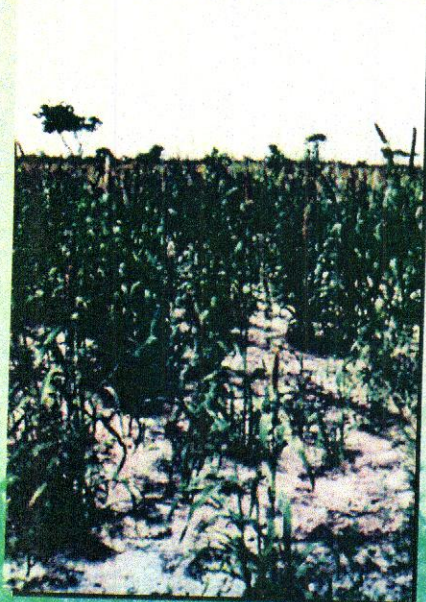
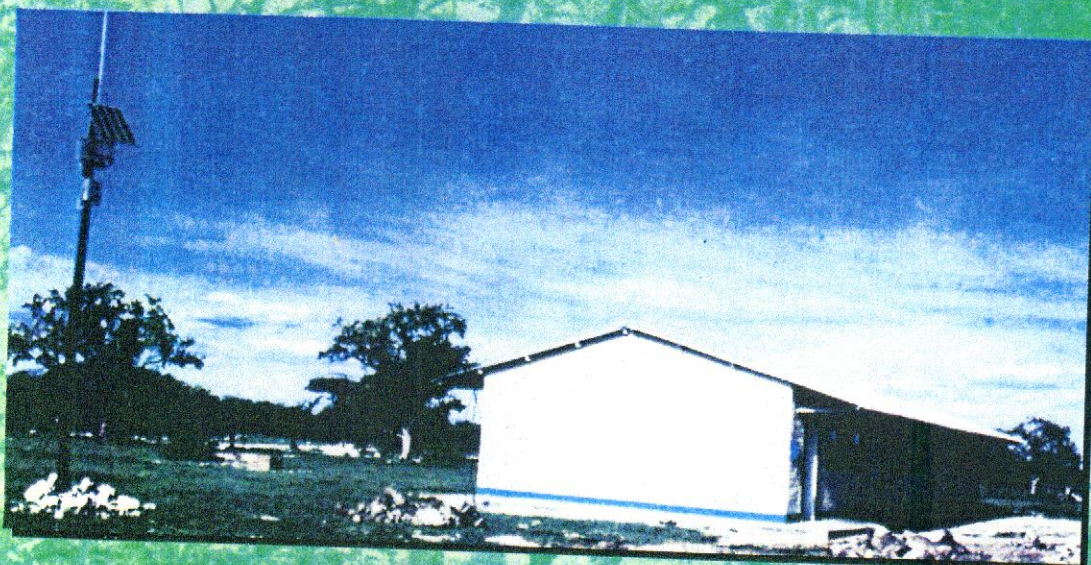
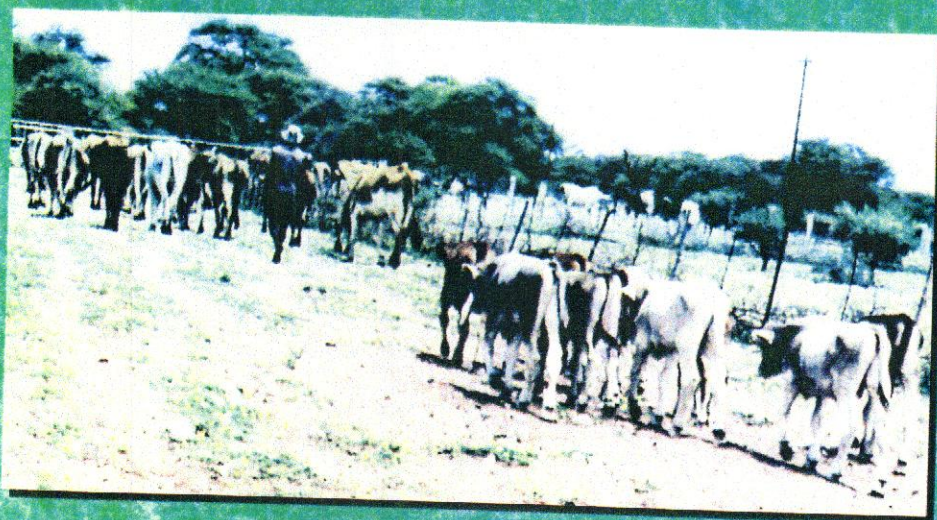


