

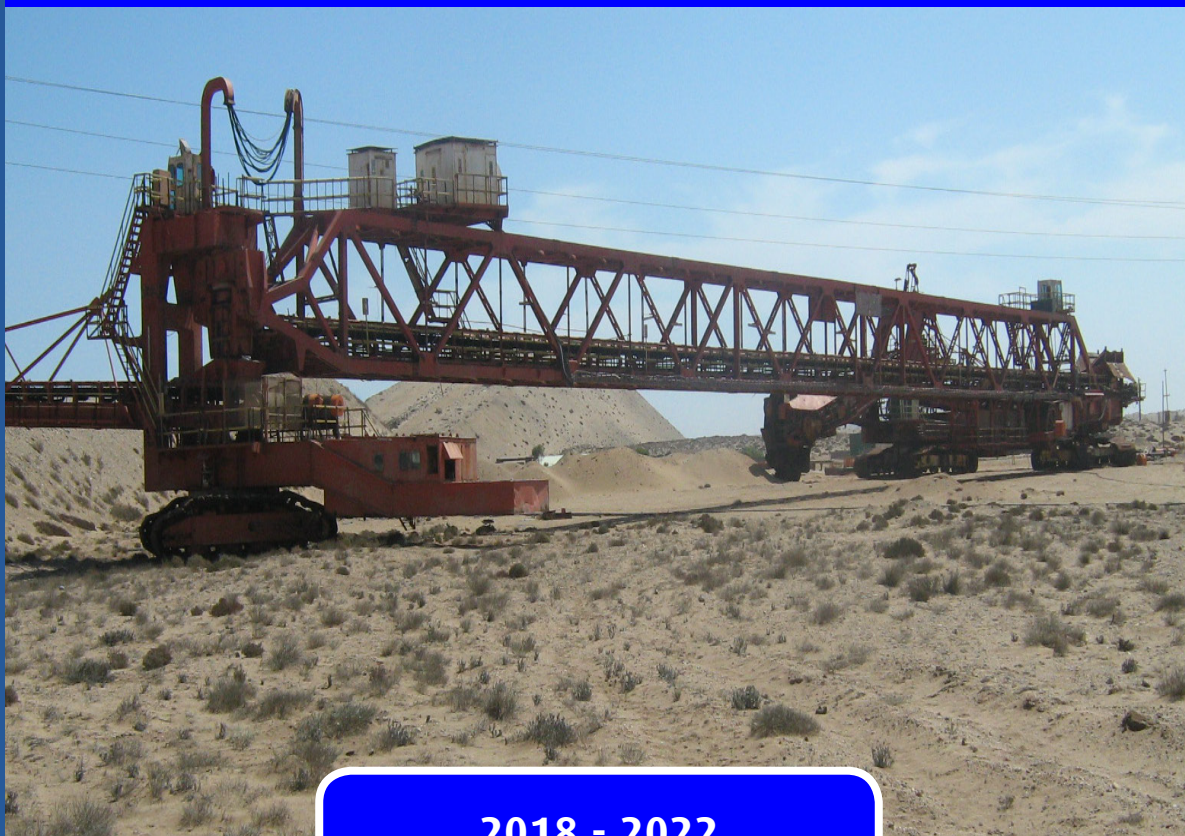


**Ministry of Environment and Tourism**  
**Directorate of Wildlife and National Parks**



Republic of Namibia

## **National Policy on Prospecting and Mining in Protected Areas**



**2018 - 2022**





**Republic of Namibia**  
**Ministry of Environment and Tourism**

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The views expressed in this publication are those of the publishers.

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**Citation:** Ministry of Environment and Tourism, 2018. National Policy on Prospecting and Mining in Protected Areas.

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# Acknowledgements

This Policy was developed jointly by the Ministry of Environment and Tourism and the Ministry of Mines and Energy. Financial and technical support was provided by the World Wildlife Fund Namibia and the United Nations Development Programme through the Global Environment Facility. The development process for the Policy involved consultations with all stakeholders including line ministries, Non-Governmental Organizations, communities and the private sector.

# Executive Summary

Namibia is rich in biological resources that have both national and international significance. The country's Gross Domestic Product (GDP) derives mainly from primary sectors of production which are heavily dependent on healthy functioning ecosystems and the prudent management of natural resources.

At the same time mining has been the biggest contributor to GDP after government services since the earliest discoveries of minerals in Namibia. The mining industry plays a vital role in the growth and development of Namibia's economy and the number of applications for Exclusive Prospecting Licences (EPLs) for various minerals continues to increase.

There are major overlaps in the location of rare species, critical biodiversity areas and the presence of minerals in Namibia. The potential negative impacts of exploration and mining activities can be devastating to biodiversity and ecosystems. Landscape alteration, soil and water contamination and the loss of critical habitats can lead to the loss of important and endemic plant and animal species, which can compromise ecosystems and reduce tourism potential. Namibia's mineral endowment implies that mining and the environment will continue to interact and hence the need to work together to achieve prosperity in a sustainable manner.

It is on this basis that the the Ministry of Mines and Energy (MME), and the Ministry of Environment and Tourism (MET) developed this Policy to guide decision making with regards to exploration and mining in protected areas. While a number of strategies are being employed to address exploration and mining activities in protected areas, it has become evident that strong policy frameworks and tools be developed to improve decision making and provide protection for biodiversity, ecosystem services and cultural heritage from development impacts.

The vision of the Policy is to develop integrated and sustainable prospecting and mining in Namibia to support economic growth, whilst maintaining the integrity of ecosystems and natural resources, and avoiding degradation of areas highly sensitive for their ecological, social and/or cultural heritage value. This is to be achieved through identification of key ecological and culturally sensitive areas within Namibia's protected areas, development of a Decision Support Tool, and improvement in the procedures for granting different exploration and mining licenses.

This Policy presents an important opportunity to strengthen inter-ministerial collaboration and coordination, which will support improved integrated and sustainable development planning that fosters economic growth whilst maintaining the integrity of ecosystems and natural resources upon which Namibia's people and its economy depend.

The Policy has been developed to complement various regulations and policies relevant to prospecting and mining, in order to ensure minimal negative impacts on the environment. Where necessary, specific Memorandum of Understanding shall be developed between prospecting and mining Companies, the MET and the MME to set out additional implementation mechanisms.

The Ministry of Environment and Tourism (MET) in collaboration with the Ministry of Mines and Energy are the custodians of this Policy. The implementation of the Policy will be coordinated by a Technical Committee composed of different stakeholders led by the two Ministries. The two ministries will also, with the support of the Technical Committee, take the lead to coordinate the regular monitoring and evaluation of progress with regard to the implementation of the Policy.

