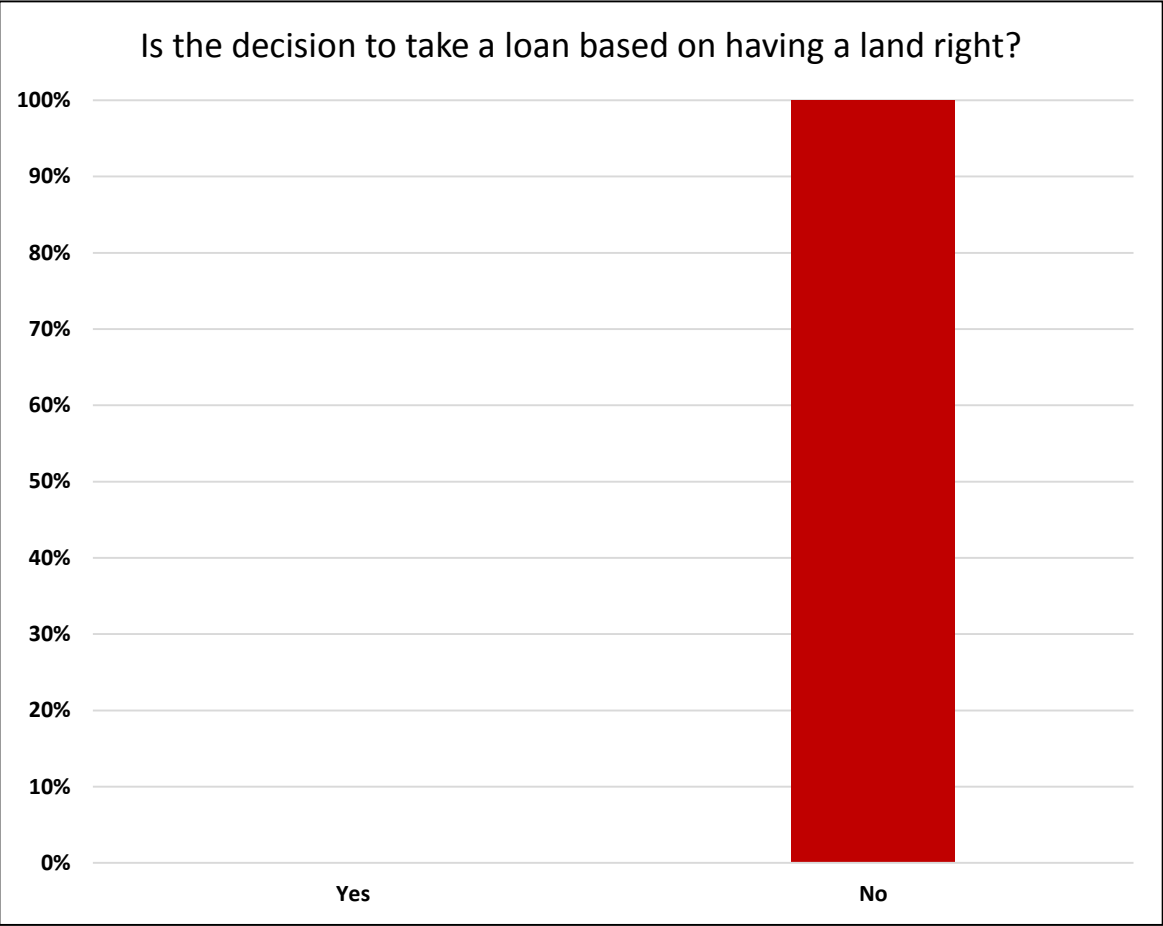


Do you have plans to further develop your farming operations



