

# Land Management as a Vital Basis for the Implementation of Land Reform in Namibia

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## Summary

A transparent, fair and equitable land reform is a prerequisite for Namibia to continue on its current path of peace and stability. Although a highly political issue, for a land reform to be implemented in an efficient and effective way, a good land management system is indispensable. GIZ supports Namibia through its "Support to Land Reform" Programme since 2003. This article gives an overview of the different components of this cooperation in the field of land management.

## Zusammenfassung

*Eine transparente, faire und gerechte Landreform ist für Namibia eine der Voraussetzungen für das Fortbestehen von Frieden und Stabilität. Obwohl das Thema zunächst ein sehr politisches ist, ist ein gutes Land Management System unabdingbar für eine effiziente und effektive Umsetzung der Landreform. Seit 2003 unterstützt die GIZ Namibia durch das „Support to Land Reform“-Programm in diesem Bereich. Der Beitrag stellt die verschiedenen Komponenten der Zusammenarbeit im Land Management vor.*

**Keywords:** Land management, land administration, land tenure, land reform, Namibia

## 1 Introduction

Land reform policies in Southern Africa aim at redistributing commercial farm land acquired during preceding colonial regimes to formerly discriminated Africans. Alongside the redistribution of land rights, land reform measures also include tenure reform, support to beneficiaries of the land reform, and in South Africa also property restitution. In general, land reforms are complex and political processes that will only be sustainable if underpinned by sound policies, laws and a corresponding land management system. In comparison to land reform, land management does not seek to analyse when and to whom land is to be redistributed; rather it defines the administrative institutions and processes required to implement the political (land reform) decisions. In other words, an efficient land management system is an important precondition for successful land reforms (Williamson et al. 2010).

The article will first give a brief overview of land reform in Namibia. It will then sketch the mandate of the responsible Ministry of Land Reform (MLR) and its cooperation with the "Support to Land Reform" Programme which the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH carries out on behalf of the German

Federal Ministry for Economic Cooperation and Development (BMZ). The main part of this article will describe the Ministry's approaches to different land management issues and how GIZ assists these processes.

## 2 Land Reform in Namibia

Namibia, formerly Deutsch-Südwestafrika (1884 until 1915) and thereafter South West Africa under South African administration, gained independence in 1990, following a 23 years lasting war of independence against the then Apartheid government of South Africa. The new nation inherited a divided and dividing land distribution pattern from its colonial predecessors. This legacy remains until today: Not only was land unfairly distributed along racial lines, a sharp division in land governance existed between the commercial central and southern regions, and the communal northern regions of the country. Different ownership structures greatly influenced the way of life of inhabitants (2011: 2.1 Mio.).

More than half of the available land for agricultural purposes is "commercial land" held in freehold, i.e. individual ownership registered at the Registry of Deeds (*Grundbuchamt*). The other part is "communal land" largely governed by traditional structures and practice and so far without any statutory systems for land registration. Whereas modern property legislation regulates commercial land with its clear and individual ownership rights, communal land tenure traditionally relies on oral agreements and is generally more fluid and group-oriented (*Allmende-System*, governed by traditional local chiefs). These parallel tenure systems reflected the racial division in the country at the time of independence. In 1990, 44 % of the territory was commercial farmland owned to 98 % by the white minority. More than 70 % of the population lived and lives on communal land that covers 36 % of the whole country. The remaining 20 % is state land used for conservation or mining purposes (von Carlowitz et al. 2015).

Within the first month of the first National Assembly convening in 1990, a motion was put forward requesting the then Prime Minister Geingob (who became President in March 2015) to call a national conference on the land question which, according to President Nujoma, was "one of the most burning issues facing our young nation" (de Villiers 2003). As part of the post-independence nation-building process, a high-level National Conference on Land Reform and the Land Question in 1991 decided to initiate a comprehensive land reform to undo past

discrimination and to foster socio-economic development for all its citizens. The objective of the conference was to “achieve the greatest possible national consensus on the land question” (National Conference 1991). The reform process concerns commercial, communal land and urban land in Namibia.

