



NATIONAL ASSEMBLY 8TH PARLIAMENT

**PARLIAMENTARY STANDING COMMITTEE ON URBAN AND RURAL
DEVELOPMENT AND LAND REFORM**

**REPORT OF THE STAKEHOLDERS' CONSULTATIVE MEETING WITH THE
COMMUNAL LAND BOARD MEMBERS FROM KAVANGO EAST AND WEST
REGIONS**

REPORT NO. 3 OF 2026

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Committee Mandate

The Parliamentary Standing Committee on Urban and Rural Development and Land Reform was established in terms of Articles 59 and 63(2)(f) of the Constitution of the Republic of Namibia and in accordance with the Rules for Establishing, Functioning, and Procedures of Committees of the National Assembly. The mandate of the Committee is to exercise parliamentary oversight on behalf of the Assembly in respect of the Government Entities specified in **Appendix 1** of the rules for establishing, functioning, and procedures of committees of the National Assembly, and, for that purpose, may consult and liaise with the government entities concerned.

The Committee has the duty to-

- a) recommend the fair distribution of farming land and productive utilization thereof in Namibia;
- b) recommend the effective utilization of urban land and the allocation of erven and housing to urban residents;
- c) review and advise the Assembly on matters related to the provision of housing and sanitation to needy Namibians;
- d) enquire into and monitor international protocols, conventions and agreements that may affect Namibia's housing and land development and where necessary make appropriate recommendations to the Assembly;
- e) review the annual reports of Government Entities for which the Committee is responsible in terms of **Appendix 1** and make recommendations to the Assembly on the improvement of their performance, accountability and transparency; and
- f) assess and review the implementation and administration of laws administered by any Government Entity for which the Committee is responsible in terms of **Appendix 1** or by means of which such Government Entity has been established and make recommendations to the Assembly for the amendment of such laws.

Committee Composition

The Parliamentary Standing Committee on Urban and Rural Development and Land Reform consists of twenty-four (24) Members of Parliament (MPs), inclusive of the Chairperson and Deputy Chairperson, as follows:

Hon. Clemencia Emma Coetzee, Chairperson	Hon. Werner Iita, Deputy Chairperson	
Hon. Vilho Ihemba	Hon. Salomon April	Hon. Oillie Haitota
Hon. Lilani Brinkman	Hon. Marius Sheya	Hon. Armas Amukoto
Hon. Marlayn Mbakera	Hon. Isra Kanyemba	Hon. Austin Samupwa
Hon. Christine Haindaka	Hon. Derek Klazen	Hon. Job S. Amupanda
Hon. Fenni Nanyeni	Hon. George H. Kambala	Hon. Elder Filipe
Hon. Rosa Mbinge-Tjeundo	Hon. John Likando	Hon. Eneas Emvula
Hon. Sirkka Ausiku	Hon. Nico Somaeb	Hon. Royal /Ui/o/oo
Hon. Festus Thomas		

Chairperson's Foreword

It gives me pleasure to present the report of the Parliamentary Standing Committee on Urban and Rural Development and Land Reform on the Stakeholders' Consultative Meeting with the Communal Land Board Members from Kavango East and West Regions.

The engagements were intended to facilitate consultations between the Committee and the Communal Land Board Members for the Members of the Committee to acquaint themselves with the governance structures, operational performance, financial and administrative capacity of the Boards. The consultations also provided an opportunity to identify challenges experienced in the implementation of the Communal Land Reform Act, 2002 (Act No. 5 of 2002), and to appreciate the important responsibilities carried out by the Boards as custodians of Communal Land Administrators.

The engagement further sought to strengthening parliamentary oversight and to gather practical insights that can contribute to legislative reforms aimed at improving communal land governance, security tenure, dispute resolution, and sustainable land management in communal areas.

The Committee recognizes that effective communal land administration remains essential for social stability, economic development, food security, and the protection of vulnerable communities. It is therefore imperative that the concerns and recommendations raised during these engagements receive urgent attention from all relevant stakeholders.

On behalf of the Committee, I wish to express our sincere appreciation to the Kavango East and Kavango West Communal Land Boards and officials from the Ministry of Agriculture, Fisheries, Water and Land Reform who participated in the consultations and shared valuable insights to the Committee.

