

**STATEMENT BY MR. GERSON KAMATUKA
DEPUTY DIRECTOR, SPECIAL PROJECTS,
OFFICE OF THE PRIME MINISTER**



**ON THE OCCASION OF THE PRESENTATION OF THE REPORT OF UN
SPECIAL RAPPORTEUR ON THE RIGHTS OF INDIGENOUS PEOPLES,
MR. JAMES ANAYA, ON HIS VISIT TO THE REPUBLIC OF NAMIBIA
FROM 20 – 28 SEPT 2012**

GENEVA, SWITZERLAND

18 SEPTEMBER 2013

MR. PRESIDENT

YOUR EXCELLENCIES,

LADIES AND GENTLEMEN

Namibia is taking the floor to respond to some observations and comments made by the UN Special Rapporteur on the Rights of Indigenous Peoples, Mr James Anaya in his report on his visit to the Republic of Namibia from 20 – 28 Sept 2012.

The Namibian Government would like to extend its word of gratitude and appreciation for the visit of the UN Special Rapporteur. This visit came at the right time to assess and examine progress made by the Namibian Government in alleviating poverty amongst the San, Ovatie, and Ovatjimba communities. The unbiased and honest feedbacks given are commendable, and the Namibian Government will continue to improve the living standard of all Namibians to achieve our development objectives embodied in the Country's Vision 2030.

The Government of the Republic of Namibia introduced a special programme in 2005 to integrate the San, Ovatie and Ovatjimba communities in the mainstream of socio- economic activities of the Country. This Programme was transformed into the Division San Development and is coordinated by the Office of the Prime Minister under the direct supervision of the Deputy Prime Minister. Plans to decentralise operations and to open regional offices in the regions are at an advanced stage. Development planners will soon be appointed to assist and serve these communities in their respective regions.

My delegation will now address specific **Human Rights Concerns** in the Special Rapporteurs report.

1. Land and resources

a) Communal lands

Comments on paragraph 21: Although, Tsumkwe is the only area occupied by the majority of San speaking people, the Government through the San Development Programme negotiated successfully through various communal land boards and traditional authorities the allocation of land to the San communities for residential occupation, farming, grazing and other

purposes. These include the relocation of San communities in Kasheshe village (Zambezi Region), Likwaterera village (Kavango East Region), Oshandi (Ohangwena Region), Omboto and Omutonda (Oshikoto Region), Epukiro and Corridor 17 (Omaheke Region). In addition, the Ovatie and Ovatiimba have also been resettled in Otjikojo, Ohaihuua and Otjomuru Villages in Kunene Region.

All these communities were provided with access to water, housing, ploughs, cutleries, livestock, schools, clinics, general household tools, and were encouraged to make traditionally thatched houses. Their residential areas have also been fenced off to generate a sense of ownership and to protect their properties. Other Government Ministries also have other programmes and services in place to assist these communities.

b) Conservancies

Comments on paragraph 26: Apart from the two conservancies managed by San groups, namely the Nyae Nyae and the N!Jagna conservancies, the San communities in Zambezi Region also have access to the Bwabwata conservancy with rights to manage natural resources and to promote tourism through safaris and trophy hunting. Plans are also underway to make sure that the San community at Farm Uitkomst has conservancy access to the just completed game fence at this farm.

In addition, a funding application has been approved by the Ministry of Environment and Tourism to start with the erection of game fence at Farm Werda and Nuchas where Hai-/om San community has been resettled to make sure that they also have access to the conservancy.

These are all efforts by the Government to make sure that these communities have access to their natural resources to improve their living condition.

c) The land reform process and resettlement farms

Comments on paragraph 31: The Government of Namibia, through the Division San Development, has purchased ten farms totaling 50561 hectares for the resettlement of San communities. The majority of the San communities resettled

there are from the Hai-/om community who were originally evicted from the Etosha National Park in the 1950's by successive colonial regimes. Due to the refusal of commercial farm owners to sell their farms that are situated along the main road leading into the Etosha National Park for resettlement purposes, the Government was unable to relocate this community there. Nonetheless, the Government managed to purchase seven farms located adjacent to the Etosha National Park for their resettlement. The Ministry of Environment and Tourism has assured the Hai-/om community that they will have concession rights to the park which in turn would translate into greater economic benefits for the community.

In addition, the one farm (Farm Uitkomst) out of the ten farms purchased has been used for the resettlement of those San communities who lost employment as farm labourers. It is worth mentioning that all these resettlement farms have been provided with post-resettlement support, including housing projects, schools, clinics, access to water, and livestock. The communities themselves on these farm have also embarked upon livelihood projects such as gardening, charcoals, sewing projects, bread making projects, de-bushing projects, to mention but a few.