In 2005, the Land Reform Action Plan was adopted which sets the specific targets to redistribute at least 15 million hectares of commercial farmland from “white” farmers to previously disadvantaged “black” farmers by 2020. Tasked to coordinate and implement this process is the MLR. Under the National Resettlement Programme, the MLR buys farms in accordance with the willing-buyer-willing-seller principle and divides them into smaller parcels onto which it settles landless Namibians on a lease basis. Through another programme, the Affirmative Action Loan Scheme (AALS), subsidised loans for the purchase of farms by formerly disadvantaged Namibians are available. The main objective of the AALS is to resettle productive black farmers from the communal areas on commercial farms (von Carlowitz et al. 2015). By early 2015, around 9 million hectares of commercial farmland have already been distributed to landless and previously disadvantaged persons in a peaceful and constitutional manner.

Still the majority of the population lives in the communal areas, mainly in the north of the country. To increase tenure security in these areas the Namibian government embarked on a communal land reform which includes registering customary land use and newly created leasehold rights. Communal land rights registration involves delimiting and titling parcels of non-freehold land. This programme intends to foster security of tenure, including for women and marginalised groups, and to contribute to the improved management of natural resources.

At the same time, Namibia is experiencing rapid urbanisation with an increase in informal settlements where land rights are not legally protected. Urban policy in colonial times had created towns for exclusive “white” residential, recreational and business purposes. Investments were channelled to these areas only. The “black” majority was denied access to urban land ownership until 1978 and was only allowed to enter towns as contract labourers (Legal Assistance Centre 2005). The Apartheid government established inferior townships with basic services. Their inhabitants could not use their land as collateral for economic development or to upgrade their dwellings. Since independence demand for urban land has increased steadily, a situation which led to the development of an innovative concept to provide security of title for persons who live in informal settlements or who are provided with low income housing, i. e. the Flexible Land Tenure System. Its objective is to allow the poor secure and affordable access to land. This programme is housed in the MLR but its implementation requires close collaboration with the Ministry of Urban and Rural Development, the municipalities, regional councils and ne-

cessitates the consent with the communities of the respective settlements.

### 3 The Custodian of Land in Namibia

The MLR is often referred to as the custodian of land in Namibia. The Ministry comprises two main departments, i. e. the Department of Land Reform, Resettlement and Regional Programme Implementation and the Department of Land Management. The former focuses on land reform issues that include land acquisition and resettlement, land use planning, communal land reform and flexible land tenure. The latter mainly deals with survey and mapping, title registration and valuation.

Land management and land administration are often used synonymously. But while land administration is understood to be part of the wider concept of land management the latter comprises the four functions land tenure, land value, land use and land development (Williamson et al. 2010). Land administration is defined by the International Federation of Surveyors (FIG) as “the processes of determining, recording and disseminating information about the ownership, value and use of land when implementing land management policies” (Glossary for Bathurst Declaration FIG 1999). Thus, land administration provides the infrastructure and technical basis for the implementation of land management strategies in support of sustainable development. Although nowadays land administration often includes the development of a spatial data infrastructure, its core is still the cadastre and the title registration as well as the valuation of land. Interestingly in Namibia, the land administration functions relating to communal and to urban land reform implementation are structurally and hierarchically separated from the traditional cadastre and deeds registry. To date, the Department of Land Management primarily serves the commercial (farm and urban) land and, with a few exceptions, supports commercial land reform only. This awkward situation emerged due to political reasons and will have to be addressed in the medium future. Harmonising all of Namibia’s land administration systems is one of the MLR’s primary challenges ahead.

### 4 The GIZ “Support to Land Reform” Programme

Through its “Support to Land Reform” Programme, GIZ has assisted the MLR, on behalf of the German Federal Ministry for Economic Cooperation and Development (BMZ), in conceptualising and implementing the land reform agenda since 2003. In 2005, the Land Reform Action Plan was adopted with GIZ facilitation and support. This plan is the first to set out specific targets regarding land reform and hence serves as the basis for current land reform activities as described above. GIZ supports MLR

in various ways in policy development and programme implementation, including policy and legal advice related to land reform and land governance; capacity-building of key decision-makers and functionaries; organisational development of MLR and other relevant actors; and technical assistance in a wide array of land-related issues. While MLR is the main beneficiary, GIZ also supports other relevant actors in the lands sector; such as the Namibia University of Science and Technology, the non-governmental Legal Assistance Centre and other non-governmental organisations.