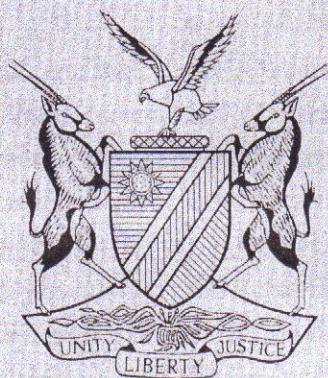
Republic of Namibia



Ministry of Lands, Resettlement and Rehabilitation

National Resettlement Policy





REPUBLIC OF NAMIBIA

Ministry of Lands, Resettlement and Rehabilitation

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July 2001

FOREWORD

The discriminatory colonial laws and policies, which applied in pre-independent Namibia, had demarcated the country according to racial and ethnic lines. The majority of black people were restricted to areas with harsh living conditions (homelands) while white settlers, who only composed about 8% of the total population were allocated the best farmlands, which constituted about 75% of the total landmass.

At independence, the Ministry of Lands, Resettlement and Rehabilitation (MLRR) was established to act as the main catalyst in the planning and administration of land. Its mission is to eradicate inequitable access to land resources through an efficient and participatory land reform, land management, administration, resettlement, rehabilitation as well as the reintegration of disadvantaged citizens. The Policy under consideration here, is an outcome of a consultative process between the Ministry of Lands, Resettlement and Rehabilitation and its major stakeholders. The National Policy on Resettlement is a major step forward towards the implementation of the Land Reform programme. The MLRR sees this policy as the beginning of a clearly articulated and well-directed process towards the improvement of the quality of life through enhancing dignity, well-being and empowerment of the landless and destitute people in Namibia.

Through this National Policy on Resettlement, it is hoped that addressing the needs of the landless people in our society and highlighting the target groups, will be easily embarked upon.. In order to ensure its successful implementation, therefore, this policy provides us with clear objectives, philosophy as well as a strategic framework of land reform and resettlement in a country so vast and with contrasting features. The MLRR will take the leading role for the co-ordination of national programmes and projects in which other line ministries are expected to play special roles and responsibilities.

This policy shall be applicable to all resettlement efforts throughout the Republic of Namibia.



Hon. Minister Hifikepunye Pohamba (MP)
Minister of Lands, Resettlement and Rehabilitation

EXECUTIVE SUMMARY

The purpose of this Policy for Resettlement is to support the basic objective of the Government, which is institutionally, socially, economically and environmentally sustainable and will enable the beneficiaries to become self-supporting.

Further, objectives of the Government are to uplift the living standards of all Namibians, to promote national and regional development and to ensure the beneficial and sustainable use of natural and human resources. The aim of this policy is to facilitate the upliftment of, especially the Namibian citizens at the bottom of the social and economic development in order to support themselves. Therefore, this document proposes the Government, NGOs and other Institutions should ensure access to the scarce resources of the country (including land, capital and skills).

Against the background of the past unequal distribution of land, it is Government's aim to redress this imbalance and facilitate the accessibility to available land to the majority of the Namibian people, within the framework of social justice. In particular, this policy is aimed at specific target groups which have been forced into destitution and landlessness by the apartheid regime. Among these are displaced citizens, members of the San community, former fighting forces, Namibians from exile, people with disability and people with overcrowded communal areas.

This policy, due to the limitation of resources, sets out criteria for resettlement and proposes different types of resettlement schemes, i.e. projects, individual and co-operative holding and other formal and informal groups, as well as defining Government's support to the prospective beneficiaries.

A broad approach is necessary to ensure that this resettlement policy is set of on a new course of development, in terms of the basic objectives of the Government and in line with the policy proposed in this document. Therefore, the strategies proposed in this document are important tools for the implementation of the policy. Designated ministries and institutions should also play an important role in the implementation of this policy, by supporting these strategies through co-ordinated programmes and projects. These programmes and projects will be monitored by the Resettlement Division and evaluated by the Ministry of Lands, Resettlement and Rehabilitation and the National Planning Commission.