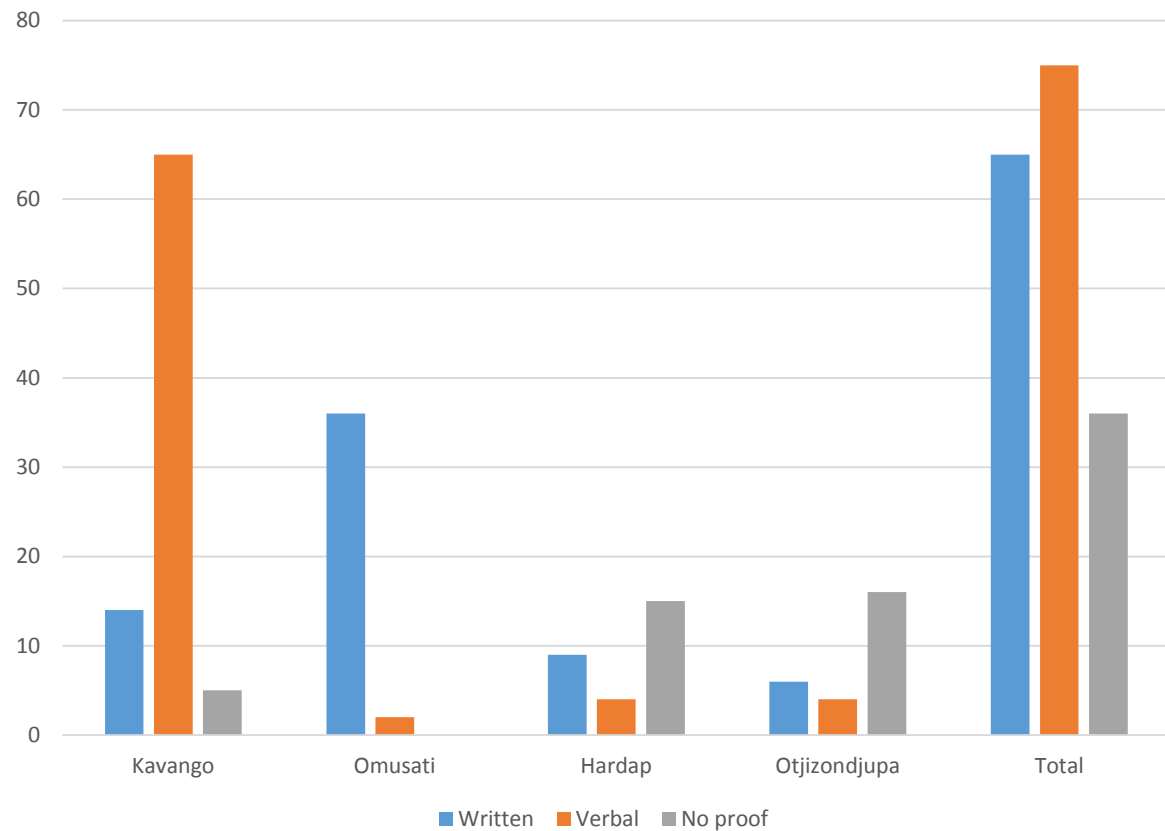
Registration vs. plans to develop farming operations