Aiming to ensure that land reform is constitutional and sustainable and that an efficient land governance system is established, GIZ assistance has placed particular emphasis on the establishment of two consultative multi-stakeholder bodies in 2012, the National Land Reform Forum and the National Land Use Planning Forum. These non-statutory bodies operating under MLR auspices are mandated to promote coordination, understanding and policy development relating to land reform and land use planning, as platforms for all interested parties to debate all the different challenges around these issues. In terms of land management, GIZ has been assisting the MLR in various ways in reforming and maintaining its mapping and surveying, titling, valuation and taxation services. GIZ also provides technical assistance in drafting state-of-the-art legislation in the sector and supports MLR in harmonizing its information systems and in monitoring and evaluation.

GIZ is a technical cooperation agency that provides advisory services through experts deployed at different intervention levels. Among them are integrated experts directly employed by the partner organisations, as well as development advisers who work within them but not 'in line'. The concept of knowledge transfer and capacity building lies at the heart of GIZ assistance. Besides technical advice on specific issues, this also concerns other measures, such as trainings and scholarship provision.

In Namibia, the shortage of skilled personnel in the area of spatial sciences and land administration partly results from its colonial past. Before independence the survey and mapping office in Windhoek was a regional office of the Chief Surveyor General in the Republic of South Africa. At that time, it had the backup of the considerable resources and competences of that organisation. However, the substantial dependence on South African resources, together with the consequences of apartheid philosophy, led to a lack of Namibian highly qualified professionals. This structural disadvantage is still not fully overcome and GIZ supports the MLR Department of Land Management in the area of organisational development, by advising on skills and training needs but also on structural issues, for example to business process engineering.

The following sections provide a more detailed overview of the Ministry's activities in the field of land management and how GIZ is supporting them.

## 4.1 Support to Survey and Mapping

The Directorate of Survey and Mapping (DSM) is responsible for the national control system and regulation of cadastral surveying and associated databases. The DSM's main tasks are to examine, approve and archive cadastral survey records and diagrams; create a digital cadastral database; digitise and revise topographical maps; acquire up-to-date aerial images; and establish and maintain the Geodetic Network. The work of the DSM, but in particular the establishment and maintenance of the geodetic network, is supported by GIZ with two experts, one integrated expert (Deputy Surveyor General) and one development advisor (Project Manager for Modernisation of Geodetic Network).

### 4.1.1 Modernisation of Geodetic Network

The first grid of geodetic reference points was established during the colonial era under German rule (1884–1915). Between 1906 and 1914, most of the areas in the south, middle and part of the north of the colony were surveyed and a high-quality triangulation net was calculated (Moser 2007).

The current geodetic control network is separated into a horizontal and a vertical component. The vertical component consists of approximately 7,000 kilometres of precise levelling along major roads with benchmarks spaced at about 1.6 km apart, while the horizontal component comprises approximately 2,600 trigonometric stations covering the whole country with a rather sparse density in the northern regions of the country. This is despite the fact that these regions have the highest population density and that most development is taking place there.

Unfortunately, the geodetic reference framework is currently not very accurate and does not suit the implementation of new technology. Its limited quality is an obstacle in the efficient use and exchange of spatial data and it is incompatible with the systems of neighbouring countries.

Therefore, the DSM has embarked on establishing the Namibian Reference System (NAMREF) based in the International Terrestrial Reference Frame (ITRF). NAMREF is also to contribute to the implementation of the African Geodetic Reference Frame (AFREF) which is designed to unify the very many geodetic reference frames of Africa using data from a network of permanent Global Navigation Satellite Systems (GNSS) stations and will benefit cross border projects. NAMREF will also reduce costs for surveying and increase accuracy in cadastral surveying in a vast and scarcely populated country.

It will consist of GPS Continuously Operating Reference Stations (CORS) that shall provide GNSS data consisting of carrier phase and code range measurements in support of three dimensional positioning. This active approach is the key to the future for surveying in Namibia but also very demanding, requiring specialist knowledge