It is our expectation that the report will contribute meaningfully towards strengthening communal land governance and improving the implementation of the Communal Land Reform Act 2002 (Act No 5 of 2002), for the benefit of all Namibians residing in communal areas.

Hon. Clemencia Emma Coetzee

Chairperson of the Standing Committee Urban and Rural Development and Land Reform

Acronyms

CLB	Communal Land Board
TAs	Traditional Authorities
MPs	Members of Parliament
DSA	Daily Subsistence and Travelling Allowances
MTC	Mobile Telecommunication Company
SSCF	Small Scale Commercial Farming
GIPF	Government Institutions Pension Fund

1. Introduction and Background

The Parliamentary Committee on Urban and Rural Development and Land Reform held a consultative engagement with the Kavango East and West Communal Land Boards (CLBs) to assess the operational performance, administrative capacity, and challenges experienced in the administration of communal land in terms of the Communal Land Reform Act, 2002 (Act No. 5 of 2002). The engagement further provided an opportunity for Members of the Committee to gain practical insight into the governance structures, land administration processes, dispute resolution mechanisms, and implementation challenges affecting communal land management in the two regions.

The engagement enabled the Committee to interact directly with the Board members through presentations, discussions, and question and answer sessions aimed at identifying legislative gaps requiring intervention.

The interactions highlighted the important role played by Communal Land Boards in customary land allocations, registration of land rights, maintenance of land records, disputes resolution, and protection of communal land from illegal fencing and grabbing.

The Committee noted with appreciation several achievements, including the registration of leasehold rights, removal of illegal fences, stakeholder collaboration with Traditional Authorities to resolve communal land disputes. These achievements demonstrate the commitment of the Boards in advancing land administration and promoting security tenure in communal areas.

The consultations also revealed significant challenges affecting the effective functioning of the Boards. These includes limited financial resources, delays in ministerial responses on appeals and approvals, unresolved traditional authority boundary disputes, inadequate infrastructural development, limited capacity for dispute resolution, and the absence of registration of customary land in the two regions.

This report presents a summary of the key discussions, findings, challenges, and recommendations from the consultative engagements.

2. Objectives of the engagements

- 2.1 To facilitate consultations between the Parliamentary Standing Committee and the Communal Land Board for Members of the Committee to acquaint themselves with the governing structure, operational performance, financial and administrative capacity of the Communal Land Board
- 2.2 To identify challenges faced by the Communal Land Board in administering applicable legislations
- 2.3 To appreciate the daily responsibilities of the Communal Land Board as the custodian of the Communal Land Reform Act, 2002 (Act No 5 of 2002)
- 2.4 To inform future legislative reforms

3. Methodology

The following approaches were adopted for effective engagement.

- 3.1 a programme for the consultations was developed.
- 3.2 Communal Land Board Members from Kavango East and Kavango West Regions were afforded an opportunity to make presentations to the Committee.
- 3.3 The Committee engaged with the Board Members through interactive discussions, questions, and answers during and after the presentations.

4. Purpose of the Report

The report intends to present a summary of the outcomes of the consultative engagement, highlighting the key findings and recommendations.

5. Discussions

5.1 Establishment of the Communal Land Board

Section 2 of the Communal Land Reform Act, No. 5 of 2002 provides for the establishment of the Communal Land Board (CLB) and function to oversee the administration of land management in the Communal Land areas.

5.2 Functions of the Communal Land Boards as per Section 3 of the Communal Land Reform Act No 5 of 2002

- 5.2.1 To exercise control over the allocation and the cancellation of customary land rights by Chiefs or Traditional Authorities
- 5.2.2 To consider and decide on applications for a right of leasehold
- 5.2.3 To establish and maintain a register and a system of registration for recording the allocation, transfer and cancellation of customary land rights and rights of leasehold
- 5.2.4 To advise the Minister, either of its own motion or at the request of the Minister, in connection with the making of regulations or any other matter pertaining to the objectives of this Act
- 5.2.5 To perform such other functions as assigned to a board by this Act

5.3 Financing of Communal Land Board

As per Section 11 of the Communal Land Reform Act No 2 of 2002, all expenditure such as sitting allowance, kilometers, public notice of applications for Land rights in newspaper, daily subsistence and travelling allowances (DSA), booking of accommodations and venue for meetings in connection with the performance and functioning of the boards is financed through the Ministry of Agriculture, Fisheries, Water and Land Reform budget.

