Namibia

Executive summary

State of Land Information in Namibia

An Open Data Assessment

land
portal

About the State of Land Information (SOLI) reports

The **State of Land Information** (**SOLI**) research and reports seek to provide an overview of available government data and information on key land issues. The aim of the research is to uncover the many different sources of land data and information at the country-level and help to identify data and information gaps. The research also provides a technical assessment against open data criteria derived from international standards. The reports establish a baseline for targeted interventions to improve the information ecosystem. The Land Portal has published SOLI reports for South Africa, Uganda, South Sudan, Tanzania, Kenya, and Senegal. We aim to develop SOLI reports for a dozen countries in Africa by 2024.

Though SOLI reports are independent research products, they may also serve as the first step in the implementation of the Open Up Guide for Land Governance. The Open Up Guide for Land Governance is a tool for national and local government agencies with a mandate for or an interest in making their land governance data open and available for others to re-use. The Open Up Guide is the result of a collaboration between the Land Portal Foundation and Open Data Charter.

About the Land Portal

The **Land Portal Foundation** was established to create, curate and disseminate land governance information by fostering an inclusive, open, and accessible data ecosystem. Over the last decade, the Land Portal has evolved from a simple information gateway to become a knowledge broker, a resource base, a vibrant online community of users and a trusted voice within global land governance.

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Executive summary

The increasing digitization of information, use of the internet, and growing demand for data transparency have contributed to the expansion of the land information ecosystem in Namibia. Increasingly public and private actors are contributing as data users or generators and are seeking to provide digital and online services in Namibia. The land sector has been lagging behind in the use and deployment of digital technologies for ensuring effective access to and equitable use[1] of land-related data.
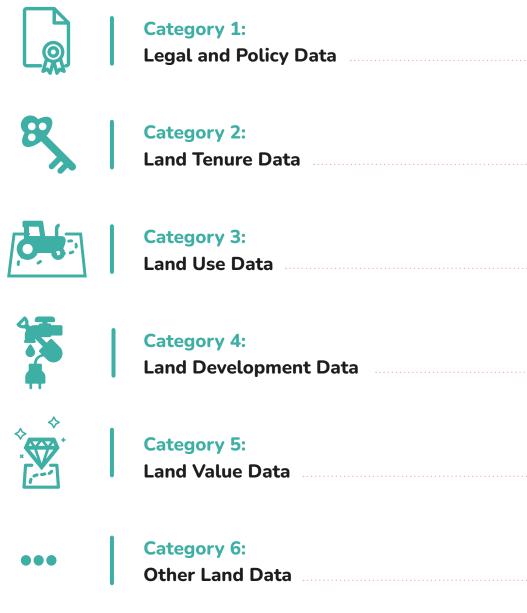
Open data with the technical and legal characteristics necessary for it to be freely used, reused, and redistributed by anyone, anytime, anywhere[2] is needed for inclusive development and innovation[3]. Namibia has a fragmented and overlapping tenure framework, including statutory, customary and informal tenure systems, that are not fully captured by the land administration systems. The outcome is a lack of comprehensive data and information presenting several challenges for efficient and effective land management.

Using the Land Portal Foundation State of Land Information Research (SOLI) Methodology, this report presents an analysis of the current state of land data in Namibia. The SOLI methodology is based on three components: a review of the legal framework for data and information governance, an analysis of the availability of information on land governance in Namibia and an assessment of the compliance of this information with open data standards. This SOLI report for Namibia can be used as a baseline for improving open land data management and to develop an open data roadmap for the future implementation of the **Open Up Guide for Land Governance**.[4]
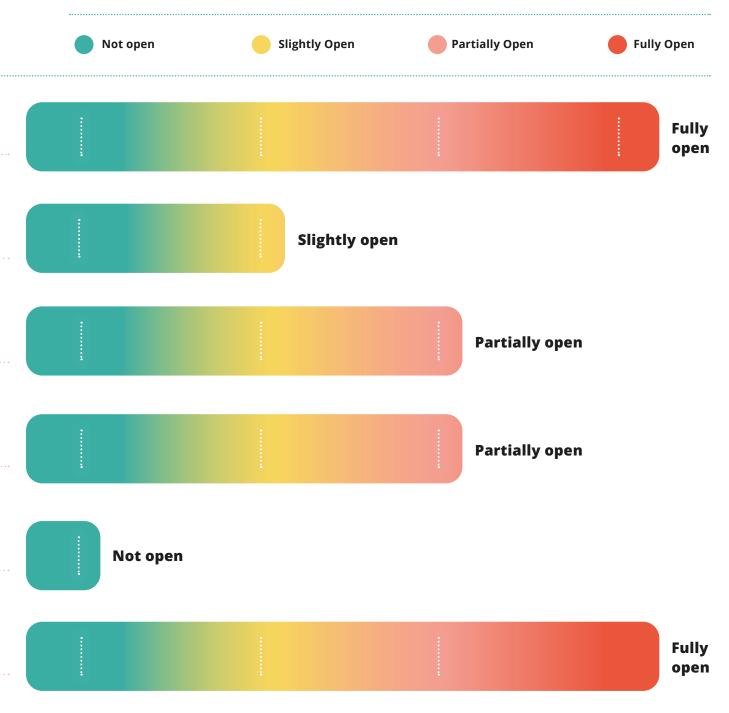
Data and Information Governance