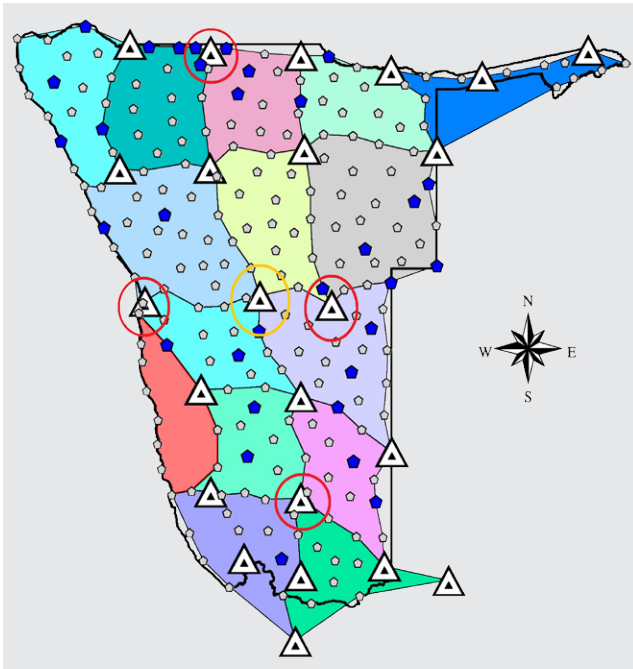


Fig. 1: Distribution of Zero (triangles) and 1<sup>st</sup> Order (pentagons, blue already existing) trigonometric stations in respect to the 15 project zones. Red circles represent CORS, yellow the IGS (MLR).

and advice. In an initial phase, one International GNSS Service (IGS) station has been installed on the premises of the MLR in Windhoek (with support of *Helmholtz-Zentrum Potsdam – Deutsches GeoForschungsZentrum GFZ*) and five additional CORS were obtained and installed with support of GIZ. A further densification of the network is under way. The whole country has been divided into 15 project zones. These zones were defined by the location of the erected zero order points within the upgraded network.

Despite major difficulties of implementing such a project in a vast and scarcely populated country, the project is currently being implemented and MLR availed significant resources for this purpose. An important reason for this government support is the project’s relevance for the MLR land reform activities such as the subdivision of large commercial farms and the implementation of communal land reform and the flexible land tenure system.

#### 4.1.2 Digital Cadastre

Another major development currently under way in the DSM is the implementation of a digital cadastre. Eventually, it should support a fully digital workflow, from lodgement and examination of the surveys to the archiving of the records. This Land Information System (LIS), a customised application based on ArcGIS, shall consist of five modules:

- The first module “Capturing of Cadastre Data” will populate the geodatabase by capturing relevant information on farms, erven (erf, pl. erven, is a South African term for a plot of land, usually urban, surveyed

and marked off for building purposes), servitudes, geodetic stations, beacons, and roads amongst others.

- The “Cadastre Process Automation Module” will support the digital workflow from job lodgement to registration in the cadastre.
- The third module will support retrieving information from the Deeds Registry.
- The fourth module will contain all the required functions for integration with the topographic division’s geodatabase and provide means of data exchange.
- The fifth module will allow for dissemination of information through an interactive spatially enabled website. A team is currently digitising and capturing the metadata of existing documents such as diagrams and general plans.

A fully functional LIS will reduce time for examination and mitigate the duplication of information. It will be easy to exchange data with private land surveyors and the digital cadastre will allow overlays of different features. Most importantly, land-related data will be able to be exchanged with the other databases administered by the MLR, all of which require the LIS as a basis for their work.

#### 4.2 Support to Deeds Registration

The other cornerstone of land administration is the registration of title deeds and the real property rights derived thereof. The Directorate of Deeds Registration ensures the security and correctness of titles and the efficient registration of immovable property, mortgage bonds, notarial deeds and sectional title schemes (*condominium*) for the entire country. Real property rights are registered to ensure security of tenure and to facilitate the provision of credit facilities to the owners and holders of such rights.

To date, processes and procedures of deeds registration still follow the Deeds Registries Acts of 1937 and 1976 respectively (Rehoboth area). With GIZ assistance, the MLR is currently revising these acts. The new Deeds Bill intends to make the registration process more efficient and accessible to the less well-off majority of Namibians. The Bill is currently read in Parliament; it will enable everyone to register his property without the costly services of a conveyancer. Another innovation intended to increase the Registry’s outreach to the wider public is the endeavour to decentralise registration services through regional offices and newly-established sub-regional offices.