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National Resettlement Policy

1. INTRODUCTION

The discriminatory colonial laws and policies, which applied in Namibia prior to independence, had demarcated the country according to racial and ethnic lines.

The majority of black people, which constitutes almost 90% of the total population were restricted to uninhabitable homelands while white farmers, who constituted only about 8% of the total population, were allocated the best farmlands, covering a total of 35 443 567 hectares which are about 43% of the total landmass.

After independence, the Ministry of Lands, Resettlement and Rehabilitation (MLRR) was established to be the lawful custodian of land and tasked to redress the past imbalances pertaining to the distribution thereof.

It is the declared will of the Government of the Republic of Namibia to uplift the living standard of all Namibians. The Government intends to achieve this goal by helping to assist all citizens at the bottom of the social strata to attain an acceptable level of social and economic development so that they can support themselves. People with income and livestock who need land to be resettled with their families will also be assisted. In order to alleviate poverty, people must be assured of improved access to scarce resources, which include land, capital and skills.

After the end of the war for national independence the newly born nation of Namibia found itself faced with huge numbers of unemployed and landless people. There were also people migrating from overcrowded rural and urban areas in search of better opportunities elsewhere. To redress this state of affairs and effectively tackle the problem, the Ministry of Lands, Resettlement and Rehabilitation was brought into existence in 1990.

In practical terms, the Ministry has the responsibility to facilitate the resettlement of destitute and landless people of the country. This means, first and foremost, purchasing and allocating land to enable them to make a living. The Ministry has also to provide the settlers with the necessary support such as infrastructure and basic needs, for instance, shelter and water to start a living and meet their basic needs to enable them to continue on their own afterwards.

The Namibian Government is aware of its enormous responsibility towards the Namibian people and has therefore decided to assist the homeless and landless citizens of the country through the Ministry of Lands, Resettlement and Rehabilitation.

1.2 Government's Objective

The primary objective of the Government's Resettlement Policy will focus on the resettlement of eligible persons in ways which are institutionally, sociologically economically and environmentally sustainable and which will allow the beneficiaries to become self supporting.

1.3 Resettlement Philosophy

Resettlement does not only mean providing people with land, housing, infrastructure, knowledge and skills to maintain and develop their new environment and entitlements but it also means establishing an innovative attitude, in which the spirit of self-reliance is the underlying principle on which development is to be built by the government or the people themselves.

The resettlement programme is intended to cover all kinds of landless, displaced and destitute people in the country. There are no definite figures but it is estimated that 243,000 Namibians are in need of resettlement and consist of the following groups: People from overcrowded communal areas, ex-farm labourers, unemployed and landless people. The resettlement programme should therefore, not only target the agricultural sector and rural areas per se, but should be considered as part of the national development strategy.

The are two important aspects in Governments Regional Development Strategy:

Firstly, the government is requested to conduct social development programmes especially in the education and health sector.

Secondly, regional development, should be parallel with the human and capital development of the respective areas. Therefore, the nature of resettlement is highly complex, because it requires rigorous application of social, agricultural as well as physical planning principles. In addition, there are constraints that relate to the shortage of serviced arable land for the many applicants in the northern regions of the country (who wish to pursue crop or mixed farming). In the southern regions, much of the land available for resettlement is as still incapable of supporting viable livestock activities because of past history of overgrazing and below normal rainfall experienced in general.

2. AIMS AND OBJECTIVES OF RESETTLEMENT

2.1 Aims

The immediate aim of the resettlement programme is to make settlers self reliant either in terms of food production or self employment and income generating skills. To this end beneficiaries should achieve an improvement in living standards, enhance regional development throughout the country, through the beneficial and wise use of natural and human resources.

The below listed objectives are the ones which the resettlement programme is aimed at achieving. Among these objectives, the most important of all are:

Firstly, *to enhance the welfare of the people through improvement of productivity, and*
Secondly, *to develop destination areas where they are supposed to earn a decent living.*

2.2 Objectives

- a) To redress past imbalances in the distribution of natural resources, particularly land.
- b) To give an opportunity to the target groups to produce their own food with a view towards self-sufficiency.
- c) To bring small-holder farmers into the mainstream of the Namibian economy by producing for the open market and to contribute to the country's Gross Domestic Product.
- d) To create employment through farming and other income generating activities.
- e) To alleviate human and livestock pressure in communal areas.
- f) To offer an opportunity to citizens to reintegrate into society after many years of displacement by the colonialization process, war of liberation and other diverse circumstances.