The effectiveness of the Policy implementation largely depends upon raising awareness among key stakeholders, and allocation of resources dedicated to the implementation of the Policy. The MET and MME will jointly seek resources to ensure effective implementation of the Policy.

# Foreword

As Namibia continues to grow and strive towards economic development we need to be mindful that loss of biodiversity puts aspects of our economy, wellbeing and quality of life at risk, and reduces socio-economic options for future generations. Approximately 17% of the surface area of Namibia is gazetted as national protected areas. These areas are attractive for tourism, which is the fastest growing sector in Namibia, and they support the country's social and economic development in numerous ways. While some parts of the protected area network possess significant mineral wealth, disregard for the environment and ecosystems management could result in considerable adverse impacts. We have learnt that uncontrolled prospecting and mining can seriously undermine the character, ecology and tourism potential of protected areas, resulting in opportunity costs for potential development.

More than 70% of tourism activities in Namibia are attributable to protected areas. Tourism is a highly labour intensive industry and contributes to the creation of sustainable employment. It is expected that many new tourism concessions will be developed inside protected areas, significantly increasing concession fees paid to the state and rural communities, and creating employment opportunities. This will lead to increased tourism and will support regional and national development goals.

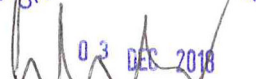
Similarly, Namibia's mineral endowment and the resulting exploration and mining are of high importance to the national economy. Mining has been the mainstay of the Namibian economy for more than 100 years, and is set to retain its importance for the foreseeable future. The contribution to GDP is expected to grow to at least 17%, and mining remains the most important tax payer as well as foreign exchange earner. It is also a significant employer and skills developer, and therefore has significant share in the social and economic development of Namibia.


With the large size of protected areas in Namibia, it is not surprising that a major part of the country's mineral endowment occurs in protected areas. In fact, some 75% of the revenue from mining comes from protected areas in Namibia. By far the two most important commodities in Namibia, diamonds and uranium, come almost exclusively from protected areas, with diamond operations occurring in the Tsau //Khaeb (Sperrgebiet) National Park and the Namibian Islands Marine Protected Area, and two out of Namibia's three uranium mines in the Namib-Naukluft National Park. While their core business is extraction of minerals, mining operations also make significant contributions to conservation in Namibia.

Given this enormous potential of both, tourism and mining to contribute to Namibia's economic development and poverty alleviation, Government needs to ensure that prospecting and mining activities do not jeopardize the potential for long-term and sustainable development opportunities in protected areas. It is also important to recognize that protected areas are the cornerstone of the nation's biodiversity conservation and a source for wildlife, including many high value species. This Policy has therefore been developed to ensure that the sectors continue to co-exist in a sustainable way to achieve prosperity and sustainability in perpetuity.

  
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# Preface

Namibia is well known for its species richness, habitat diversity, biological distinctiveness, and as an endemism hotspot for many species of global significance, especially mammals, birds, and amphibians. In order to protect this impressive biodiversity, the country has established a network of state managed Protected Areas.

Namibia is also well known for its mineral resources, and with the current development of four new mines, these will remain the economic backbone of Namibia for a long time. As Namibia is implementing Vision 2030, our goal is to industrialize the country, to create jobs and combat poverty, and the provision of raw materials from our mines will play an important role in this.

Potentially, protected areas can be negatively impacted by mining and other land uses. Adverse environmental impacts from mining can range from permanent landscape alteration to soil contamination and erosion, water contamination, the loss of critical habitats for sensitive plant and animal species, and ultimately, the loss and extinction of species. Because Namibia's protected areas include environmentally sensitive desert and dry land regions, where the rate of ecological recovery is extremely slow, the potential for regeneration is very low. The central challenge, therefore, is planning and managing the best suite of land uses that will allow for economic development while simultaneously ensuring that environmental health, including the conservation of biological diversity, fragile ecosystems, and landscape integrity, is maintained.

The scale and urgency of this matter has led Government to develop an integrated, flexible and comprehensive policy to deal with mining and prospecting in protected areas that can provide a framework for all stakeholders and can meet the country's national and international commitments to biodiversity conservation, while taking into account the rights and development needs of its people.

This document sets out the Government policy on mining and prospecting in protected areas. Strategies to implement the policy provide the content for this document and include areas excluded from prospecting and mining, procedures in relation to different exploration and mining tenements, change of ownership and/or change of company name, renewals and rehabilitation and restoration.

This policy has been developed by the Ministry of Mines and Energy and the Ministry of Environment and Tourism, as well as through consultations with a broad range of stakeholders that included the private sector and government officials in various other ministries. We would like to thank all our partners and stakeholders who participated in developing this policy.

  
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# Contents

|   |     |
|---|-----|
| ACKNOWLEDGEMENTS  | i   |
| EXECUTIVE SUMMARY   | ii  |
| FOREWORD  | iii |
| PREFACE   | iv  |
| ACRONYMS  | 1   |
| GLOSSARY OF CONCEPTS, TERMS AND JARGONS   | 2   |
| 1. Introduction   | 3   |
| 2. Background   | 4   |
| 3. Alignment to international and national policy and legal framework                         | 5   |
| 4. Guiding Principles of the Policy   | 7   |
| 5. Policy Direction   | 7   |
| 7. Implementation arrangements/Framework  | 14  |
| 8. Institutional Arrangements/Framework   | 14  |
| 9. Legal and Regulatory arrangements  | 15  |
| 10. Resource Mobilization   | 16  |
| 11. Monitoring and Evaluation framework and Reporting   | 16  |
| 12. Advocacy and Dissemination  | 16  |
| 13. Bibliography  | 17  |
| ANNEXURE 1: Implementation Action Plan  | 18  |
| ANNEXURE 2: Protected Areas excluded from exploration and mining                              | 26  |
| ANNEXURE 3: Protected Areas to be excluded from prospecting and Mining                        | 27  |
| ANNEXURE 4: Protected Areas with specific zones to be excluded from<br>Prospecting and Mining | 29  |
| ANNEXURE 5: Application Procedure for prospecting/mining in protected areas                   | 42  |
| ANNEXURE 6: Conditions to operate in protected areas  | 43  |
| ANNEXURE 7: The Environmental Assessment Process in Namibia                                   | 45  |
| ANNEXURE 8: Summary of Renewal Process  | 46  |
| ANNEXURE 9: Zonation Categories   | 47  |