GIZ is also supporting the Deeds Registry in computerising all registration services and in creating a digital archive of current and historic titles, through the implementation of the Computerised Deeds Registration System (CDRS). A web-based search engine for this digital archive (the Deeds Data Kiosk) has been installed and will further enhance services to the public. Another



important function of the kiosk is to safeguard the original records by restricting public access to them. Instead, access will now be provided through the digital archive.

The CDRS has been in operation in different versions since 2006 and now includes scanned images of 400,000 title deeds and information on 200,000 persons, 30,000 companies, 100,000 erven, 16,000 farms, 1,200 sectional title schemes and 10,000 sectional title units. This makes it the prime source for property information in Namibia. As such the CDRS is extremely relevant to MLR for policy- and decision-making including property valuation. Information on transaction prices contained in the Deeds Registry is a major source for fair taxation and the development of a real estate index intended to provide Namibia with adequate land asset transparency. Together with the LIS, the CDRS will form such solid basis for countrywide land information.

Other land rights, such as communal land rights and flexible land tenure rights, can be incorporated into the Deeds Registry system in future to develop a nation-wide "tenure registry".

### 4.3 Support to Valuation and Taxation

An effective valuation system ensures transparency in the land market. Governments use land valuation to determine the market value of the land and base tax collection on it. The land tax for agricultural commercial land in Namibia was introduced by the Agricultural Commercial Land Reform Act of 1995. The main objectives of this new land tax were

- to raise revenue, which can then be used for additional farm land acquisition for redistribution and
- to discourage multiple farm ownership, by progressively taxing owners of multiple pieces of land.

The land tax is based on the value of the land in its natural state without infrastructural improvements. Land tax must be paid by all registered owners of commercial agricultural land who have freehold tenure rights to that land. Beneficiaries of the National Resettlement Programme receive leasehold agreements for their share of the state-owned government-bought resettlement farms. They are meant to pay lease fees for the land they have been allocated. These lease fees are intended for the same purpose as the land tax, i.e. to pay for the implementation of land reform. The payment of these fees shall compensate government for the loss of land tax that incurs with increasing resettlement. GIZ is supporting the MLR in conceptualizing and implementing an efficient land tax and valuation system, mainly by providing policy and legal advice including legislation on the establishment of a Professional Valuers Council to strengthen the valuation profession as such. GIZ also funded several tax-related studies and concept papers.

The Directorate of Valuation and Estate Management (DVEM) is in charge of valuing agricultural land and preparing provisional valuation rolls. These valuation rolls inform the taxation of commercial farm land, a highly contested issue which is currently under legal review. Land tax determination is based on a mass valuation, as the government does not have the staff required to assess all commercial properties individually. Mass valuation is a globally accepted approach to value land in a time and cost efficient manner. In Namibia it was estimated that to value every agricultural property would have taken up to five years and would have resulted in unacceptably high costs and therefore an extremely high tax burden. The DVEM decided to use sales prices of three years from which to calculate the unimproved site value by subtracting the depreciated preplacement cost for improvements from the sales prices. The figures were then put in relation to the carrying capacity of agricultural land to determine valuation boundaries and define a statistical model. In October 2012, the MLR released the Third Provisional Valuation Roll and in July 2013 a revised version after nearly 4,000 objections were lodged. A valuation roll remains provisional until the valuation court certifies it. In 2013, some farmers were faced with a tax increase of over 700 % which was explained by the increase in market prices for commercial farm land. But it also appeared that there was an error in the Computerised Mass Appraisal System (CAMA) administered by the MLR. As a consequence, the MLR withdrew and reworked the valuation roll. However, the revised roll was again objected to by about 2,000 farmers. The farmer community criticised the use of outdated information to determine the carrying capacity for land. This case is still on-going.