In an effort to reconcile the past with the present in terms of land governance, successive governments have recognised the critical role of accessing information. With independence in 1990, the **Namibian Constitution**[5] made provision for the freedom of speech and expression, which included freedom of the media, interpreted at the time to include access to information. At the same time Namibia ratified the **Universal Declaration of Human Rights**[6] which further enshrined access to information as a right.

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1   See Gurstein's Concept of Effective Use for open data, 2011. **https://firstmonday.org/article/view/3316/2764**
2   International Open Data Charter:
    https://opendatacharter.net/wp-content/uploads/2015/10/opendatacharter-charter_F.pdf
3   National Strategies for the Development of Statistics (NSDSs): **https://nsdsguidelines.paris21.org/NSDS-GUIDELINES-full-lang-en.pdf**
4   Bayer, C-T H, and K. Booth. 2021. Open Up Guide: Open Data for Improved Land Governance. Enschede: The Land Portal Foundation and Open Data Charter.
    https://landportal.org/library/resources/open-guide-land-governance-version-20-following-public-comments
5   Constitution of the Republic of Namibia, **https://www.lac.org.na/laws/annoSTAT/Namibian Constitution.pdf**
6   Universal Declaration of Human Rights, Article 21 (1a)
    https://www.un.org/en/universal-declaration-human-rights/index.html

Category 1:
Legal and Policy Data

Category 2:
Land Tenure Data

Category 3:
Land Use Data

Category 4:
Land Development Data

Category 5:
Land Value Data

Category 6:
Other Land Data

Level of Openness

● Not open　　　● Slightly Open　　　● Partially Open　　　● Fully Open

Fully open

Slightly open

Partially open

Partially open

Not open

Fully open

Access to information has since been embedded in various strategies such as the National Anti-Corruption Strategy and Action Plan for 2017-2019 and the Information Communications Technology (ICT) Policy of 2009. A coalition (**ACTION**)[7] of organisations in support of increased access to information launched in 2012 with a focus on access to information in support of Namibian government's commitment to "*eradicate corruption.*" In 2022 the government's commitment to open and free access to public information culminated in the approval of the **Access to Information Bill**[8],[9] in parliament.

Enhancing unhindered access to information has been a key political pledge captured in a range of government strategies, policies and court decisions. This progressive stance in access to information as a right has not yet been translated into fully accessible and open land governance data, although significant progress has been made.

Land tenure data is managed under three independent recording systems for freehold tenure, customary tenure and informal tenure, with varying degrees of information access. Information on state land and land reforms is intermittently published but not generally available. Land use data, land development data and valuation data is generally not available online, but provision is made for the data to be made public at the offices at the local level.

The **Namibia Statistics Agency** (**NSA**)[10] is responsible for the **National Spatial Data Infrastructure** (**NSDI**)[11] and makes provision for access to spatial data in standardised formats. A variety of legal instruments regulating land tenure, use, development and valuation make provision for access to information, but not as open data. Information on mineral resources and mining rights is made available on the **Namibia Mining Cadastre Portal**[12] and the **Earth Data Namibia Information System**[13] of the Geological Survey of Namibia.

State of Land Data and Information in Namibia

The availability of land data and information is varied, often with data being publicly available to some degree, but not as open data. Land tenure and land value date tend to be the least open, but this may be partly a result of a lack of capacity.

- **Legal and policy data and information** is readily available digitally from government websites and other actors such as the Legal Assistance Centre and the Namibia Legal Information Institute.
- **Land tenure data** is available from various sources, though public access is limited.
- **Land use data** is hosted by the Ministry of Urban and Rural Development, but public access is restricted. Land use data is also very much the domain of the respective local authorities with varying capacities to facilitate open information access. There is little digital data available on land use monitoring.