# Acronyms

|       |  |
|-------|--|
| EA    | Environmental Assessment                           |
| EC    | Environmental Contract                             |
| ECC   | Environmental Clearance Certificate                |
| EIA   | Environmental Impact Assessment                    |
| EMP   | Environmental Management Plan                      |
| EPL   | Exclusive Prospecting License                      |
| ERL   | Exclusive Reconnaissance License                   |
| MC    | Mining Claim                                       |
| MDRL  | Mineral Deposit Retention License                  |
| MEAs  | Multilateral Environmental Agreements              |
| MET   | Ministry of Environment and Tourism                |
| ML    | Mining License                                     |
| MME   | Ministry of Mines and Energy                       |
| MPMRC | Minerals (Prospecting and Mining Rights) Committee |
| NEPL  | Non-Exclusive Prospecting License                  |
| NHC   | National Heritage Council                          |

## GLOSSARY OF CONCEPTS, TERMS AND JARGONS

For the purposes of this Policy, the words or phrases set out below have the following meanings:

**Cumulative impacts:** an impact that in itself is not significant, but is significant when added to other impacts

**Environment:** the term “environment” is used in its broadest definition during an environmental assessment process. As such, it includes the biological environment, physical environment, social environment, economic environment, cultural environment, historic environment, etc.

**Environmental Impact Assessment:** is a process of evaluating the likely environmental impacts of a proposed project or development, taking into account inter-related socio-economic, cultural and human-health impacts, both beneficial and adverse.

**Exclusive Reconnaissance License/s (ERL):** is a license that generally excludes physical work on the ground but allows the licensee to undertake short periods of airborne surveys and desk top studies (six months, non-renewable). The holder of an ERL is authorized to “carry on such operations, including the erection or construction of accessory works, in a reconnaissance area as may be reasonably necessary for, or in connection with any reconnaissance operations”. This however requires the prior written permission of the Mining Commissioner.

**Exclusive Prospecting License/s (EPL):** is a license that confers exclusive mineral prospecting rights over land of up to 1000 km<sup>2</sup> in size for an initial period of three years, renewable twice for a maximum of two years at a time. The MPMRC considers the application, which usually includes a feasibility study, financial statements and other safeguards, and makes its recommendation to the Minister of MME, who either grants or refuses the application. In accordance with the Minerals (Prospecting and Mining) Act, 1992 renewals require a reduction in size of the original EPL on each renewal.

**Impacts:** refers to positive or negative effects of a specific project or projects.

**Proponent:** is any individual, organ of State, authority, mining company, industry or association putting forward a proposal for a proposed development. In the mining industry, “proponent” would refer to the mining company proposing to embark on for example mineral exploration, an expansion to an existing mine or minerals processing facility, a proposed new mine or minerals processing facility, or closure of a mine.

**Mining Claim/s (MC):** is a claim that provide mineral rights to small-scale operators and individuals. A claim must be registered with the Mining Commissioner against payment of a fee. A maximum of ten claims may be held for a three-year period, and are renewable if prospecting results in mining after six months. Mining claims have minimal restrictions, but no mining claims may be pegged in protected areas.

**Mineral Deposit Retention License/s (MDRL):** is a license that allows a prospector to retain a mineral deposit, which cannot, for economic or technical reasons, be exploited at the time. Once technological or economic improvements are realized and the deposit becomes an economically feasible proposition, the licensee is obliged to either relinquish his/her rights or apply for a Mining License. Under the authority of the MDRL the License Holder is entitled to carry on investigations and operations, including the erection or construction of accessory works, in such retention area as may be reasonably necessary for, or in connection with any future mining operations or any prospecting operations in order to determine from time to time the prospects of mining any mineral or group of minerals on a profitable basis. However, the holder of a MDRL shall not erect or construct any accessory works without the prior written permission of the Mining Commissioner.

**Mining License/s (ML):** is a license that allows a company or individual the exclusive right to mine an area for a maximum initial period of 25 years or life-of-mine (renewable for a maximum period of 15 years at a time). The MPMRAC considers the application, which usually includes a feasibility study, EA, financial statements and other safeguards, and makes its recommendation to the Minister of MME, who either grants or refuses the application.

**Non-Exclusive Prospecting License/s (NEPL):** is a license that must be registered with the Mining Commissioner against payment of a fee and is only valid for a period of twelve months. A non-exclusive prospecting license allows a person or company to prospect anywhere in the country (excluding protected areas).

**Protected Area:** refers to a protected area that is proclaimed in the Government Gazette according to the Nature Conservation Ordinance number 4 of 1975, as amended.

**Stakeholders:** include, businesses, government and civil society

# 1. Introduction

Namibia's State Protected Areas covered some 17% of the total landmass in 2017 compared to 13% at independence in 1990. The rapid growth in communal conservancies, community forests, game farms and tourism concessions has increased the land under some form of conservation to 44% of the country land surface. In addition, Namibia's first Marine Protected Area was gazetted in 2009.

Protected areas are essential for biodiversity and ecosystem services conservation. They are the cornerstones of virtually all national and international conservation strategies. They are areas set aside to maintain functioning natural ecosystems, to act as refuge for species and to maintain ecological processes that cannot survive in most intensely managed landscapes and seascapes. This rich biodiversity and ecological infrastructure underpin and support our social and economic development in numerous direct and indirect ways.

Namibia's protected areas contribute significantly to the national economy, primarily in that they underpin a large portion of the national tourism industry, which is one of the country's three biggest contributors to national income and one of the fastest growing sectors. The Tourism Industry is an important sector in generating foreign earnings, employment creation and economic growth. The sector is now the third largest contributor to the country's Gross Domestic Product (GDP) and is therefore a strategic sector with promise for growth and job creation. Tourism development directly improves the well-being of local communities by stimulating investment in infrastructure, regional development, environmental protection and income generation. Visitor numbers to Namibia have increased considerably over the years from about 250 000 visitors in 1992 to over one million visitors since 2011.

On the other hand, the mining industry plays a vital role in the growth and development of Namibia and its economy. Mining has been the biggest contributor to GDP after government services since the earliest discoveries of minerals in Namibia. The mining industry contributes to job creation, economic development and building relations with international trading partners.

As in many other countries, there is a major overlap in the location of rare species, critical biodiversity areas and the presence of minerals in Namibia. The potential negative impacts of exploration and mining activities can be devastating in these areas. Landscape alteration, soil and water contamination and the loss of critical habitats can lead to the loss of important and endemic plant and animal species, which can compromise ecosystems and reduce tourism potential. If not eliminated or mitigated, these impacts pose serious risks to other economic activities, livelihoods and the ecological infrastructure that are supported by biodiversity.