3. THE MAIN TARGET GROUPS

It is government policy to help Namibians to have access to land with secure tenure. However, the Government acknowledges with regard to Resettlement, that, for practical reasons and by force of circumstances inherent in the limitation of means, such help can only be provided on priority basis and proportional to the needs of potential beneficiaries.

By analyzing the applications for resettlement and judging the applicants on the basis of their economic status, the Government classified the categories of settlers as follows:

- a) People who have neither land, income nor livestock.
- b) People who have neither land nor income, but few livestock.
- c) People who have not land but have income or are livestock owners, but need land to be resettled on with their families and to graze their livestock.

The Government, through the Ministry of Lands, Resettlement and Rehabilitation has set up an order of priority of beneficiaries in its Resettlement Programme. In this programme the main target groups are members of the San Community, Ex-soldiers, Returnees, Displaced persons, People with Disabilities and people from overcrowded communal areas.

3.1 The San Community

Members of the San Community have endured exploitation and discrimination at the hands of their fellow citizens throughout history. This includes the exploitation by colonial forces who used them as

trackers and later left them helpless in former military camps. At present the San people are in the hands of farmers in both the communal and commercial areas as well as other sorts of employers where they are marginalized and subjected to unfair labour practices and inadequate shelter.

These people have suffered tremendously as a result of historical changes caused by the political constellations and ecological constraints. Therefore, they need to be helped in realising a new living by developing existing skills and acquiring new ones to be able to secure their sustenance.

3.2 Ex-soldiers

The government believes that it is part of its responsibility to integrate members of the former opposing forces (PLAN, SWATF and KOEVOET) into society through Resettlement and Rehabilitation programmes by training them to acquire functional life skills.

3.3 Displaced, Destitute and Landless Namibians

Namibia has a history of colonial oppressive activities e.g. mass genocide, racial atrocities, political harassment and the war situation that prevailed in the country which forced many Namibians to flee the country of their birth. At independence some of these Namibians returned to their home country; but thousands of them had no where to settle and have no means to make a living because of the small farming units in the already overcrowded reserves. These people also faces other kind of problems which the Government needs to solve. Shortly after independence the Government of an independent Namibia embarked upon a repatriation programme aimed at bringing back home, some of the displaced descendants of those Namibians who fled to Botswana during those early years of German occupation.

Equally important is the fact that some Namibians who languished in jails and concentration camps, because of their political convictions. Upon their release they too need land to resettle on. Some of these Namibians are skilled in agriculture and other technical fields and can make a living if they are provided with he necessary land for resettlement, equipment and financial support.

Due to attitudinal constraints and a fragile economic base, thousands of the country's workforce are being retrenched from farms and other sectors of the economy. This phenomenon forces them to seek for a livelihood in the land.

3.4 People with disabilities

The humanity of a nation is measured by the way such a nation gives help to the most vulnerable groups in its society including women, children, the elderly and people with disabilities. The war situation that prevailed in Namibia has increased to the already high number of disabled people in the country. The Government also considers alleviation of the situation of the disabled people as part of its responsibility by assisting them to achieve an acceptable economic and social standing in the community through resettlement and creation of institutions where they can acquire social help, get trained in different skills, become self-supportive and get their human and civil rights respected by society.

3.5 People from overcrowded communal areas

In some of the communal areas the destruction of the environment is eminent due to overgrazing and over utilization of the natural resources such as indigenous plants, trees and water.

Some of these people have livestock but have no land for grazing neither do they have land for crop production for their livelihood.

4. SELECTION OF SETTLERS

Due to the limitation of resources, it is imperative for the Ministry to make provision for streamlining the Resettlement Programme in order to reach those who are really in need of farming land. To this end, selection criteria have been established for the potential beneficiaries.

The Ministry has to identify the potential beneficiaries of the Resettlement Policy in co-operation with the Regional Councils and with the assistance of the Land Use and Environmental Boards, Regional Land Boards and Regional Resettlement Committees.

Initial screening of applicants will be done at this level.