7   Action Coalition, **https://action-namibia.org/about-action/**
8   Access to Information Bill, **https://mict.gov.na/documents/32978/1282829/Speech%2520ATI%2520Bill%2520%2520Sept%25202021.pdf/2ac37761-c3f1-409c-b05b-affb999de184**
9   **https://www.namibian.com.na/113604/read/Access-to-information-law-sails-through-National-Assembly**
10   **https://nsa.org.na/**
11   **https://digitalnamibia.nsa.org.na/**
12   **https://maps.landfolio.com/Namibia/**
13   **https://mme.gov.na/edn/**

- **Development data** is the responsibility of the National Planning Commission, the Ministry of Urban and Rural Development and local authorities. This data is generally available, although data on communal land development is only sporadically available. Land valuation data is highly decentralized and usually only available in hardcopy.

- **Commercial land valuations** are stored by the Ministry of Agriculture Water and Land Reform, Directorate of Valuation and Estate Management. The Ministry of Finance uses the data to collect land tax while commercial banks publish housing indices with data obtained from the deeds office. However none of this data can be considered open data.

- **Other data** (including climate related datasets) is available from environmental portals and mining portals. Administrative and maritime boundaries are available online from the Office of the Surveyor General.

Current data and information governance policies and legislation in Namibia, including for land data, provide a conducive framework for the development of a more robust open data ecosystem.

Open Data Compliance

Overall, it can be said that land data and information in Namibia is **PARTIALLY OPEN** although there is much that can be improved.

- **Legal and policy data and information** may be considered fully open but can be improved through the use of standards, licensing and linked data.

- Only limited **land tenure data** sets are available as open data, while the majority of the tenure data exists as digital data on closed systems within government.

- **Land development and use data** is partially open with potential to improve on openness.

- **Land valuation data**, although public, is not available as open data and all valuation rolls are only available as paper documents at local authority offices.

- A small number of **other land datasets**, especially relating to mining and environmental data and information sources, are also considered to be open, even though some of these data sets were not fully downloadable, free, machine readable or openly licensed.

While Namibia has a strong policy framework for the opening up of data, this is not supported by appropriate operational systems (practices and procedures for data management). Data sharing agreements do not make provision for automated sharing and require manual interventions and requests. This also means that data sharing activities are currently based on good relations between stakeholders. Namibia is increasingly moving to online systems for service provision, but these services are still fragile, and often not supported by a full range of digital services.

In order to consolidate the significant progress Namibia has made so far in opening up public sector data, it would be useful to develop an Open Data Roadmap for Namibia based on the major recommendations included in this report.

For the comprehensive set of recommendations, please see the full report at https://landportal.org/library/resources/soli-namibia-english

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Table 1: Open Data Compliance Assessment for Namibia

	Online	Accessible	Free	Timely	Metadata
Legal	Fully Online	Fully Accessible	Fully Free	Very Timely	Fully Accompanied by Metadata
Land Tenure	Slightly Online	Slightly Accessible	Partially Free	Partially Timely	Fully Accompanied by Metadata
Land Use	Slightly Online	Slightly Accessible	Not Free	Very Timely	Fully Accompanied by Metadata
Land Devpt	Slightly Online	Slightly Accessible	Not Free	Very Timely	Fully Accompanied by Metadata
Land Value	Not Online	Not Accessible	Not Free	Not Timely	Fully Accompanied by Metadata
Other Land Data	Fully Online	Fully Accessible	Partially Free	Very Timely	Fully Accompanied by Metadata
OVERALL	**Slightly Online**	**Slightly Accessible**	**Partially Free**	**Very Timely**	**Fully Accompanied by metadata**

	Standards	Downloadable	Open licence	Machine readable	Linked Data (URIs)	TOTAL
	Partially Uses Standards	Fully Downloadable	Full Use of Open Licenses	Fully Machine Readable	Not Available as Linked Data	**Fully Open**
	No Use of Standards	Not Downloadable	No Use of Open Licenses	Not Machine Readable	Not Available as Linked Data	**Slightly Open**
	Fully Uses Standards	Partially Downloadable	Partial Use of Open Licenses	Partially Machine Readable	Not Available as Linked Data	**Partially Open**
	Fully Uses Standards	Partially Downloadable	Partial Use of Open Licenses	Partially Machine Readable	Not Available as Linked Data	**Partially Open**
	No Use of Standards	Not Downloadable	No Use of Open Licenses	Not Machine Readable	Not Available as Linked Data	**Not Open**
	Fully Uses Standards	Partially Downloadable	Partial Use of Open Licenses	Partially Machine Readable	Not Available as Linked Data	**Fully Open**
	Fully Uses Standards	**Partially Downloadable**	**Slight use of Open Licenses**	**Slightly Machine Readable**	**Not Available as Linked Data**	**Partially Open**