This Policy provides direction in terms of where mining and exploration related impacts are legally prohibited and where biodiversity priority areas may present high risks for mining projects. Therefore, the Policy provides a framework for integrating relevant biodiversity information into decision making about exploration and mining options and how best to avoid, minimise or remedy biodiversity impacts caused by mining, and in so doing support sustainable development. With the primary purpose of improving consistency in decision making in dealing with biodiversity aspects, the Policy provides a framework to decision makers and regulators in implementing and enforcing the law, and assists companies in complying with the law, implementing good practise and reducing business risk.

A mineral rich and biodiverse country like Namibia requires interactions between the mining and the environment sector to achieve prosperity and sustainable development. This Policy will help to ensure that mineral resource development takes place in a way that supports an optimal growth path for Namibia.

## 2. Background

Sustainable development is enshrined in Namibia's constitution and is the basis for the country's development pathway which includes Vision 2030 and National Development Plans. Therefore, in light of the country's mineral wealth and rich biodiversity it is important to ensure that biodiversity and life supporting ecological processes are not compromised and neither is its ability to derive sustainable growth and development from its incredible mineral wealth.

An integrated approach to development based upon the precautionary principle is therefore essential if Namibia is to maintain the health of its natural ecosystems that underpin biodiversity and ecosystem service delivery. To date, the Namibian government has taken various initiatives and actions in an effort to address this challenge, with an emphasis on:

- Mapping of sensitive areas rich in biodiversity for management purposes (e.g. Park Management Plans, the Landscape Level Assessment of Biodiversity Vulnerability and Land Use for the Central Namib), and mapping of Ecological and Biodiverse Marine Areas by the Ministry of Fisheries Marine Resources.
- Integrated Regional Land Use Plans.
- The use of Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) as tools to help guide development decision-making, as well as the wider enforcement of the Environmental Management, 2007 (7 of 2007).
- Evaluation of ecosystem services by the Ministry of Environment and Tourism.
- Integrated mechanisms for natural resource governance at different levels including Integrated Coastal Zone Management (ICZM) as well as Communal Land Boards and expert working groups on biodiversity sensitive areas.

These various initiatives have made important contributions towards improved land use planning, yet there is still an urgent need for addressing the impacts of exploration and mining in protected areas to support decision-makers in identifying potential conflicts between areas that are ecologically and culturally sensitive and that could be irreversibly impacted by exploration and mining activities.

Therefore, there is a need for joint planning and communication across government and the private sector to cultivate and nurture important partnerships for coordinated development that includes environmental protection and sustainable mining. The country needs to ensure that the impacts of mining and exploration do not undermine the character, ecology, cultural heritage and tourism potential, as well as the capacity of the land to support sustainable natural resource use.

This Policy provides a guidance on areas where mining and exploration activities poses the highest risk and where biodiversity considerations may result in limitations being imposed on mining. Furthermore, the Policy provides guidance and tools for rehabilitation and restoration of impacted areas. Therefore, the Policy provides a framework to understand how the sustainable development of Namibia's mineral resources can take place in a way that minimises the impact on the country's biodiversity and ecosystem services.

### 3. Alignment to international and national policy and legal framework

Namibia is signatory to international conventions and protocols including the Ramsar Convention on Wetlands, the United Nations Convention on Biological Diversity, the United Nations Convention to Combat Desertification, the Basel Convention on the Control of Trans-boundary Movement of Hazardous Wastes and their Disposal and several other conventions and agreements that binds Namibia to sustainable utilization of its natural resources and development of policies that supports sustainable development.

The Ministry of Environment and Tourism, is responsible for the implementation of these conventions and protocols. As part of its commitments, some effort has been made to mainstream biodiversity. Two of Namibia's macro-policies, the National Development Plan (NDP 4) and Vision 2030 premise the principle that development should take place within the context of sustainable utilization of the natural resource base, rather than to the detriment of it. It is also well recognized in Namibia that effective biodiversity conservation has much potential to drive efforts to combat other challenges facing local society such as climate change, desertification and alien invasive species.

The Namibian Constitution lays the foundation for all policies and legislation in Namibia and contains three key environmental clauses relevant to the sustainable use of natural resources that applies to this Policy.

- Article 100 of the Constitution vests all natural resources in the state, unless otherwise legally owned. Thus, unless legal ownership to natural resources in a specific locality is proven, such natural resources are owned by the state; the provision implies that natural resources can be legally owned as private property.
- Article 95 (l) stipulates that the state shall actively promote and maintain the welfare of the people by adopting policies which include the: "maintenance of ecosystems, essential ecological processes and biological diversity of Namibia and utilization of living natural resources on a sustainable basis for the benefits of all Namibians". With this particular Article, Namibia is obliged to protect its environment and to promote a sustainable use of its natural resources.
- Article 91(c) stipulates that one of the functions of the Ombudsman is "the duty to investigate complaints concerning the over utilization of living natural resources, the irrational exploitation of non-renewable resources, the degradation and destruction of ecosystems and failure to protect the beauty and character of Namibia."

#### 3.1 Minerals Policy

The Minerals Policy of Namibia states that the Government will ensure that the development of the Namibian mining sector is environmentally acceptable and includes consideration of the health and safety of people. The Policy makes a firm commitment that the government will ensure that exploration and mining within protected areas complies with the environmental and economic regulatory framework.

#### 3.2 Mineral (Prospecting and Mining) Act, 1992 (33 of 1992)

Mineral exploration and mining operations in Namibia is regulated under the Minerals (Prospecting and Mining) Act, of 1992 through the granting of non-exclusive prospecting licences, mining claims, exclusive reconnaissance licences, exclusive prospecting licences, mineral deposit retention licences and mining

licences. The Act makes provisions for environmental protection by ensuring that EIAs are undertaken for all exploration and mining projects. The Act also empowers the Minister of Mines and Energy (MME) to exclude any areas from prospecting and mining activities.

### **3.3 Environmental Management Act, 2007 (7 of 2007)**

This Act lists a set of environmental principles to be followed by government institutions and the private sector in any development, and also requires new development activities to undertake EIAs. The Mineral Policy makes a firm commitment that the government will ensure that exploration and mining within protected areas complies with the environmental and economic regulatory framework.

### **3.4 Nature Conservation Ordinance, 1975 (4 of 1975) and the Draft Protected Areas and Wildlife Management Bill**

National Parks are established and gazetted in accordance with the Nature Conservation Ordinance, 1975 (4 of 1975), as amended. The Ordinance provides a legal framework with regards to the permission of entering a state protected area, as well as requirements for individuals damaging objects (geological, ethnological, archaeological and historical) within a protected area. Though the Ordinance does not specifically refer to mining as an activity within a protected area (PA) or recreational area (RA), it does restrict access to PA's and prohibits certain acts therein as well as the purposes for which permission to enter game parks and nature reserves may be granted.