In reference to paragraph 35: The Government bought Farm Ondera and Okomeva (totaling 7147ha) for the resettlement of members of the San community at Oshivelo who were originally evicted from the Etosha National Park in the 1950s. Over 158 households have been resettled there. In addition, post-resettlement assistance in the form of crop production has been provided to this community and currently employs 60 members. It is anticipated that other projects such as wood, charcoal, and sewing projects will also be implemented in the near future on this farm.

d) Participation and self-governance

Comments on paragraph 50: Since Independence, the Government of the Republic of Namibia has adopted a Constitution which is highly regarded as a model for democracy all over the world. The Constitution prohibits the discrimination against any person based on grounds of sex, race, colour, ethnic origin, religion, creed or social or economic status. All Namibians are allowed and encouraged to participate in all decision-making processes at both at the local and national levels.

Recognition of Traditional Authorities

Comments on paragraph 52: The Traditional Authorities Act (Act.No.25 of 2000) provides the criteria for the recognition of traditional authorities. It is worth mentioning that political affiliation is not one of the criteria for recognition.

Comments on paragraph 53: We confirm that the Khwe community is the only unrecognized traditional authority in Kavango East Region. The reason is that this community resides in the jurisdictional area of another recognised traditional authority.

Comments on paragraph 54: These traditional leaders administer lands and execute customary laws, and are responsible for protecting and promoting the culture, language, tradition, and traditional values of a community as well as preserving culture sites, arts, and traditional ceremonies like all other traditional authorities in Namibia.

2. Education

The Government of the Republic of Namibia is currently addressing the issue of education for the marginalized communities.

Comments on paragraph 61: Apart from other national educational programmes for all learners under the Ministry of Education, the Division San Development is paying special attention on education for San, Ovaherero and Ovambo communities. This includes the provision of scholarships, school uniforms, transport allowances and also special consideration related to enrollment at various schools and tertiary institutions. In 2013 alone the Division has enrolled and is supporting approximately 200 x learners from the marginalized communities at primary, secondary and tertiary institutions around the country. The Division is also facilitating employment opportunities for San, Ovaherero and Ovambo young people in the private sector as well as in various Ministries including the Police, Namibia Defence Force and also in the National Youth Services.

Comments on paragraph 64: The Ministry of Education has implemented the policy of exemption for students who cannot afford to pay school fees, and Government schools are obliged to implement this policy religiously.

Comments on paragraph 65: The Division is facilitating the transportation of school learners in various Regions through the Ministry of Education from their villages to school during school holidays and out-weekends due to the distance from and to school these learners have to experience which sometimes increases the rate of drop-outs.

In addition, the Division is also facilitating the construction of early childhood development centers, building of schools and hostels in areas where these communities reside. During the current financial year construction has started of hostel facilities at Seringkop Farm (Kunene Region), Donkerbos Primary School (Omaheke Region), hostel block at Blouberg Primary School (Omaheke Region), hostel at Helena Primary School (Omaheke Region).

The Division has also constructed permanent classrooms and teachers quarters at Otjomuru Village (Kunene Region) for the Ovatie and Ovatjimba communities.

Construction is to start of permanent structures for schools at Ohaihuua and Otjikojo villages in Kunene Region for Ovatie and Ovatjimba communities.

Comments on paragraph 67: The Government has a policy on teenage pregnancy and sexual relations between learners and teachers. Sexual abuse amongst learners is not allowed in Namibian schools and this is receiving priority attention at Ministerial level. It is also Government policy not to turn away teenage mothers who wish to return to school after their children had reached a certain age.

3. Health

Comments on paragraph 69: Since independence the Government of the has adopted health policies to make sure that all Namibians have access to health facilities. Therefore, new hospitals have been built in all regions and clinics have been established in far remote areas. It is also a Government policy that no Namibian must be turned away because of no affordability of health services.

Comments on paragraph 70: The Division San Development has established many rural health centres in areas resided by the San, Ovatie and Ovatjimba communities. More clinics have been built in Otjikojo, Ohaihuua, Otjomuru Villages (Kunene Region) for the Ovatie and Ovatjimba communities. In addition, a fully-fledged clinic has been built at Farm Uitkomst and was officially handed over to the Ministry of Health and Social Services. It is worth mentioning that all these clinics are manned by trained nurses from these communities. In areas where clinics have not been built, mobile outreach units are catering for these services.

The Division San Development is facilitating the training and placement of these nurses with the National Health Training Center under the Ministry of Health on an annual basis. This year alone approximately 50 x nurses students from San, Ovatie, and Ovatjimba communities have been enrolled by the National Health Training Centers around the country with financial support from the Division San Development in the Office of the Prime Minister.

Conclusion

Comments on paragraph 74: We would like to emphasise that the Government of the Republic of Namibia will continue to address the plight of our San, Ovatie and Ovatjimba communities to fast track their integration. The Constitution makes provision for all Namibians to practice their traditional beliefs, the use of their own languages and cultures. There is no doubt that after independence a lot has been achieved and all Namibians are benefiting from the fruits of independence. These can be demonstrated by the higher economic activities taking place and as well as rural development projects and infrastructures implemented by the government.

Comments on paragraph 76:

We agree and that a lot still needs to be done to improve the livelihoods of the San, Ovatie and Ovatjimba through appropriate policy interventions and law reform.