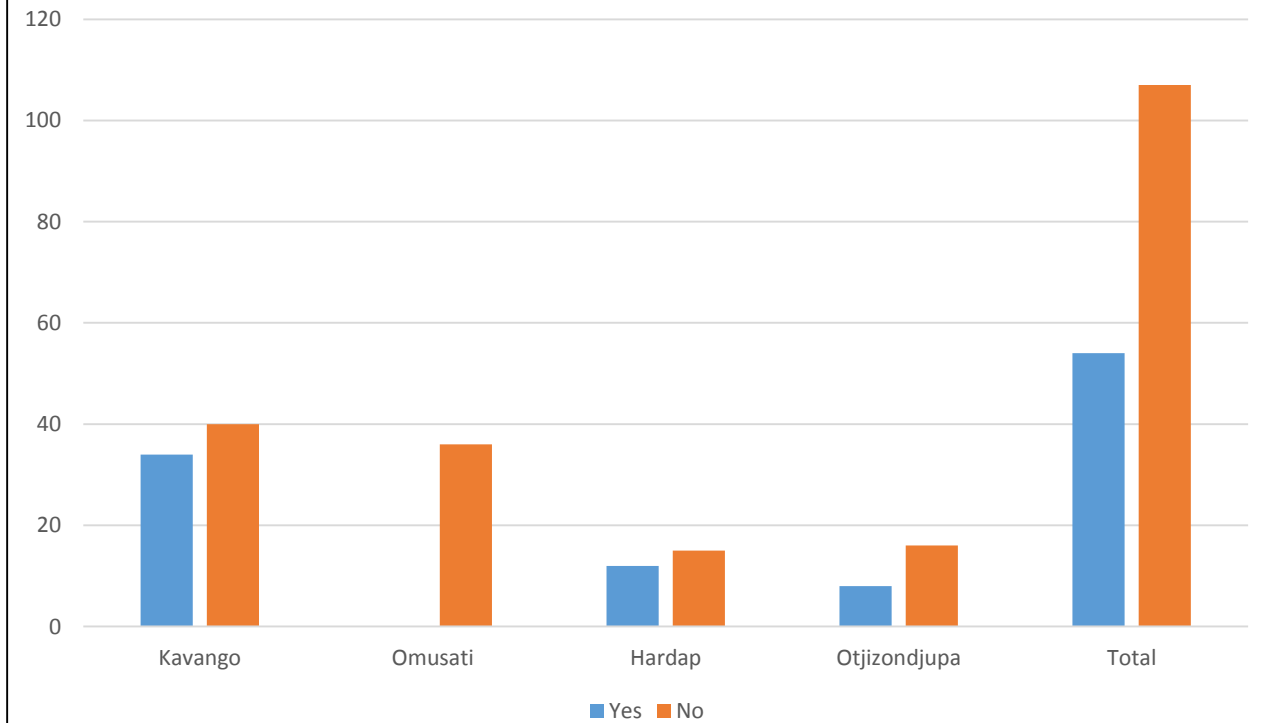




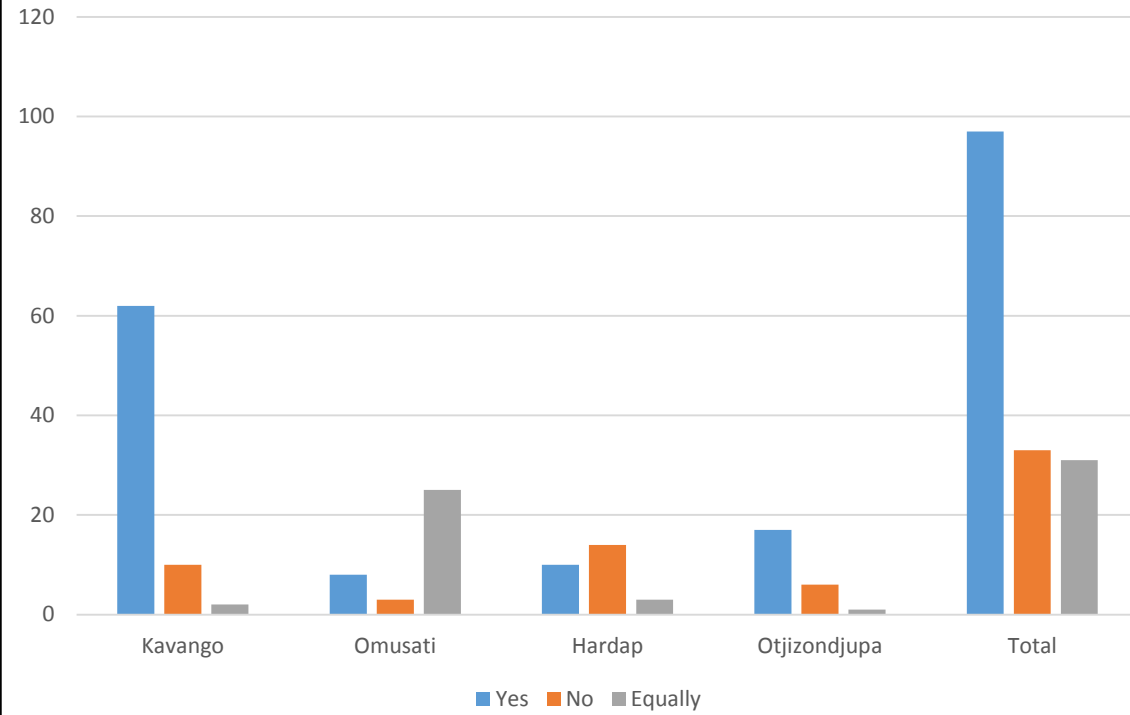
Proof of permission



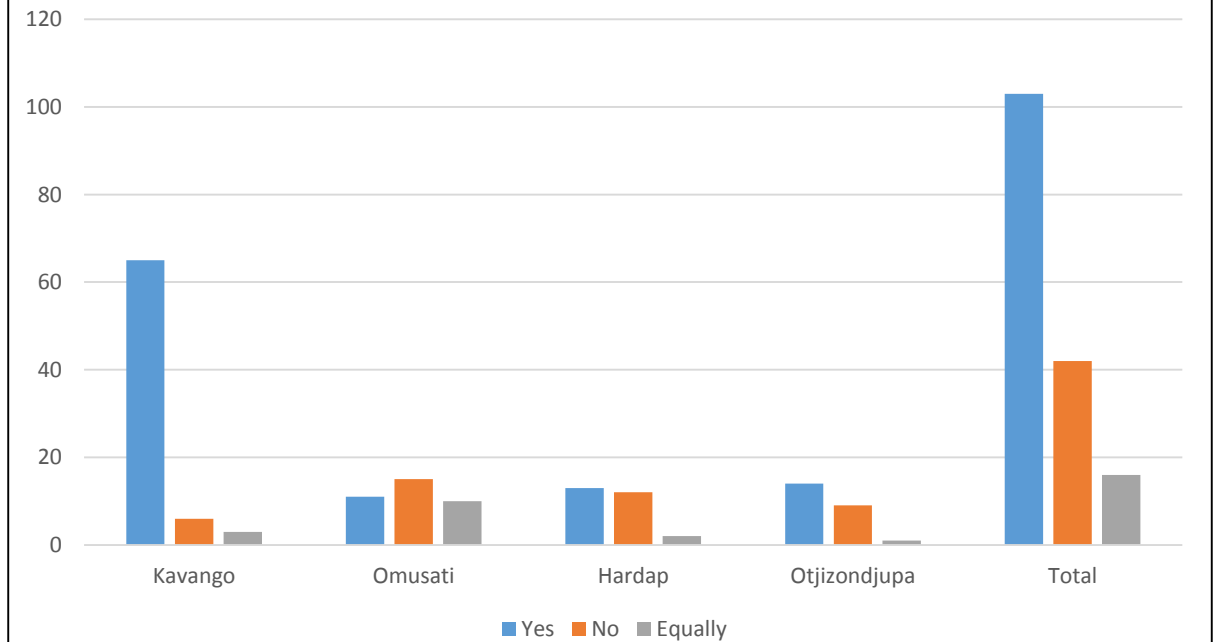
Fear of land being taken away



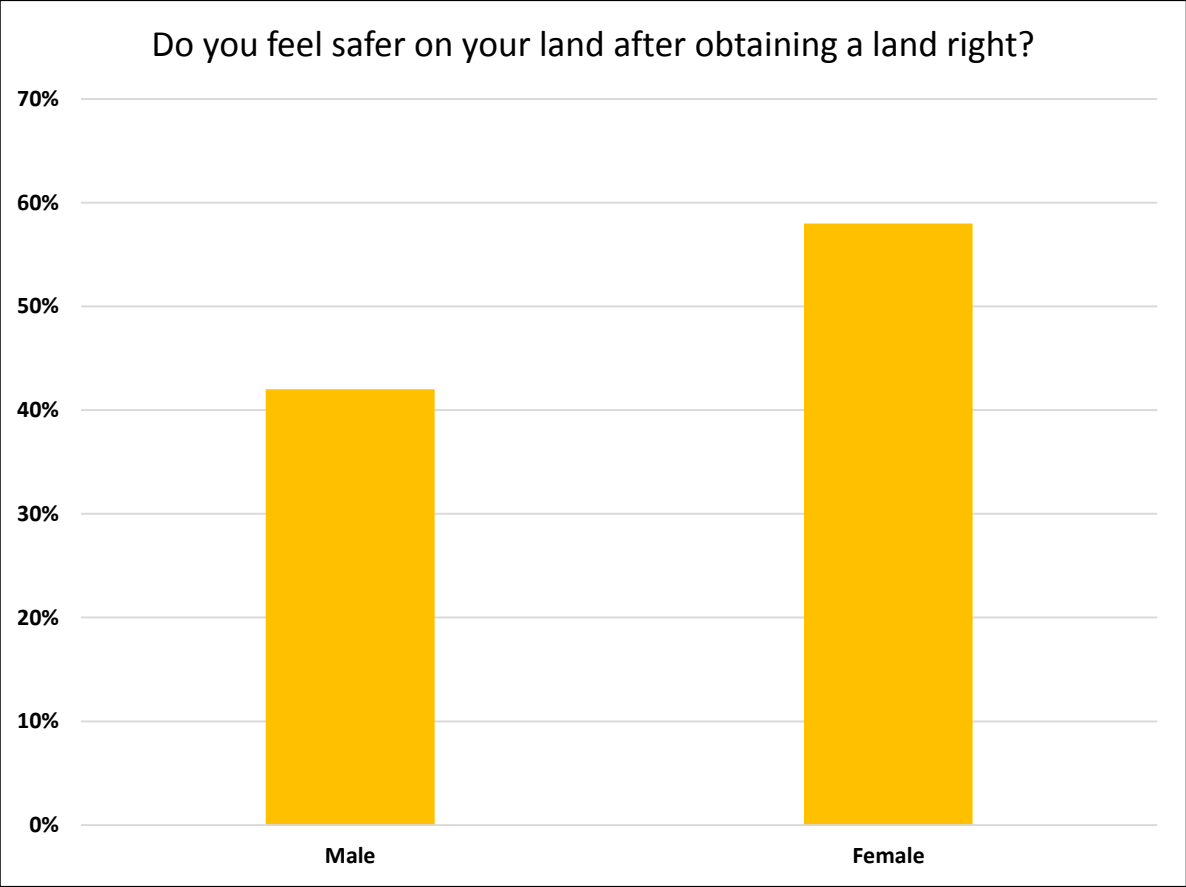