### **3.5 Petroleum (Exploration and Production) Act, 1991 (2 of 1991)**

The Petroleum Act was instituted to provide a legal framework for the reconnaissance, exploration, production and disposal activities associated with the petroleum industry. The Act provides for three types of licenses: Reconnaissance License; Exploration License; and Production License.

The Act requires that MME to issue an exploration license to a potential licensee prior to commencing exploration operations. The Act further requires that "an estimate of the effect which the proposed exploration operations may have on the environment" is undertaken as part of the exploration license application process. Additionally, the Act allows the MME to request additional environmental information before the commencement of any exploration activity (e.g. seismic survey). In certain instances, this information could include a requirement for the applicant to undertake a full EIA.

### **3.6 Draft National Energy Policy**

The Draft National Energy Policy has a section dedicated to environmental considerations. The Policy states that National development should favor technologies and practices that minimize any adverse environmental impacts while creating conditions that decouple growth from environmental degradation.

Prudent environmental management in the energy sector is key to ensuring sustainability throughout the energy value chain. Energy and petroleum production, transportation and use pose various risks to human life and the environment. The challenge for players in the energy sector is the provision of affordable, competitive, reliable and sustainable energy and petroleum products, while ensuring that environmental impacts remain minimized.

## 4. Principles

The policy of the Government of the Republic of Namibia on mining and prospecting in protected areas is to ensure that exploration and mining within protected areas is undertaken within the environmental and economic regulatory framework that exists and that mineral development only commences in these protected areas once the impacts have been assessed. The Policy is also aimed at establishing “no go areas” where exploration and mining will not be permitted due to high conservation and/or aesthetic and tourism value, based upon the best available information.

### **The Policy is based on the following fundamental principles:**

- 4.1 Protected areas are the cornerstone of Namibia’s conservation programme and will continue to play an important role in the conservation of ecosystems, essential ecological processes and biological diversity.
- 4.2 Protected areas also have the potential to provide important economic benefits, locally, regionally and nationally.
- 4.3 This Policy also recognizes the importance of mining to the national economy.
- 4.4 Prospecting for and mining of minerals and rocks will be considered in protected areas, provided that such development is in the national interest and in accordance with the appropriate legislation and that the environmental requirements are adhered to.

## 5. Policy Direction

### **5.1 Vision**

To promote the sustainable development of Namibia by guiding prospecting and mining in the country’s protected areas to ensure sustainable exploration and mining, while conserving biodiversity and maintaining healthy ecosystems.

### **5.2 Rationale**

Mining has been the biggest contributor to Gross Domestic Product (GDP) after government services since the earliest discoveries of minerals in Namibia. Mining continues to be the most significant sector of the economy providing jobs, growing the GDP and building relations with Investors and international trade partners.

At the same time, Namibia’s protected areas contribute significantly to the national economy. They underpin much of the national tourism industry and have been estimated to contribute some 4% of Namibia’s Gross National Income. Namibia’s state protected area covered some 17% of the total landmass in 2017. Communal conservancies, community forests, game farms and tourism concessions have increased the land under conservation to 44% of the country’s land surface. In addition, Namibia’s first Marine Protected Area was gazetted in 2009.

While a number of strategies are being employed to address exploration and mining activities in protected areas, it is essential that strong policy frameworks and tools be developed to improve decision making and provide protection for biodiversity, ecosystem services and cultural heritage from development impacts.

The Policy is aimed at providing a basis for guidance and decision making on exploration and mining activities in protected areas by identifying ecologically and culturally sensitive areas to enable more sustainable development planning and management while providing strategies on process and restoration of impacted areas.

### **5.3 Mission**

To conduct, where necessary, sustainable prospecting and mining in protected areas that supports economic growth, whilst avoiding areas highly sensitive for their ecological, social and cultural heritage values.

### **5.4 Goal**

To provide a framework for decision making on issuance of exploration and mining licenses in protected areas, including strategies and guidance on procedures in relation to different exploration and mining tenets.

### **5.5 Objectives**

- 5.5.1 To ensure that prospecting and mining activities do not cause any negative impacts to biodiversity, ecology and the tourism potential of protected areas.
- 5.5.2 To identify areas in protected areas that should not be exposed to prospecting or mining activities, due to their high conservation, aesthetic and tourism value.
- 5.2.3 To provide clarity on the different exploration and mining tenets that may be granted in protected areas.
- 5.2.4 To facilitate the sustainable development of mineral resources in protected areas while minimising the impacts on biodiversity and ecosystem services.

## **6. Strategies**

In order to implement the policy on prospecting and mining in protected areas, a number of linked and integrated strategies are required. The following are the strategies aimed at achieving the aim and objectives of the Policy:

### **6.1 Areas to be excluded from prospecting and mining**

The specific objective of this strategy is to determine the characteristics and criteria for exclusion of protected areas or areas within protected areas from prospecting and mining.

## ***Strategic approach***

Protected areas or areas within protected areas that have the following characteristics will be excluded from prospecting and mining:

- **Biodiversity Priority Areas:** These are areas that are important for conserving biodiversity, and play an important role in the protection of biodiversity, environmental sustainability, and human wellbeing. Areas in this category includes areas with high species endemism, unique and/or protected habitats, caves and sinkholes, inland wetlands (perennial and ephemeral), certain mountains and inselbergs with high biodiversity, World Heritage Sites, and migratory corridors.
- **High value tourism areas:** These are areas recognized as tourism hotspots based on current visitor numbers or areas zoned and demarcated in protected area tourism plans as having high potential for tourism as approved by the Ministry of Environment and Tourism, if it can be shown that the economic benefit from tourism outweighs the economic benefit from mining in the long term.
- **Known breeding areas of certain species, including marine species:** These are areas recognized as such based on scientific evidence and long-term monitoring data of specific breeding areas. This criterion will apply to breeding areas of known rare and endemic species as well as range-restricted species.
- **Important wetland areas:** These include flowing or lotic systems such as rivers and their floodplains and estuaries, including river mouths and freshwater lagoons that are recognized as important biodiversity or tourism areas, based on the best available information. This includes wetlands of international importance as registered through the RAMSAR Convention.
- **Areas with existing economic activities that would be compromised by prospecting and/or mining:** These areas will be determined by the extent of the economic activities in terms of investment, contribution to the economy, employment as well as poverty alleviation.
- **Areas with the potential to be developed into economically viable tourist or other compatible operations:** These are areas zoned as such by tourism and management plans of protected areas as approved by the Ministry of Environment and Tourism, if it can be shown that the economic benefit from tourism outweighs the economic benefit from mining.
- **Sites of high and/or unique cultural, historic and/or archaeological value:** These are areas zoned as such through appropriate culture or heritage legislation.

