

HON MRAI

Contribution to Land Bill, 22 Nov 2016

Hon. Speaker, Hon. Members

I rise to contribute to the debate under discussion, I would like in the first instance to thank the Hon. Minister for bringing this very important ~~and~~ piece of legislation to this August House.

The problem of inequitable distribution of land in Namibia dates back to the early days of colonialism. Therefore the struggle for Independence was because of land

“Land has become one of the most critical factors in achieving redress for the wrong doing of the past”.

The bill under discussion marked a major change in the institutional frame work that handled the country's land matters. The establishment of land board's vested communal land in these boards and the definition of its powers and duties are commendable, but need more enforcement meganismes.

It is very essential to separate the powers of traditional authorities and that of land boards, so that the custody right of a traditional authority or a chief are not misunderstood. It is therefore important that the two legislation speaks to one another, namely **the land act and the traditional authority act**. The powers and functions of boards are well defined in the bill, but it does not provide for the enforcement of these powers.

Even if the land board puts down decisions on certain issues, there is no enforcement capacity to make sure that those decisions are observed. Taking them to court is time consuming and a costly exercise but customary courts can deal with land disputes, because they have powers enforced already.

The other issue I would like to raise Hon. Minister, is on the constitution of the boards subsection 6.” **If a Traditional authority fails to nominate a person for appointment following a request of a minister under subsection (3) the minister may appoint any person whom the minister thinks fit..... Why this can't be referred to a particular Traditional Community in the absence of a Traditional Authority”**

The other burning issue that need the at most attention of every one of us in this house Hon. Speakers is the situation of recognize and non- recognize Traditional leadership.

This situation does not only complicate the function of land boards, but it is ^{detrimental} ~~determined~~ to the progress and development of traditional communities. Hon. Speakers, Hon members to ensure that the corrective measures are properly implemented, Land boards personnel should be given proper training.

Finally

Consultation, before any policy or act can be put into practice, people have to be consulted and their responses solicited, we should go around notifying people of such important piece of legislation. I therefore request for the ^{indulgence} ~~diligence~~ of the house for

the bill to be referred to the standing committee for further consultations and input.

I thank you.

