



**MOTIVATION SPEECH BY HON ELIFAS
DINGARA, MP**

**REPORT ON THE PETITION ON THE
MANAGEMENT OF THE BWABWATA
COMMUNAL LAND BY THE MINISTRY OF
ENVIRONMENT, FORESTRY AND TOURISM**

April 2024

**Parliament Chamber
Windhoek**

**Honourable Speaker,
Honourable Minister of Environment, Forestry and Tourism,
Honourable Minister of Agriculture, Water and Land Reform,
Honourable Minister of Urban and Rural Development,
Honourable Members,**

It is with great pleasure that I rise to motivate the **REPORT ON THE PETITION ON THE MANAGEMENT OF THE BWABWATA COMMUNAL LAND BY THE MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM**

The Hambukushu Traditional Authority submitted a Petition on 19 November 2021, titled “**Petition on the Management of the Bwabwata Communal Land by the Ministry of Environment, Forestry and Tourism.**”

The prayers in the Petition are straightforward and outlined in the report.

This Petition was subsequently referred to the Standing Committee on Constitutional and Legal Affairs on 01 December 2021

The petition was discussed in numerous Committee meetings, where a decision was taken to undertake a fact-finding visit to the Bwabwata National Park; and to conduct public hearings with stakeholders involved in the management of the Bwabwata National Park.

The Standing Committee carried out the fact-finding visits to Mukwe Constituency in Kavango East Region from 14 to 17 March 2022 and held a number consultations senior officials of key Ministries during the period 31 March 2022 to 9 February 2023. The Committee also met with the Honourable Minister of Environment, Forestry and Tourism.

**Honourable Speaker,
Honourable Minister of Environment, Forestry and Tourism,
Honourable Minister of Agriculture, Water and Land Reform,
Honourable Minister of Urban and Rural Development,
Honourable Members,**

Not to take too much time of this august House, I will not repeat the details of the report but only touch on some of the findings and recommendations.

MAIN FINDINGS OF THE COMMITTEE

1. The matter and issue of Bwabwata National Park is very delicate and has come a long way, the Hambukushu Traditional Authority has on numerous occasions attempted to address the issue on the Management of Bwabwata National Park by requesting for a dialogue with the Ministry of Environment, Forestry and Tourism including through our former Heads of State, however directives from the two Heads of State were not honoured by the Minister of Environment, there is no records of such meetings.
2. The Honourable Minister of Environment, Forestry and Tourism explained that to respond to the directives, a technical committee was established and a report was produced which was endorsed by the Ministers, and Minister of Regional Local Government, Housing and Rural Development as the Convener, submitted the report to the President. However, there is no evidence or records to support the statement from the Minister.
3. A Technical Committee was constituted in 2014 made of Ministry of Environment, Forestry and Tourism, Ministry of Regional Local Government, Housing and Rural Development and Ministry of Lands and Rehabilitation and A Technical Committee report with recommendation was compiled by the Committee on the Management and development of the Park but the said report does not contain the views of the Hambukushu Traditional Authority neither the composition of members and signatures. There are also no minutes of committee

meetings and Ministry of Agriculture, Water and Land Reform were not aware of such a report. No record of the Technical Committee meetings as the National Assembly Committee found two Ministries (Ministry of Agriculture, Water and Land Reform and the Ministry of Urban and Rural Development) never attended any meetings on this matter.

4. The fence in Bwabwata National Park (Buffalo fence core boundary) was built during the colonial regime, the fence is of poor quality and weak and due to the floods in the area it is difficult to maintain and has collapsed, therefore buffaloes and other wild animals are mingling with the livestock causing possible Foot and Mouth Disease (FMD) and putting human lives at risk. The Committee found the dilapidated fence as per community complaints.
5. The merging of Bwabwata National Park and Mahango Game Park was not approved or signed by the Fumu of the Hambukushu Traditional Authority. The meeting with Ministry of Urban and Rural Development on 21 April 2022 confirmed that the regulation to proclaim Bwabwata a National Park was never tabled before the Council of Traditional Leader for consideration and recommendation as per Section 15 (1) of the Traditional Authority Act No 13 of 1997, the Ministry does not have records that the legislation was tabled before the Council.
6. The removal of cattle from Bwabwata National Park as per the proposed compensation in the Technical Committee report will be coupled with compensation based on the standard market price per cattle, however there is no clear direction and no solution where the Community will take their cattle.
7. Lack of proper consultation with the Hambukushu Traditional Authority, there are no records to demonstrate that the Hambukushu Community was consulted. There are only written communications requesting for dialogue between the Ministry of Environment Forestry and Tourism and the Hambukushu Traditional Authority.
8. Due to the FMD outbreak that occurred during 2008 in Kamutjonga and 2014 in Mutjiku respectively, Bwabwata National Park is considered to

be within the infected Zone, this means livestock can only move within the infected zone and not outside. The Ministry of Agriculture, Water and Land Reform extended the Cordon fence 60 km eastwards to Shamangorwa leaving the inhabitants of Mukwe without a market for their livestock (for well over 14 years), the situation caused the farmers residing in Mukwe to sell their cattle for as little as one thousand Namibian Dollars (N\$ 1000) because there is no market for their livestock. However, the Committee found that there is no existing policy mandating the Ministry to erect the fence at Shamangorwa.