### 4.4 Communal Land Rights Registration Programme

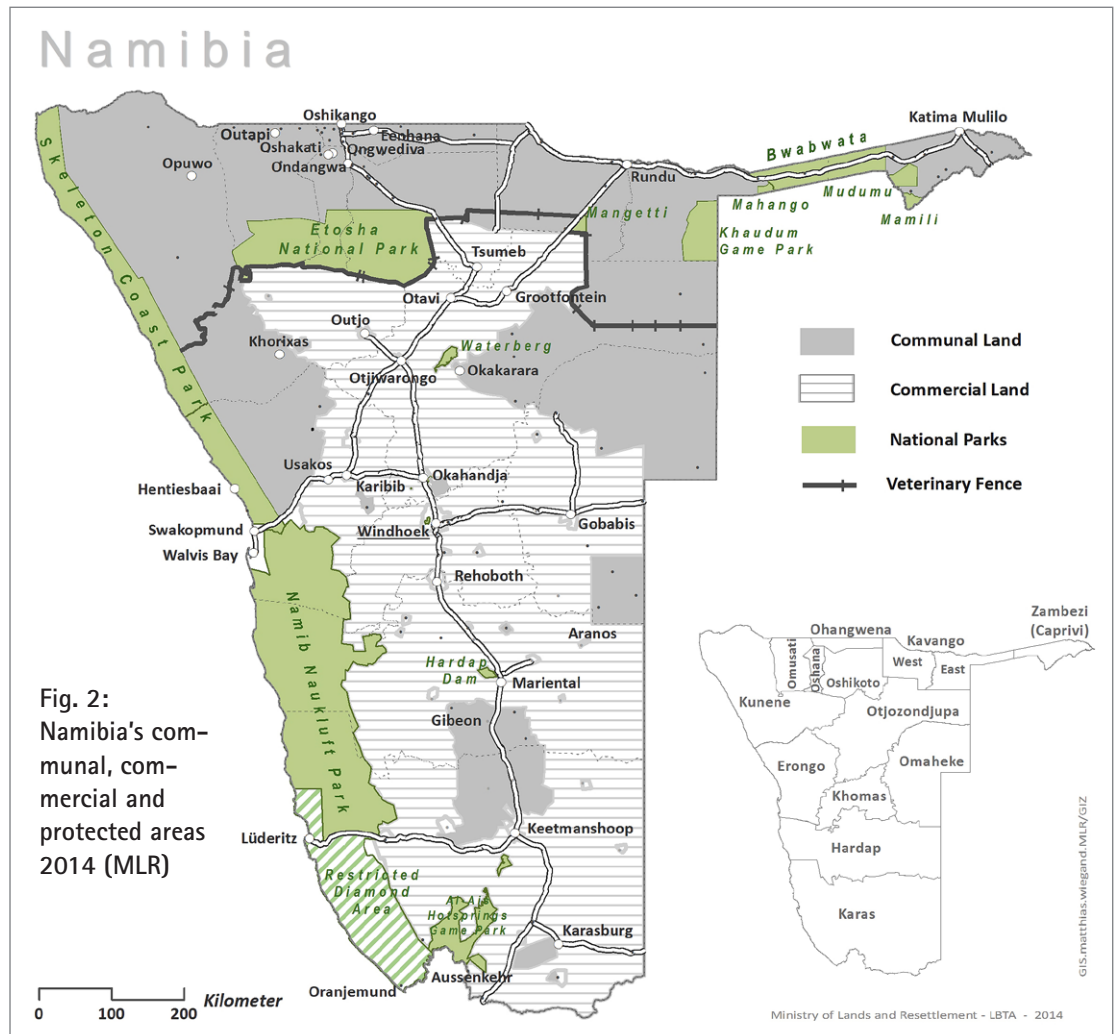
In 2002 Namibia passed the Communal Land Reform Act which paved the way to establishing tenure security also in the communal lands. One of the main activities carried out under the communal land reform is the registration of communal land rights according to the act, which allows every Namibian citizen to register both existing and new communal land rights in order to acquire tenure security over the given piece of land. Communal land rights registration placed special focus on marginalised groups and women as beneficiaries. The programme also wants to contribute to the improved management of natural resources in the communal areas. Since its inception, the programme has made much progress. By September 2015, 80,000 land rights had been registered and 151,000 parcels mapped and verified out of an estimated total of 245,000. Over 40 % of these land use rights were registered with the female head of the household.

GIZ supported communal land reform during the first three project phases until mid-2014. An integrated expert acted as Project Manager for communal land rights re-

gistration. Increased funding by the European Union for communal land reform allowed GIZ to shift its focus from supporting communal land registration to flexible land tenure in its fourth project phase since 2014. A comprehensive lessons-learned-study on a decade of GIZ assistance in this field was finalised in the same year (GIZ 2014).

