Namibian Minister of Lands and Resettlement, Minister Alpheus !Naruseb expressed the necessity for:

'a resettlement process which is clear and transparent to an extent that the officials must be able to tell unsuccessful applicants the reason behind a decision.' (Maletsky, 2008)
Is there transparency in the resettlement process of Namibia?

- Selection of beneficiaries for resettlement and
- Commercial farm land to be expropriated for resettlement purposes,

Considering:

- the current legislation and policies within the framework of transparency
- the current situation of resettlement and
- are there recommendations for improvement?

Selection Processes

Beneficiaries of Resettlement

- **Legislation/Policies:** groups; organisations; transparent process

- **Current:** Applications invited, informed of outcome through the press, no follow-up or reference system

(Resettlement Manual; Resettlement Policy; Act 14 of 2003, as amended)
Commercial Farmland to be Expropriated for Resettlement

- Legislation/Policies:
Right to property can be limited in public interest; expropriation process to be transparent with regard to the *audi et alteram partem* rule, fair and reasonable administrative actions and a prescribed procedure.

> **Current:**
Kessl Judgement: procedures as prescribed not followed, decisions not taken in participatory manner.


Problems encountered in selection process

Lack of transparency resulted in uncertainty and a feeling of failed process as a result of:

- Non-compliance
- Unavailability & inaccessibility of information
- Lack of participation
- Lack of co-operation between stakeholders
- Unknown processes re appeal/review
Transparency

Good Governance → Transparency → Effective Land Reform Process

1. Access to information
   - Available & accessible
   - Legislation
   - Current

2. Public Participation
   - No access to information = no participation
   - Effect & Characteristics
   - Forms
   - Effectiveness

3. Institutional Reform
   - Complaints & Ombudsman Office
   - Municipal Front Office
   - One Stop Shop
   - Oversight Committees
   - Independent Audit function
   - Independent Anti-Corruption Agencies
   - Participatory budgeting

4. Others such as professional conducts/ethics and monitoring systems
   (UN Habitat and TI, 2004)
Measuring Transparency

- Regular surveys
- Recoding complaints
- Reporting violations

Conclusion and Recommendation

Conclusion:
- Legislation provides for accessibility to information and public participation, but not in practices.
- Institutional Reforms lacking in area of land information

Recommendation:
- Computerization
- Legislation
- One stop shop
- Involvement of RRC
- Participatory Budgeting
- Integrity Pacts
Thank you for your attention