5.4 Kavango East Communal Land Board

5.4.1 Achievements

5.4.1.1 The Kavango East Region Communal Land Board registered two hundred and seventy-five (275) leasehold land rights out of the two hundred and ninety-three (293) gazetted Small Scale Commercial farms to individual farmers to boost food security in the region. From the two hundred and seventy-five (275) leasehold land rights, sixty-seven (67) were awarded to females and two hundred and seven (207) were awarded to males. The two hundred and seventy-five (275) leasehold land rights were registered as follows:

Traditional Authorities	Number of farms	Allocated farms	Number of unallocated units
Shambyu	177	177	-
Gciriku	98	98	-
Hambukushu	18	0	18
Total	293	275	18

5.4.1.2 Six (6) Occupational Land Rights were registered for community empowerment projects in agriculture, education and health facilities

5.4.1.3 Thirty-five (35) lodges leasehold land rights were registered for tourism and employment purposes in the region

5.4.1.4 Twenty-three (23) leasehold land rights for communication network towers to Powercom and Mobile telecommunication company (MTC) were registered in the rural areas

5.4.1.5 Two (2) leasehold land right for Namibia Power Corporation (Manpower) were registered for the establishment of substation for electricity transmission

5.4.1.6 Removed twenty-six (26) illegal fences in communal areas since inception

5.4.1.7 Resolved one hundred and forty-three (143) Communal Land disputes

5.4.1.8 Conducted Community awareness campaigns on Communal Land Reform Act, 2002 (Act, No 5 of 2002 to one hundred and fifty (150) villages

5.4.1.9 Convened 3 years' consultation meetings with the objective to enhanced cooperation between the Communal Land Board and the Traditional Authorities

5.4.1.10 An amount of one million six hundred twenty-nine thousand eighty-nine and seventy-two (N\$ 1 629 089.72) revenue was collected from leaseholds in the Region

5.4.2 Challenges

5.4.2.1 Limited budget allocation for effective functioning of the Communal Land Board (CLB). CLB are allocated a budget of N\$200 000.00 per year while the required annual budget is estimated at N\$ 600 000.00.

5.4.2.2 Loss of citizen trust in Communal Land Board (CLB) due to poor communication between the Board and the Ministry of Agriculture, Fisheries, Water and Land Reform, causing delays in the finalization of board decisions. List of cases pending decision from the line Ministry, attached as **annexure A**.

5.4.2.3 Limited capacity among the Board members and Traditional Authorities to resolved dispute

5.4.2.4 Board experience several reported cases of customary disputes over claims of unregistered and unrecognized existing land rights in villages. These cases were referred to the Traditional Authorities (TAs) for adjudication; however, Traditional Authorities took long to resolves such disputes

5.4.2.5 Board received reported cases of customary land dispute from Communities along the Traditional Authorities disputed boundary areas of the Mbunza and Shambyu and these cases are not being resolved due to jurisdictions.

5.4.2.6 The Ministerial moratorium of 2014 on the registration of farms outside designated areas remains a major challenge. Although farming activities are already taking place on these farms, approximately 72 applications remain pending before the Board and cannot be finalized due to the moratorium

5.4.2.7 Lack of communal infrastructures development to the Small-Scale Commercial Farming (SSCF) units in the region. Lease holders complain about high rental or leasehold fees and the five percent (5%) annual increase despite the lack of infrastructural development on the farm units and government collecting lease fees.

- 5.4.2.8 Public servants who want to participate and benefit from the Government Pension Backed Loan Housing Schemes are being disadvantaged and discriminated against due to lack of customary land ownership which is a requirement for the application process.
- 5.4.2.9 The sitting allowance paid to the board members is not commensurate with the level of responsibility and risks associated with their duties. The rates remain low, ordinary members are paid N\$ 1057,00 per sitting and the Chairperson of the board N\$ 1274.00 per sitting. The kilometer fee is N\$ 3.50.