A Decision Support Tool shall be developed in order to create a mechanism for identifying and classifying areas both in and outside protected areas according to their sensitivity. This Tool will be established for the purpose of assisting the Mineral Prospecting and Mining Rights Advisory Committee (MPMRAC) to determine whether exploration and mining should be allowed in a given area, based on the best available information.

## 6.2 Procedures in relation to different exploration and mining tenements

The specific objectives of this strategy are:

- To determine the procedures for granting of different exploration and mining licenses.
- To set out requirements and conditions for issuance of licenses for different applications.

### ***Strategic approach***

#### **Exclusive Reconnaissance Licence/s (ERL)**

Granting of ERL(s) may be permitted in some protected areas. Applications must be submitted to the Mining Commissioner in the Ministry of Mines and Energy who will refer such applications to the MPMRAC. In considering such applications, the MPMRAC assesses the applicant's financial resources, technical expertise and proven track record of mineral exploration and development. The proposed prospecting or mining programme, schedule and budget, and its suitability to the geology, geomorphology and ecology of the area under evaluation is critically reviewed.

The conditions vary according to the circumstances, but generally most of the work will be airborne for an ERL. Any on-the-ground work in protected areas must be minimized and will be strictly controlled. Should the ERL be granted, an agreement with MET specifying all conditions, (including an EIA and/or EMP if necessary and Environmental Contract) will be finalized before any work commences.

#### **Mineral Deposit Retention Licence/s (MDRL)**

Granting of MDRL(s) will be permitted in all protected areas apart from 'no go areas'. Applications must be submitted to the Mining Commissioner who will refer such applications to the MPMRAC. In considering such applications, the MPMRAC assesses the applicant's reasons. Should the MDRL be granted, an agreement with the MET specifying all conditions, (including an EIA and/or EMP if necessary and Environmental Contract) will be finalized.

#### **Exclusive Prospecting Licence (EPL)**

Granting of EPL(s) will be permitted in all protected areas except in 'no go areas', including protected areas excluded from prospecting and mining as per Annex 2. EPL applications must be submitted to the Mining Commissioner who refers such applications to the MPMRAC. The MME registers the application and provides the company with an environmental screening questionnaire.

In considering the applications, the MPMRAC assesses the applicant's financial resources, technical expertise and proven track record of mineral exploration and development. The proposed prospecting programme, schedule and budget and its suitability to the geology, geomorphology and ecology of the area under application are critically reviewed. Documented proof of this must be furnished with the screening questionnaire for consideration by the MPMRAC.

The Mining Commissioner notifies the applicant on whether he/she has been successful and if so the MET sets environmental conditions (Annex 3) and helps compile Terms of Reference (ToR) for the EIA and/or EMP. The MET reviews the ToR for the EIA prior to commencement of the EIA.

A full EIA (Annex 4 provides a detailed EIA procedure) is compulsory and will always be required for any prospecting or mining or any activities associated therewith in a protected area. The EIA shall be conducted according to the procedures as stated in the Environmental Management Act. Should the MPMRAC agree to recommend approval (after reviewing the EIA), an Environmental Management Plan and an Environmental Contract shall be concluded before the prospecting or mining may commence.

### **Mining Licence/s (ML)**

Granting of Mining Licences will be permitted in all protected areas except in 'no go areas' including protected areas excluded from prospecting and mining as per Annex 2. When considering the mining licence application, the MPMRAC and the MET must be convinced of the viability and national economic importance of the proposed mining activity before it will be considered within a protected area. The environmental screening questionnaire is completed by the applicant and submitted to the MME. The MET reviews and assesses the screening questionnaire and provides recommendations to the Mining Commissioner.

The Mining Commissioner includes the recommendations made by the MET in the application file and presents the file to the MPMRAC. The MPMRAC assesses the application. The Mining Commissioner notifies the applicant on whether he/she has been successful and if so the MET sets environmental conditions (Annex 3) and help compile Terms of Reference (ToR) for the EIA and/or EMP. The MET reviews the ToR for the EIA prior to commencement of the EIA.

A full EIA (Annex 4 provides a detailed EIA procedure) is compulsory and will always be required for any prospecting or mining or any activities associated therewith in a protected area. The EIA shall be conducted according to the procedures as stated in the Environmental Management Act. Should the MPMRAC agree to recommend approval (after reviewing the EIA), an Environmental Management Plan and an Environmental Contract shall be concluded before the prospecting or mining may commence.

### **Mining Claim (MC)**

No claims may be pegged in protected areas.

### **Non-Exclusive Prospecting License (NEPL)**

The holder of a NEPL shall not exercise any rights conferred on him/her by virtue of the said license in protected areas.

## **6.3 Change of ownership and/or change of company name**

The specific objective of this strategy is:

- To clarify the action to be taken when there is change of ownership and/or change of company name for companies holding licences in protected areas.

### ***Strategic approach***

If the company or partnership holding a licence in a Protected Area is sold or changes ownership, all environmental clearances and contracts become void. The new owner must obtain new environmental clearances and contracts pursuant to an acceptable EIA and/or EMP. The new owner may sign an affidavit accepting and honouring all conditions, clearances, contracts and undertakings granted to and acceded to by the previous owner.

In the event that the company changes name a signed affidavit accepting all conditions, clearances, contracts and undertakings granted to and acceded to under the previous name on behalf of the new name must be submitted to the MC and MET.

## **6.4 Renewals**

The specific objective of this strategy is:

- To clarify the procedure for renewals of EPL in protected areas.

### ***Strategic approach***

In terms of the Minerals (Prospecting and Mining) Act, 1992, an EPL may be renewed. Such renewals are subject to a reduction in size of the EPL. When a company applies for renewal of an EPL, this application must be lodged 90 days prior to the expiry date of the EPL or, with good reason, no later than the expiry date.

The MET must review the renewal application and make any comments and/or recommendations for consideration by the MPMRC. Amendments and revisions may be required for the EIA and EMP. A summary of the renewal procedure is presented in Annex 5. Due Consideration must be given when renewing the licence to ascertain whether there is justification to renew the licence. Once an EPL expires and a new EPL is issued, even if it is to the previous holder, the full screening process must be followed with a full EIA process before operations may commence.