4.1 The criteria

It must be noted that people who are having more than 150 Large Stock Units or 800 Small Stock Units or the equivalent thereof will not be eligible for resettlement. Secondly, different models of resettlement will require different selection criteria to ensure that the beneficiaries fit the requirements of the model as much as possible. The criteria are as follows:

- a) Beneficiaries should have a background or an interest in agriculture or other related activities on which the resettlement is based.
- b) Beneficiaries should be prepared to hold land under a leasehold tenure arrangement and to relinquish any agricultural land rights elsewhere.
- c) An applicant intending to engage in animal husbandry should not own more than the number of livestock determined by the carrying capacity of the farming unit he/she has applied for.
- d) Settlers should be prepared to support cost recovery measures, such as, lease and water fees whenever they are introduced.
- e) Applicants should be at least 18 years.
- f) Applicants should adhere to the stipulations of the lease/resettlement agreement and utilize the land allocated to them productively. Failure in this regard can disqualify the incumbent beneficiaries.

5. OCCUPATIONAL RIGHTS

Land acquired for resettlement purposes will be provided to beneficiaries on lease hold of 99 years. The lease hold tenure system will be arranged so that the settlers can use the Lease Agreement as collateral to get a loan from lending institutions **for agricultural production purposes.**

Land will also be made available for shorter periods as agreed upon by the lessor and the lessee.

6. RESETTLEMENT

The Ministry of Lands, Resettlement and Rehabilitation defines resettlement as a movement of people from an area with insufficient resources to the one which is more likely to provide a satisfactory standard of living.

Resettlement is a voluntary programme for which people apply and choose the preferred area for their resettlement, which can be either in the communal or commercial areas. In principle there are no restricted areas for Resettlement except those that are declared as such by law or those considered too marginal for productive use.

To be able to resettle people, it is necessary to have land in any part of the country, which is suitable for farming or other related activities and where individuals, families or groups can be resettled and make a living. In this case, land with sufficient resources becomes the most important and decisive factor in Resettlement. Indeed, it is the condition *sine qua non* for any Resettlement Policy and strategy. In order to carry out a well planned Resettlement Programme, respective Directorates need to know the number of people in need of resettlement and the amount of available land in advance. Land for resettlement shall be assessed on the basis of its biophysical condition as well as available infrastructure.

7. TYPES OF RESETTLEMENT

The Government has promoted different practices of working on the resettlement schemes depending on the prevailing agro-ecological conditions of the given area. A family or a group of people may opt to have subsidiary income generating activities, for example a vegetable garden, brick making, poultry, piggery, tailoring, bakery and other such activities.

A target minimum income level has to be established in order to monitor if the Resettlement Programme is improving the living standard of the beneficiaries or not. The different working models are as follows:

7.1 Individual Holdings

An Individual Holding is a unit allocated to a family or individual in line with the minimum size of a commercially/subsistence viable unit in any agro-ecological zone.

7.2 Group Holdings

A formal or informal group consisting of more than one person who cannot form a Co-operative but are interested to indulge in agricultural or related activities as such a group.

7.3 Co-operative Holdings and other Legal Entities

In order to facilitate the smooth functioning of the co-operative type of resettlement project and to monitor and control the use of financial input made by the Government provisions of the Co-operative Act should be applied.

Other duly registered legal entities, including Companies and Close Corporations, shall be dealt with in line with the provisions of the Agricultural (Commercial) Land Reform Act of 1995, (Act No. 6 of 1995).

8. GOVERNMENT AND NGO SUPPORT

It is the government's aim to create a conducive and enabling environment in which the beneficiaries can further develop their inherent innovation and creativity through which they can develop the land allocated to them.

The type of settlement and the category of beneficiaries will determine the length of support. Within this period settlers will be expected to have gained enough experience and self-confidence to be able to support themselves. The settlers have no commit themselves to meet some basic requirements, for example, to maintain the allotments/plots that have been allocated to them and utilize the fields productively.

It is of paramount importance to note that the success of the Resettlement Programme does not depend on the settlers alone, but it also depends on the dedication and commitment of the respective key players in these projects. Therefore, each resettlement project should be provided with appropriate financial and human resources and tools and equipment as may be required, in accordance with the size of the project.

After their selection and registration, the settlers will move their respective resettlement areas.

Depending on the category of the respective beneficiaries, it will be expected of them to be self-reliant and self-sufficient by the fourth year except in the case of existing natural phenomena e.g. drought or other disasters.