9. With regards to the Trust Fund that was turned down by the Ministry of Environment Forestry and Tourism, Members found that there are requirements to establish a conservancy such as having a registered Organisation. The Hambukushu Traditional Authority submitted names for the Trust Fund, however, the Ministry had issues with the membership of the trust and some individuals from the community also had a problem with the membership.
10. Some community members had a problem with the membership of the Trustees and the Ministry of Environment, Forestry and Tourism insisted that it should be registered as a Conservancy, an idea which the community rejected.
11. The fence at Mahango Game Park has collapsed due to the lack of maintenance. The Ministries indicated that the fence was not repaired because of unavailability of funds.
12. Members observed that the establishment of the Kyaramacan Association (KA), does not benefit the Hambukushu community hence, all the intended benefits are earmarked for the Khwe speaking community. The Ministry of Environment, Forestry and Tourism confirmed that the communities benefiting from Bwabwata are Mashu, Kyaramacan Association, Kwandu and Mayuni.
13. During the tour of Bwabwata National Park, Members found that there was no clear demarcation between the corridors/cutline with clear indication where people can reside and corridor for animals to pass.

14. The official launch of the Bwabwata National Park was put on hold which the Minister cancelled later.
15. The Bwabwata Advisory Committee was established to discuss issues regarding the Communities in the Park including Community beneficiation, but the Hambukushu leadership are not part of the Committee. There was no evidence for the existence of such Committee.
16. The Minister of Environment, Forestry and Tourism underscored that he personally held two meetings with the Fumu during the year 2015 and 2019 but there is no evidence in terms of minutes, that the meetings did indeed take place. There was no evidence of the so-called meetings in 2015 and 2019 respectively.
17. The Committee found that the Minister was in Hambukushu area when he officially opened the office at Bwabwata on the 31st August 2019 and never made efforts to meet with the FUMU.
18. The information provided by the Minister of Environment, Forestry and Tourism could not tally with the ones obtained during the fact-finding visit to Bwabwata National Park.

RECOMMENDATIONS

The Committee therefore recommends to this august Assembly that:

1. The removal of cattle from Bwabwata National Park as decided in 1999 must be put on hold until the engagement is concluded.
2. The three Ministries (Ministry of Environment, Forestry and Tourism; Ministry of Agriculture, Water and Land Reform and the Ministry of Urban and Rural Development) must engage the Traditional Authorities and discuss the matter for a lasting solution.

3. The Hambukushu Traditional Authority must table the matter at the Council of the Traditional Leaders as per the Traditional Authority Act, Act 25 of 2000 and Council of Traditional Leaders Act, Act 13 of 1997 as amended, for consideration.
4. The Ministry of Environment, Forestry Tourism and the Ministry of Agriculture, Water and Land Reform, must repair the collapsed fence in Bwabwata National Park (Buffalo fence core boundary) that was built during the colonial regime.
5. The Ministry of Environment Forestry and Tourism should fast-track the repair of Mahango Game Park fence in order to avoid the mingling of livestock with wild animals; and to prevent the spreading of FMD.
6. Multiple use area (MUA) be extended by ten (10) kilometers on both sides to be used for human settlement.
7. The direct benefits from Bwabwata National Park through Tourism Development including trophy hunting and harvesting of natural resources such as the devil's claw, as promised for the people in the Mahango Core Area must be implemented and extended to benefit the Hambukushu community.
8. The Ministry of Agriculture, Water and Land Reform should fast-track the removal of the Shamangorwa disease control fence that was set up due to the FMD outbreak of 2008 in Kamutjonga and 2014 in Mutjiku. The fence does not serve any purpose anymore because since 2014 there has not been a case of FMD and also because there is no existing policy mandating the Ministry to erect a fence at Shamangorwa.
9. The Ordinance of 1974 must be reviewed urgently to bring it in line with an independent Namibia.
10. The new Bill which will combine all the Nature Conservation Ordinances and Legislation must be referred to the Parliamentary Standing Committee for scrutiny and public consultation before tabling in the National Assembly.

11. The Ministry of Environment, Forestry and Tourism must create a platform to engage the Hambukushu Traditional Authority and find an amicable solution to the issues of the management of Bwabwata.

Hon Speaker, with these remarks, I now have the honour to submit the report of the Parliamentary Standing Committee on Constitutional and Legal Affairs to this August House for consideration, discussion and adoption.

I SO MOVE HONOURABLE SPEAKER,