## **6.5 Closure and Restoration**

The specific objective of this strategy is:

- To ensure that companies involved in prospecting and mining in protected areas take responsibility for carrying out appropriate rehabilitation and restoration, during and upon closure of their activities.

### ***Strategic approach***

Prospecting and Mining Licences will only be issued in protected areas once a mine-closure plan is in place and approved by the MET and MME.

Rehabilitation and restoration of impacted sites must be part of the prospecting and mining process and once all prospecting or mining activities are completed, rehabilitation and mining should also be completed in accordance with Rehabilitation and Restoration Guidelines.

If a company wishes to upgrade from an EPL to an ML, then areas that are excluded from the ML area and/or impacts on areas that are not going to be mined must be restored to the satisfaction of the MET prior to an ML being issued, or within one (1) year from the issuance of the ML.

On completion of operations, prospecting or mining, the MET will issue a final closure report stating that restoration has been completed in accordance with the Rehabilitation and Restoration Guidelines.

The operating company will be responsible to restore areas damaged by historic mining and prospecting within the licence area, provided that these have not been designated as industrial heritage in the meantime. Scars to be rehabilitated will be agreed to in writing and indicated on a map in conjunction with the operator and the MET, and taking into consideration provisions of the National Heritage Act as well as other associated legislation.

The MET and MME in consultation with relevant stakeholders shall develop National Rehabilitation and Restoration Guidelines for sites impacted by prospecting and mining in Protected Areas. These Guidelines shall serve as a framework to assess rehabilitated and restored sites and hence approval of completion of rehabilitation and restoration work by the relevant authorities.

A Rehabilitation Fund shall be set up within the Environment Investment Fund to mobilise resources for rehabilitation and restoration of abandoned mines and impacted sites. The Fund will also require that Exploration and Mining holders to fund bonds as security to ensure that they fulfill their environmental obligations. This means that if an operator is unable to meet their environmental obligations, the state must not be the one responsible for paying the rehabilitation costs.

Money in the Fund will be available to fund rehabilitation of abandoned mines in the country. Interest earned on the Fund contributions will be channeled towards rehabilitation of legacy abandoned mines. The Fund establishment will require separate regulations and operational guidelines to be developed and agreed upon by all stakeholders under the guidance of MET, MME and the EIF.

## **6.6 EIA and EMP reviews**

The EIA process makes provision for an EIA or EMP to be sent for external review by the MET. The costs of this review will be borne by the license applicant.

## 7. Implementation arrangements/framework

This Policy lays down strategies that will guide decision making on issuance of prospecting and mining licenses in protected areas. The Policy has been developed to complement various regulations and policies relevant to prospecting and mining in order to ensure minimal negative impacts on the environment. Where necessary, specific Memorandum of Understanding shall be developed between prospecting and mining companies, and the MET and MME, to further detail implementation mechanisms and agree on rehabilitation and restoration obligations.

The Policy and accompanying guidelines and Decision Support Tool to be developed will form the basis for decision making on issuance of prospecting and mining licenses by the MRMP.

The Directorate responsible for protected area management under the MET serves as the focal point for the Policy implementation. The Directorate responsible for mines under the MME will be the counterpart focal point for implementation. A Technical Committee will meet regularly as the leading forum for coordination and tracking progress with regard to the implementation of the Policy. The MET and MME will jointly seek resources to ensure the Action Plan is implemented and will identify focal point persons within their respective ministries to facilitate implementation of the Policy.

Although the MET and MME are the lead and coordinating agencies for implementation, a range of different stakeholders are key to the implementation of the Policy as indicated in the Implementation Action Plan in Annex 1. The effectiveness of the Implementation Action Plan largely depends upon raising awareness among key stakeholders and the resources allocated.

## 8. Institutional Arrangements/Framework

- 8.1 The Ministry of Mines and Energy is the responsible Ministry for issuance of licenses for prospecting and mining.
- 8.2 The Ministry of Environment and Tourism is responsible for management of protected areas.
- 8.3 The Ministry of Environment and Tourism is represented at the MPMRAC by the Directorate responsible for Protected Area Management and the Department of Environmental Affairs, and considerations and recommendations of applications for prospecting and mining in protected areas are provided by the Ministry of Environment and Tourism at that level.
- 8.4 In line with the provisions of this Policy the Ministry of Environment and Tourism will create an internal sub-committee that will review and discuss applications for prospecting and mining in Protected Areas and other conservation areas prior to every MPMRAC meeting, in order to review prospecting and mining license applications.

## 9. Legal and Regulatory arrangements

Namibia has sound environmental legislation aimed at achieving sustainable development, including laws that support public participation, impact assessment and environmental management. A network of legislation exists in Namibia that is geared towards sustainable development and the conservation and management of our country's rich biodiversity.

The Minister of Mineral Mines and Energy, is responsible for implementing the Minerals Act and the Petroleum Act, is specifically tasked to "ensure the sustainable development of Namibia's mineral and petroleum resources within a framework of national environmental policy, norms and standards while promoting economic and social development". To ensure this, the Minerals Act stipulates that the principles of the Environmental Management apply to all mining, and serve as guidelines for the interpretation, administration and implementation of the environmental requirements for exploration and mining activities.

As a consequence, a holder of a mining permission/right/permit:

- Must consider, investigate, assess and communicate the impact of their activities on the environment comprehensively.
- Must, as far as is reasonably practicable, rehabilitate the environment to its natural or predetermined state, or to a land use which conforms to the generally accepted principle of sustainable development.
- Is responsible for environmental damage, pollution or ecological degradation as a result of reconnaissance, prospecting or mining operations which may occur inside and outside the boundaries of the areas to which such right, permission or permit relates.
- Must ensure that it will take place within the framework of national environmental management policies, norms and standards.

Mining companies need to comply with a range of other laws which regulate mining impacts on the environment. The Constitution of the Republic of Namibia enshrines the right 'to an environment that is not harmful to health or well-being' of people. The Environmental Management Act (EMA) sets out environmental management principles that support this, and other Specific Acts that should guide decision-making throughout the mining life cycle. Disturbance of ecosystems, loss of biodiversity, pollution or degradation of the environment, as well as sites that constitute the nation's cultural heritage, should be avoided, minimized, rehabilitated, or as a last option offset. The Minister of MET is responsible for environmental management and conservation of biodiversity.

Finally water use authorization under the Water Act is required for mining operations to ensure protection of water resources. The Water Act is under the custodianship of the MAWF.