It is important to realize that the objective of this policy will be achieved through a concerted effort of people empowerment. In other words, the training programmes should be able to facilitate the resettled to realize their full potential in pursuing a higher level of livelihood.

9. GENERAL PROVISIONS

9.1 Strategies for Implementation

The strategies outlined in points 9.2 to 10 hereunder are important tools for the implementation of this resettlement policy. Each designated ministry will, in practical terms, support these strategies by implementing programmes and project which can bring about the intended goals. The extracts of the objectives from the different designated ministries' development plans should be in line with these policy objectives. That is, to enhance the welfare of these people through the improvement of their productivity; and to develop destination areas where they can earn their living. Hence, these strategies are devised to achieve the objectives set out in this policy.

Therefore, each ministry carrying the main responsibility for the co-ordination of action plans in a particular area, shall ensure that sectoral partners within the government and non-government organizations are involved in these plans.

9.2 Government Ministries

9.2.1 *The MLRR*

The Ministry of Lands, Resettlement and Rehabilitation will provide funds from the government's capital budget to finance the Resettlement Programme.

a) Directorate of Resettlement and Rehabilitation

The overall responsibility is to facilitate resettlement of displaced and landless citizens.

When implementing this policy objectives, the Directorate will be involved in the following activities:

- i) Planning and co-ordination of the Resettlement Programme
- ii) Human Resources Development
- iii) Implementation of the projects
- iv) Supervision of resettlement projects
- v) Monitoring and evaluation of projects

b) Directorate of Lands

The directorate's overall responsibility is to establish and protect the inalienable right of access of every need citizen to land to settle on develop and use. Therefore, when implementing this policy objectives, the directorate will make provision for the following:

- i) Land acquisition
- ii) Evaluation of natural resources and planning of proposed resettlement areas.
- iii) Development of planning guidelines for different Land Use Practices.

c) Surveyor General's Office

The overall responsibility is to facilitate land allocation and utilization through conducting of land surveys and mapping services. When implementing these policy objectives this office should also make provision for mapping and aerial photography at appropriate scales.

d) Deeds Office

The overall responsibility is to establish property assurance through provision of services in the areas of registration of Lease Agreements and the safe keeping of related documents. When implementing this policy objective the Deeds Office should ensure the registration of leases and other real rights.

e) Division of General Services

The division of General Services forms the back bone of the administrative services in the ministry and is responsible for support services such as:

- i) Financial managing and control
- ii) Human Resources Development

f) Division of Planning, Research and Project Development

- i) Identification, Assessment and Appraising of new Projects
- ii) Drafting and Project Proposals
- iii) Evaluation and assessment of Projects

g) Inter-Ministerial Committees

To utilize the broadcast possible range of expertise, available to the Government the respective line ministries should be pro-actively involved, during the identification, planning, implementation and evaluation stages of such projects.

1. Land Acquisition Committee:

The Land Acquisition Committee will be responsible for the scrutiny, assessment, and evaluation of farms offered to the government and perusal of the assessment reports prepared by the Division of Land Use Planning for recommendation to the Division of Estate Valuation. The Committee shall consist of the following stakeholders;

Ministry of Lands, Resettlement and Rehabilitation
Ministry of Agriculture, Water and Rural Development
Ministry of Works, Transport and Communication
Ministry of Regional and Local Government and Housing
Ministry of Environment and Tourism
Agribank

2. National Resettlement Committee:

The National Resettlement Committee shall consist of the following line ministries and parastatals

- Ministry of Lands, Resettlement and Rehabilitation
- Ministry of Agriculture, Water and Rural Development
- Ministry of Works, Transport and Communication
- Ministry of Local and Regional Government and Housing
- Ministry of Environment and Tourism
- Ministry of Basic Education and Culture
- Ministry of Women Affairs
- Ministry of Health and Social Services
- National Planning Commission
- Agri-Bank
- Namibia Development Corporation

9.2.2 *Agriculture, Water and Rural Development issues*

The overall objective for this sector is “to bring about the continued growth in agricultural income, in a sustainable manner, across the broadest possible socio-economic base.” Therefore, to fully implement this objective the following areas need to be addressed:

- Provision of veterinary services
- Assist in the evaluation of farms being offered for purchasing as well as ongoing monitoring and evaluation of existing resettlement farms.
- Provision of agricultural extension services and training.
- Support to co-operative schemes.
- Identification of Markets
- Provision of water; installation, maintenance and servicing of water points.

