

Conservancy takes first step to sue illegal occupiers

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THE High Court on Friday gave police the go-ahead to serve court documents on a group of 32 farmers accused of illegally occupying communal land in the Tsumkwe area.

The farmers are being sued by the N#- Jaqna Conservancy Committee which is asking the High Court to issue an eviction order against the farmers and to order them to remove fences they have allegedly erected illegally on communal land in Tsumkwe West.

“We will now issue an application and let the police serve it on the respondents as the next step,” said the lawyer representing the conservancy, Corinna van Wyk of the Legal Assistance Centre.

Van Wyk said the respondents will be given an opportunity to oppose the matter once they are served with the documents.

N#- Jaqna Conservancy community member Sara Sungu told The Namibian that since the Otjozondjupa Communal Land Board has failed to act quickly on preventing and evicting the 32 illegal communal land occupants, the conservancy has initiated the legal process to have illegal occupiers and fences removed.

“We have felt this was necessary to ensure that all those illegally occupying areas of the conservancy are removed since the Land Board only investigated eight illegal fences, a very small proportion given the scale of illegal fencing uncovered by the police in June and July, which clearly identified 32 fenced off areas,” Sungu said in a statement.

She also said the action taken by Police Inspector General Sebastian Ndeitunga has led to more concrete and rapid action from other ministries and the Otjozondjupa Communal Land Board.

Sungu further said she expects the Otjozondjupa Communal Land Board to follow the Ohangwena Communal Land Board decision that successfully pushed for the removal of illegal fences at Odjele last month. Illegal farmers, who have fenced off land at Tsumkwe West, have reportedly failed to comply with police orders to vacate the area by the 6 July deadline resulting in the conservancy resorting to the current legal action.

Meanwhile, the Ministry of Agriculture, Water and Forestry, the Ministry of Lands and Resettlement and the Ministry of Regional and Local Government, Housing and Rural Development have restricted the movement of livestock into the Tsumkwe West area until further notice.

In a joint statement, the three ministries on Friday, said all traditional authorities are advised not to issue any authorisation or permit for the movement of animals to and from Tsumke until further notice.

“Following the illegal fencing of land in Tsumkwe West, government has learnt that there is a lot of animal movement in Tsumkwe West.

Though government is mindful of the severe drought that is currently going on in the country, government does not encourage movement of livestock into Tsumkwe West at the moment as this promotes further illegal occupation and fencing of land by non-residents of this area,” the statement read.

The ministries further said that traditional authorities or their representatives at Tsumkwe should, at the moment, refrain from allowing people who are not residents to settle in the Tsumkwe area. The ministries also said the matter of illegal occupation of communal land and fencing of land at Tsumkwe West is being dealt with by the Otjozondjupa Communal Land Board, which is the legal body by law that can deal with the matter.