To ensure that customary land rights are recorded in an efficient and effective way, a communal land administration was established. The Namibian Communal Land Administration System (NCLAS) was developed in 2007 as a separate registration system. GIZ supported this effort with the provision of a development advisor until mid-2015. NCLAS consists of a communal deeds register (based on MS Access) and a communal cadastre (based on an ArcGIS). The two databases are linked by the Unique Parcel Identifier (UPI). The primary outputs of the NCLAS are customary land rights and leaseholds certificates, village maps and registers. However, its integration with the commercial deeds and cadastre systems (CDRS and LIS) is a standing policy objective.

Once a communal land right was allocated by the traditional authority (chief) and confirmed by a Communal Land Board it should be registered with NCLAS. The specific area is usually demarcated or has a physical description which can be identified on the ground. The parcel coordinates can be obtained by field measurement using easy to use hand held GPS or by digitising off large scale orthophotos. In this way, the “survey” of communal land proves to be very economical and efficient but does not comply with the survey regulations applicable for registration in the state cadastre. The integration of the NCLAS with the deeds registry and cadastre will require significant legislative changes that must be developed with proper surveying expertise. GIZ has been supporting the MLR in this effort through legal advice and capacity building.



#### 4.5 Support for a New Tenure System – Flexible Land Tenure

The Flexible Land Tenure System (FLTS) is an innovative concept to provide affordable tenure security to persons who live in informal settlements or who are provided with low income housing (Flexible Land Tenure Act 2012). The basic idea is to establish an interchangeable and upgradable property registration system which is parallel and complementary to the current formal system of freehold tenure. The concept is derived from the government’s need to provide alternative land tenure options for the urban poor and, from a governance perspective, to develop efficient policies to counter lack of formal governance in the rapidly increasing urban sprawl. Almost a quarter of the country’s total population live in informal settlements.

Although the act was already conceptualised in 1990s, it was only passed by Parliament in 2012. Since then GIZ has been supporting the MLR in bringing this process forward by organising an inception workshop, producing discussion papers and a comprehensive roadmap for the envisaged FLTS implementation. Recently, an integrated expert has commenced work to support the FLTS Project Management Unit.

Most vulnerable communities do not necessarily need freehold title but tenure security that allows people to hold and occupy land without fear they will be evicted, enables land holders to defend their rights to the land in court and allows access to credit for investment and development. The alternative forms of titles introduced by the FLTS are the starter title and the land hold title. These two titles are individual types of tenure, yet they are also group-based inasmuch as the scheme members must form an association to manage and control the block: The outside boundary of a block of land earmarked for titling under the FLTS (blockerf) has to be surveyed and registered in the Deeds Registry, while individual tenure rights within the blockerf are registered locally in the established Land Rights Offices (LRO). The blockerf may be owned as freehold by a local authority, a private person, a community organisation or a non-governmental organisation. The ownership will not change with the then established starter or land hold title scheme but from then on owners are no longer able to dispose freely of it.

The starter title denotes a new statutory form of tenure registered in respect of a block of land. This title provides the holder with the right to erect a dwelling at a specified location of a specified size and nature inside the starter title scheme and to occupy it in perpetuity, to bequeath the dwelling to the heirs, to lease the dwelling to another person and to transfer the rights to any other person.

At the first stage of the FLTS scheme, starter titles neither allow individualised claims to a specific plot within the registered blockerf, nor can they be used as collateral for a bank loan. Individual starter title holder cannot mortgage or register servitudes on the site allocated to them. Unlike with freehold, the individual sites within a starter title scheme are not yet sufficiently defined to support a bank's claim; the starter title does not link the location itself (only the wider blockerf) to cadastre, maps or any site plans. The starter title is viewed as an inexpensive form of tenure security providing for the registration of the beneficiaries' names within the scheme giving them the right to erect and occupy a dwelling within the blockerf (Christensen et al. 1999). In practice, the local authority informally designs through an inclusive, participatory process (with community consent) the location of sites to be allocated without cadastral surveying. The rights are then recorded in the starter title register established by the Registrar of Deeds and located at the responsible LRO.

The land hold title is a statutory form of tenure that includes most elements of freehold, however with fewer formalities than full ownership. This title provides the holder with the right to perpetually occupy a defined and surveyed plot within the scheme and allots an undivided share in the common property. Unlike the starter title, the land hold title holder has all the rights in the plot allocated to him that an owner has in respect of his erf under the common law (freehold). He can use the right as collateral, i. e. mortgages or any other form of security

for a debt executable on the plot can be recorded in the land hold title register.