5.5 Kavango West Communal Land Board

5.5.1 Kavango West land registration data

Please see attached as **annexure B**

5.5.2 Achievements

- 5.5.2.1 The Kavango West Communal Land Board removed eleven (11) illegal fences since inception
- 5.5.2.2 The Board conducted awareness campaigns
- 5.5.2.3 Achieved strong stakeholder collaboration with the Traditional Authorities in Kavango West Region

5.5.3 Challenges

- 5.5.3.1 Lack of field vehicles for monitoring and investigations
- 5.5.3.2 Boundary disputes between Mbunza and Shambyu Traditional Authorities due to unresolved boundary demarcation.
- 5.5.3.3 Non registration of customary land rights in Kavango West Region, however the board receives such disputes.
- 5.5.3.4 Delays in Ministerial responses on pending matters such as appeals and illegal fencing removal facilitation
- 5.5.3.5 Inadequate allocation of funds for Board activities

6. Findings

The Committee found the following:

- 6.1 (a) Section 32 (5) of the Communal Land Reform Act No. 2 of 2002 provides for the establishment of a fund into which revenue collected from leasehold fees should be deposited to support regional development initiatives, including the operations of the

Communal Land Board (CLB) and infrastructure development within Small-Scale Commercial Farming (SSCF) areas.

(b) The Committee found that a First National Bank (FNB) commercial account named “*Communal Land Reform Fund*” was established in 2004 to deposit revenue collected of N\$ 1 629 089.72 so far. However, members of the Communal Land Board indicated that they had no information regarding who administers the account, how the funds are managed, or the purposes for which the funds are utilized.

- 6.2 (a) The Committee further found that there are eighteen (18) unallocated farm units within the Hambukushu Traditional Authority area.
- (b) The Traditional Authority indicated that there was no proper consultation during the surveying process of these farm units and some of the areas which was gazetted as farm units were already established villages occupied by community members. From the eighteen (18) gazetted farm units, only six (6) can be allocated without negatively affecting the local communities, while the remaining twelve (12) are situated within existing villages.
- (c) Members were informed that the Hambukushu Traditional Authority stated that it has limited communal land available. Consequently, allocating all eighteen (18) gazetted farm units would adversely affect the community.
- (d) The Hambukushu Traditional Authority is therefore requesting that the affected areas be degazetted.
- 6.3 Inadequate budget allocation continues to hinder the effective functioning and operation of the Communal Land Boards (CLBs) to carry out their statutory responsibilities and planned activities.
- 6.4 Poor communication and coordination between the Boards and the Ministry of Agriculture, Fisheries, Water and Land Reform has resulted to an increase of number of cases pending ministerial approval.
- 6.5 Delays in Ministerial responses on matters, including appeals and facilitation of illegal fencing removals, continue to impede the implementation of Board decisions and resolutions, a situation that has negatively affected public confidence in the work of the CLBs and land administration systems.
- 6.6 The Board members and Traditional Authorities have limited capacity in dispute resolution thus, affecting the timely and effective handling of customary land disputes.

- 6.7 The Boards receive numerous cases involving disputes over unregistered and unrecognized existing land rights within villages. Such cases are referred to Traditional Authorities for adjudication however; Traditional Authorities take long to resolve such disputes.
- 6.8 Unresolved land boundary demarcation between the Mbunza and Shambuyu Traditional Authorities continues to contribute to land conflicts disputes.
- 6.9 The Ministerial 2014 moratorium on the registration of farms outside designated areas is affecting the finalization of applications. Although farming activities are already taking place on these farms, in the case of Kavango East Regions, approximately 72 applications remain pending before the Board.
- 6.10 Lack of infrastructure development within the Small-Scale Commercial Farming (SSCF) Units, despite the government collecting leasehold fees from the beneficiaries in these areas.
- 6.11 Leaseholders continue to express dissatisfaction with high rental or leasehold fees, including the annual 5% increment, particularly in areas where government has not yet provided basic infrastructure or development support.
- 6.12 The Committee found that the public servants seeking to benefit from the Government Pension Backed Housing Loan Schemes are being disadvantaged due to the absence of recognized customary land ownership documentations, which is a requirement for the application process.
- 6.13 The sitting allowances paid to Board members are not commensurate with the level of responsibility and risk associated with their duties. The current rates remain low for both ordinary members and the Chairperson, including the transport rates.
- 6.14 The Boards faces challenges in conducting effective monitoring, inspections, and investigations due to the shortage of field vehicles and low transport rate.
- 6.15 Absence of Customary Land Rights Registration in Kavango East and West regions. Although there is no formal registration of customary land rights in the Kavango West Region, the Board continues to receive disputes related to such land rights.
- 6.16 Illegal fencing remains a significant challenge threatening equitable access to communal land.
- 6.17 Inadequate training and capacity building for Board members and Traditional Authorities.
- 6.18 Delays in receiving ministerial responses on outstanding matters, including high court eviction orders and other legal matters.