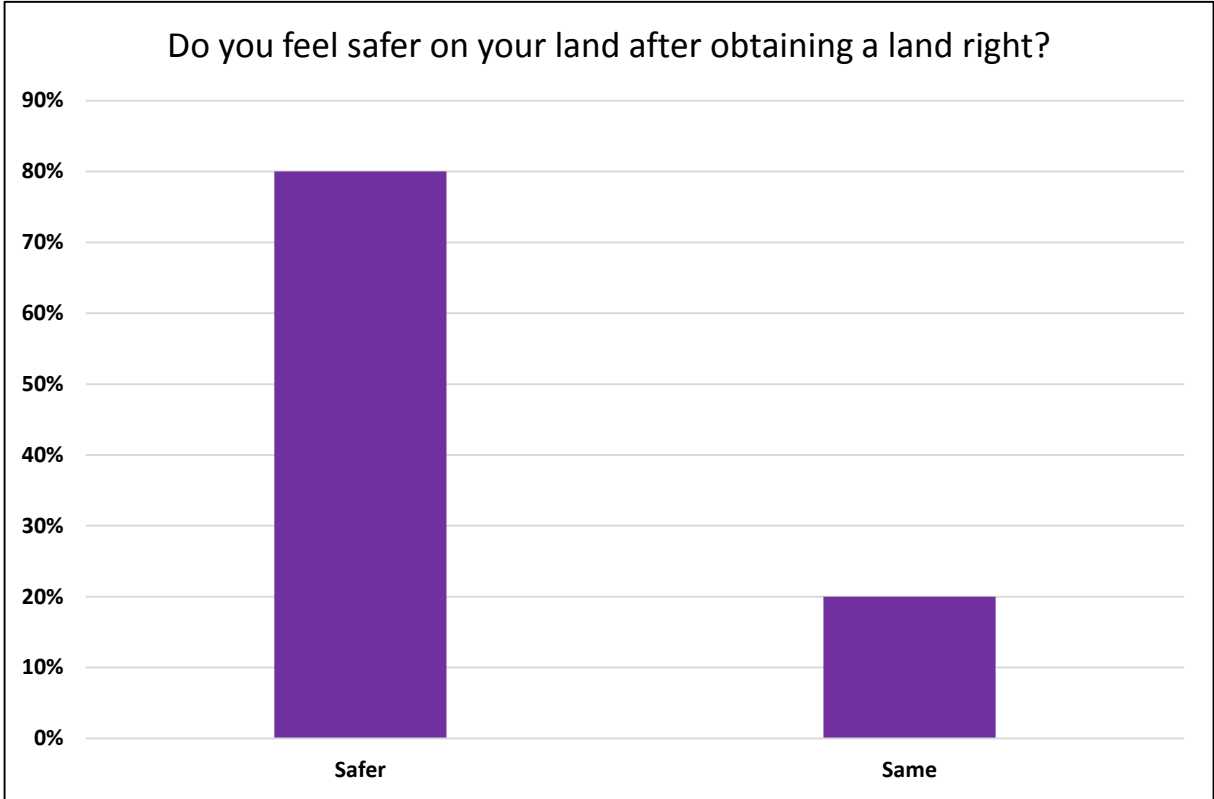
Do you trust your TA more than Govt?



Can your TA protect your land rights more than Govt can?







**The lessons for change are....?**





A woman wearing a straw hat, sunglasses, and a patterned dress stands in a field of tall, dry corn plants. She is holding a green tool in her right hand and a clipboard in her left. The background shows a clear blue sky with some clouds.

**THANK YOU**

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