Land hold title rights are recorded in the land hold title register established by the Registrar of Deeds and located at a LRO. The internal boundaries of all plots, streets and public places of a land hold title scheme have to be demarcated and must be measured by LRO's land measurer who is appointed to prepare a land hold plan for that scheme; the land hold plan is filed of record at the LRO. Once tenure security is obtained, the holders of these titles can construct a permanent building and the local authority will be expected to provide basic services such as water points.

Starter titles can be upgraded to land hold titles. However, upgrading of starter title rights is only possible if at least 75 % of the holders of rights in a starter title scheme have consented. Starter title schemes or land hold title schemes may also be upgraded to full ownership (freehold) under certain conditions when situated within the area of an approved township. In this case the respective blockerf must be subdivided by cadastral survey into erven.

Various stakeholders play an active role in the informal and formal delivery of land: Besides the MLR, the Ministry of Urban and Rural Development, the Municipalities or Regional Councils, NGOs like the Namibia Housing Action Group or the Shack Dwellers Federation of Namibia, the Namibia University of Science and Technology and UN-Habitat are involved in establishing or promoting the FLTS.

GIZ is supporting the MLR this effort through an integrated expert, legal and policy support, workshops, discussion papers, roadmap.

#### 4.6 Harmonisation of Digital Land Administration Systems

There are currently seven land-related data sources in the MLR. Besides the LIS (cadastre), the CDRS (deeds register), NCLAS (communal land information), and the CAMA (mass valuation), which were already mentioned, there are databases relating to the land taxation, resettlement statistics and land use planning. Some of these systems still operate entirely manually, whereas others have been or are in the process of being digitalized. These data bases often contain duplicated or contradicting data and they "do not speak to each other". To ensure more efficient data processing and to avoid duplication of data collection within the MLR, efforts are underway to digitalise, link and harmonise these systems. Eventually, external users should also be allowed access to the available data. To reduce the risk of mismatching data capturing it is important to ensure that specific data is only captured once. Subordinate data systems should use the data produced by the respective lead system. Access should be granted to the original source instead of each system capturing the same data individually again.



GIZ has supported this effort in various ways for the last years. Most importantly GIZ funded the development of an IT Roadmap for the entire MLR. This roadmap clearly describes the vision of an integrated and harmonised ministry-wide IT-system and how to achieve this. Based on this roadmap the mentioned Deeds Data Kiosk but also the Unique Parcel Identifier (UPI) were developed with GIZ support.

IT systems require a unique identification method. As all data within the MLR links back to land parcels, it was decided to use the LIS to create a unique identifier. The UPI will identify each parcel within Namibia by combining existing attributes in a standardised way. It will create unique parcel identities that are applicable for the entire Namibian territory. If data administrators use this parcel identity in their land-related information systems it will be possible to combine and exchange data in a way that previously was difficult. Recently GIZ agreed to support the MLR with an integrated IT expert to support the ongoing process.

## 5 Conclusion

The redistribution of commercial agricultural land but also the land reforms initiated in the communal and urban areas of Namibia will continue to be a challenge for the government. A land reform will only be successful, if a government does not just rely on re-distributing land but also focuses on establishing a sound and efficient land management system secured by a strong regulatory framework. Only this will provide for tenure security that serves as a basis for investment and sustainable use of land.

Land management in Namibia, with its main actors and decision makers within the MLR, is more closely linked to land reform than in many other countries where land management is housed in specialised agencies outside ministerial structures. But despite this, or maybe because of this, the MLR Department of Land Management is often overshadowed by the highly political sister Department of Land Reform. But for land management to effectively support the political efforts, it must be provided with continuous support and attention in the coming years.

The legal and digital harmonisation of the existing land administration systems will be particularly challenging. A first step for legal harmonisation has begun with the development of the Land Bill which shall merge the currently applicable Agricultural and Commercial Land Reform Act and the Communal Land Reform Act. Another important ongoing regulatory effort relevant in this context is the drafting of the regulations to the Flexible Land Tenure Act. As described above, digital harmonisation is also under way. However, the development of new data systems (such as the FLTS) will require changes in the present digitalisation strategy. Moreover, the planned de-

centralisation of land management services will involve technical difficulties and serious infrastructure investments.

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