7. Conclusion

The consultative engagement provided valuable insights into the operational realities, achievements, and challenges faced by the Kavango East and Kavango West Communal Land Boards. While significant progress has been made in land registration, dispute resolution, and awareness creation, several institutional and financial challenges continue to hinder effective communal land administration.

The Committee noted the critical role played by Communal Land Boards in safeguarding communal land rights and promoting security tenure. However, enhanced support, legislative reform, improved funding, and stronger stakeholder collaboration are necessary to strengthen communal land governance and ensure sustainable land management.

8. Recommendations

The Committee recommends the following:

- 8.1
 - (a) The Ministry of Agriculture, Fisheries, Water and Land Reform should ensure the full implementation of Section 32(5) of the Communal Land Reform Act No. 2 of 2002 by operationalising and regulating the fund intended for revenue collected from leasehold fees. Clear governance, accountability, and reporting mechanisms must be established to administer and safe guard the utilisation of the funds.
 - (b) The Ministry must provide the Committee and the Communal Land Boards with detailed information on the management of the “Communal Land Reform Fund” account, including the identity of the account administrator, the total revenue collected, expenditures made if any, and the specific purposes for which the funds are utilised.
 - (c) Regular financial and operational reports must be submitted to the Communal Land Boards to promote transparency and ensure that the funds are used to support regional development.
- 8.2
 - (a) The Ministry of Agriculture, Fisheries, Water and Land Reform in consultation with the Hambukushu Traditional Authority, Communal Land Board and affected communities must conduct a thorough assessment of the eighteen (18) gazetted farm units to determine the extent of overlapping with existing villages and community settlements.
 - (b) The Ministry in collaboration with the Traditional Authority has to find ways to address the issues of the twelve (12) farm units located within the established villages including, the consideration of degazetting the twelve (12) farm units and only consider allocating the six (6) farms units that do not interfere with the community settlements.
 - (c) The Ministry must strengthen consultation and stakeholder engagement during the processes of surveying and gazetting of farm units to ensure that Traditional Authorities and local communities are adequately consulted before decisions are finalized.

- 8.3 The Ministry of Finance increase budgetary allocations to the Communal Land Boards to enable them to effectively perform their statutory mandates, including conducting inspections, dispute resolution, awareness campaigns, and planned activities.
- 8.4 The Ministry of Agriculture, Fisheries, Water and Land Reform must strengthen communication, coordination, and feedback mechanisms between the Ministry and the Communal Land Boards to ensure timely processing of submissions and approvals.
- 8.5 The Ministry of Agriculture, Fisheries, Water and Land Reform must prioritise and expedite responses to matters submitted by the Boards, including appeals and requests relating to the removal of illegal fences, to improve implementation of Board resolutions and restore public confidence in communal land administration systems.
- 8.6 The Ministry of Agriculture, Fisheries, Water and Land Reform to provide continuous training and capacity-building programmes for Board members and Traditional Authorities in areas such as dispute resolution, land administration and relevant legal frameworks to enhance the effective handling of customary land matters.
- 8.7 Traditional Authorities should ensure the timely adjudication of disputes relating to unregistered and unrecognised land rights within villages to prevent prolonged conflicts and delays in land administration processes.
- 8.8 The Ministry of Agriculture, Fisheries, Water and Land Reform in collaboration with the Communal Land Board together with the Mbunza and Shambyu Traditional Authorities, to urgently demarcate the boundary between Mbunza and Shambyu to resolve the disputes between the two Traditional Authorities and the community.
- 8.9 The Ministry of Agriculture, Fisheries, Water and Land Reform to review the implementation and implications of the 2014 moratorium on the registration of farms outside designated areas, particularly in the Kavango East and West Regions, to address the backlog of pending applications and provide legal certainty to affected farmers already undertaking farming activities.
- 8.10 The Ministry of Agriculture, Fisheries, Water and Land Reform must ensure that infrastructure development within SSCF units is prioritised and aligned with the leasehold fees collected from beneficiaries, including the provision of roads, water infrastructure, fencing, and other basic services necessary for productive farming activities.
- 8.11 The Ministry of Agriculture, Fisheries, Water and Land Reform must review the current leasehold fee structure, including the annual 5% increment, with due consideration to the level of infrastructure and support services provided in SSCF areas, to ensure fairness and affordability for leaseholders.