9.2.3 *Environmental and Tourism issues*

One of the over-riding objectives of this sector is “to promote sustainable development within all sectors and across all regions to ensure that present and future generations of Namibia gain optimal benefit from the equitable and sustainable utilization of Namibia’s renewable resources. Therefore, in implementing this policy the Ministry should assist in the planning of wildlife based resettlement schemes and ensuring that environmental soundness of plans.

9.2.4 *Regional, Local Government and Housing issues*

One of the objective under the local authorities Act is “to develop new, and upgrade existing, service extensions in Towns, Villages and Settlement Areas, based on comprehensive needs surveys”. Therefore, in implementing this policy it must be ensured that resettlement areas proclaimed as settlements if and when necessary.

9.2.5 Works, Transport and Telecommunication Issues

The overall objective is to ensure “the availability of safe, effective and efficient transport services in the different transport modes.” In implementing this policy, the Ministry of Works, Transport and Communication should ensure the provision and maintenance of infrastructure in the resettlement areas.

9.2.6 Education and Cultural Issues

The overall objective is “to oversee all education and cultural policies and operations to ensure that the objectives are achieved and policies are properly implemented”. Therefore, when implementing this policy, together with the line Ministry, ensure the provision of educational facilities, teachers and relevant materials for the resettlement areas.

9.2.7 Health and Social Service Issue

One of the objectives is “to improve health and quality of life through the promotion of environmental health at all levels”. Therefore, in implementing this policy, the MHSS in due collaboration and support of the line Ministry should ensure the provision of health services within the resettlement areas.

9.2.8 Project Planning and Implementation

The NPC was established in terms of Article 129 of the Constitution with the task of planning the priorities and determining the direction of national development. Therefore, as part of the implementation of this policy the NPC should advise on project planning issues, funding and ensure that the programme progresses in the national interest.

9.3 Semi-Government

9.3.1 Namibia Development Corporation

The objectives of the Corporation are “to promote, develop and support all sectors of the Namibian economy for sustained economic growth and the economic empowerment of its people in conformity with the development strategies and policies of the Government of the Republic of Namibia...” Therefore, in implementing this policy the Corporation should ensure the provision of credit to aspiring small scale farmers and assist in the planning of schemes and training of settlers in diverse situations.

9.3.2 Agri-Bank

As part of its mission Agri-Bank considers one of its duties as to “provide funds to the agricultural sector at reasonable interest rates and repayment periods in accordance with sound economic principles and specific requirements...” Therefore, Agri-Bank’s role, as part of implementing this policy, should include the provision of credit loans and assisting in the valuation of farms.

9.4 Non-Governmental Organisations

Where relevant the NGOs will be invited to become involved in the provision of planning, training, extension services, material inputs and outsourcing of projects.

9.5 Co-ordinated Planning and Implementation

The National Resettlement Policy recognizes the need for co-ordinated efforts and identifies the roles of various institutions in the resettlement areas. Resettlement should be viewed as a National Programme which the Ministry of Lands, Resettlement and Rehabilitation leads. It is important that those institutions that are expected to play a part in the Resettlement Programme are informed about their envisaged roles so that they can budget for activities, which they have to undertake.

9.6 Legislation

9.5.1 *The Agricultural (Commercial) Land Reform Act No. 6, of 1995*, provides the legislative basis for the acquisition and distribution of land in the commercial farming area.

9.5.2 Likewise, the *Communal land Reform Act* provides for guidelines and regulations for acquiring and distribution of land in the Communal areas.

Therefore, land acquisition and the associated development efforts will be preceded by careful physical, social and economic planning to ensure that the acquired land should provide an effective and efficient means of achieving sustainable livelihood for beneficiaries..

10. INTEGRATION OF RESETTLEMENT AREAS INTO THE REGIONAL ADMINISTRATION

Once a resettlement scheme is established, it should become part of the local political administration, that is, the Regional Council. Therefore, it is vital to involve the Council as an important stakeholder, in the planning and implementation phases.

In the near future, Regional Land Boards are going to be set up, as provided for in the National Land Policy and the future Communal Land Reform Act. As soon as these boards are set up, they should become involved in the Resettlement Programme.