- 8.12 The Ministry Agriculture, Fisheries, Water and Land Reform in collaboration with Government Institutions Pension Fund (GIPF) and other relevant stakeholders, should explore mechanisms such as exemption of customary land ownership documentation to enable public servants and other communal land holders to access the Government Institutions Pension Backed Housing Loan Schemes.
- 8.13 The Ministry of Finance and the Ministry of Agriculture, Fisheries, Water and Land Reform to review the sitting allowances and transport rates for Communal Land Board members to ensure that such allowances are commensurate with the responsibilities, workload, and risks associated with their duties.
- 8.14 The Ministry of Agriculture, Fisheries, Water and Land Reform to provide adequate logistical support to the Communal Land Boards, including field vehicles and improved transport allocations, to strengthen monitoring, inspections, investigations, and enforcement activities.
- 8.15 The Ministry of Agriculture, Fisheries, Water and Land Reform in collaboration with the Traditional Authorities to address the issues of non-registrations of Customary Land Rights in the two Kavango Regions to enhance tenure security and reduce land-related disputes.
- 8.16 The Ministry of Agriculture, Fisheries, Water and Land Reform, Communal Land Boards, and Traditional Authorities to intensify efforts to combat illegal fencing through strengthened enforcement measures, regular inspections, and timely removal of unlawful fences in accordance with the law.
- 8.17 The Ministry of Agriculture, Fisheries, Water and Land Reform to institutionalise regular training and capacity-building initiatives for Communal Land Board members and Traditional Authorities to improve service delivery and better management of communal land.
- 8.18 (a) The Ministry of Agriculture, Fisheries, Water and Land Reform should put in place effective response and coordination mechanisms to ensure the timely handling of outstanding matters, including high court eviction orders and other legal matters.
- (b) Clear timelines for responding to matters must be established and adhered to avoid unnecessary delays that may negatively affect land administration and dispute resolution processes.
- (c) The Ministry must strengthen communication between its legal division and the Communal Land Boards to ensure that pending legal matters are addressed efficiently and transparently.

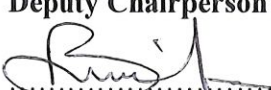
9. Signatures



 Hon. Clemencia Emma Coetzee
Chairperson



 Hon. Werner Iita
Deputy Chairperson



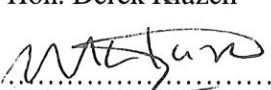
 Hon. Lilani Brinkman



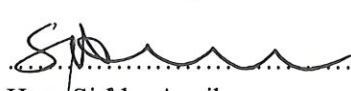
 Hon. Marlayn Mbakera



 Hon. Derek Klazen



 Hon. Elder Fillipe



 Hon. Sirkka Ausiku



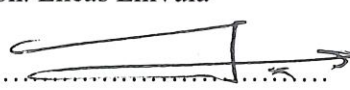
 Hon. Vilho Ihemba



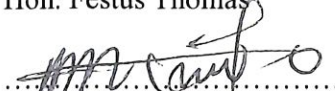
 Hon. Isra Kanyemba

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 Hon. George Kambala

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 Hon. Eneas Emvula



 Hon. Festus Thomas



 Hon. Armas Amukoto

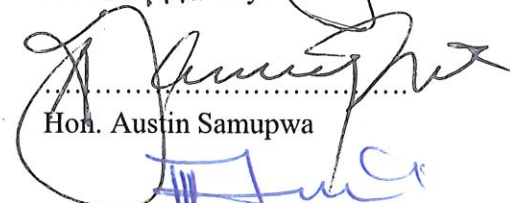
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Date



 Hon. Salomon April



 Hon. Marius Sheya



 Hon. Austin Samupwa

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 Hon. Fenni Nanyeni

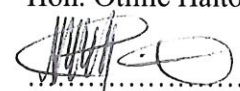


 Hon. John Likando



 Hon. Royal /Ui/o/oo

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 Hon. Otilie Haitota

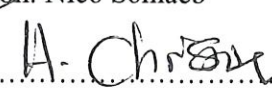


 Hon. Job Amupanda

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 Hon. Nico Somaeb



 Hon. Christine Haindaka