## 10. Resource Mobilization

Government recognizes that increased resource mobilization is needed to maximize Policy implementation to achieve the objectives. Resource mobilization will be undertaken through:

- 10.1 Allocation of resources for the implementation of the Policy by government to MET and MME.
- 10.2 Identifying funding support from diverse sources including regional and international donor agencies, foundations and, as appropriate, through private-sector involvement;
- 10.3 Establishment of strategic partnerships with various organizations, regional bodies or centers of excellence with a view to pooling resources and/or widening opportunities and possibilities for mobilizing resources from various sources;
- 10.4 Identification and maximization of opportunities for technical cooperation with regional and international organizations, institutions and development assistance agencies;
- 10.5 Ensuring the efficient use of available resources and adoption of cost-effective approaches to capacity-building.

## 11. Monitoring and Evaluation framework and Reporting

- 11.1 A company holding a license to operate within a protected area shall furnish the MC and MET with an environmental report every six (6) months. The MET and MME may conduct inspections at any time during the year to monitor compliance with the Environmental Contract, EIA, EMP and/or any other conditions that are stipulated.
- 11.2 Therefore, in line with the provisions of this Policy, in addition to the inspections that may be carried out by the MME, MET, and MFMR (where applicable), a permanent Technical Committee that will carry out inspections on mines in protected areas will be established. The Committee will be composed of officials from the MET, MME, and MFMR.
- 11.3 An annual Environmental Audit must be carried out on any EPL/ML within any Protected Area. This audit must be conducted by the MET or MME, or an independent expert may be commissioned, at the licensee's cost, to conduct the audit.

## 12. Advocacy and Dissemination

In order to ensure the effective implementation of this policy, the following advocacy and dissemination activities will be undertaken:

- 12.1 Development and formulation of target-specific messages through different and suitable channels of communication;
- 12.2 Utilization of existing structures in dissemination of policy information to reach out to local level resource managers and communities;

- 12.3 Achievement of political will and action through engagement of key decision-makers such as permanent secretaries and parliamentarians;
- 12.4 Establishment of awareness education desks in all institutions so that decision-makers have knowledge of the policy;
- 12.5 Provision of adequate resources (financial and human) to the Directorate responsible for Protected Area Management at the MET to spearhead the identification, creation and dissemination of Policy related information
- 12.6 Full participation at field level in the implementation of the Policy.

## 13. Bibliography

- 14.1 Legal Assistance Centre of Namibia. 2009. Striking a better balance: An investigation of mining practices in Namibia's Protected Areas. Stanford Law School, Mills International Human Rights and Environmental Law Clinics.
- 14.2 Ministry of Environment and Tourism. 2008. Etosha National Park Management Plan.
- 14.3 Ministry of Environment and Tourism. 2009. Sperrgebiet National Park – Managing its Biodiversity.
- 14.4 Strategic Environmental Assessment (SEA) for the Coastal Areas of the Erongo and Kunene Regions, DHI Water & Environment, July 2007

## ANNEX 1: Implementation Action Plan

| Strategies  | Activities/Tasks   | Baseline<br>02/2017 | Possible Indicator(s)   | Lead<br>Agency | Supporting<br>Partners | Timeframe | Cost N\$   |
|---|--|---------------------|---|----------------|------------------------|-----------|------------|
| Strategy: Exclude certain areas from prospecting and mining |  |                     |   |                |                        |           |            |
| <b>1.1.</b>   | <b>By end of 2017, exclusion of certain areas from prospecting and mining activities is enforced</b>   |                     | <b>Key Performance Indicator: Key stakeholders notified of areas to be excluded from prospecting and mining in protected areas, information published in the government Gazette</b> |                |                        |           |            |
| 1.1.1   | Prepare official communication targeted at key stakeholders  | None                | Areas to be excluded from prospecting and mining activities published in the government Gazette   | MET and MME    | MFMR, MAWF             | 2019      | 0          |
|   | Official letter from Honourable Minister of MME to the MPMRC on the new Policy and its implications  | None                | Letter received by the MPMRC. MPMRC implementing the Policy.  | MME            | MET                    | 2018      | 0          |
|   | Official letters from Honourable Ministers of MME and MET to key stakeholders on areas to be excluded from prospecting and mining activities | None                | Letter sent to stakeholders and responses received  | MET and MME    | MFMR                   | 2018      | 0          |
| <b>1.2</b>  | <b>By 2018, signage indicating areas to be excluded from prospecting and mining activities is erected</b>                                    |                     | <b>Key Performance Indicator: Signage erected indicating boundaries of areas to be excluded from prospecting and mining</b>   |                |                        |           |            |
| 1.2.1   | Prepare and Erect Signage in the Protected areas indicating "no go" areas for prospecting and mining activities                              | None                | Signs prepared according to MET and national guidelines   | MET            | MME                    | 2018      | 2, 550 000 |

| Strategies   | Activities/Tasks  | Baseline 02/2017  | Possible Indicator(s)   | Lead Agency | Supporting Partners | Timeframe | Cost N\$ |
|--|---|---|---|-------------|---------------------|-----------|----------|
|  | Erect signage indicating boundaries of areas to be excluded from prospecting and mining   | None  | Signs erected   | MET         | MME                 | 2018      | 250 000  |
| Strategy: Address the lack of information and data to aid decision making on issuance of prospecting and mining licenses both in protected areas and areas outside protected areas by developing a Decision Support Tool to identify ecologically, economical and culturally sensitive areas |   |   |   |             |                     |           |          |
| <b>2.1 By 2020, Develop a decision support Tool to identify key sensitive areas throughout Namibia</b>   |   |   |   |             |                     |           |          |
| 2.1.1  | Develop data standards and undertake assessment to establish the gap analysis of existing data and information to establish initial evidence base | National Statistics Agency data standards   | Approved Data Standards   | MET         | MME                 | 2019      | 250 000  |
|  | Gap Analysis of existing data and information   | Different data available with stakeholders and online   | Gap analysis undertaken at the beginning and end of the DST development Project | MET         | MME                 | 2019      | 300 000  |
|  | Collate and format existing data  | Existing data on species distribution and endemism, Data on sensitivities and mapping, current protected area zonation maps | Data formatted according to agreed format                                       | MET         | MME                 | 2019      | 400 000  |
|  | Design and establish the evidence base, including comprehensive database to underpin DST  | Ministerial datasets, Datasets with NGOs and private sector   | Consolidated database for the Tool development                                  | MET         | MME                 | 2019      | 650 000  |

| Strategies | Activities/Tasks   | Baseline 02/2017  | Possible Indicator(s)  | Lead Agency | Supporting Partners    | Timeframe             | Cost N\$ |
|------------|--|---|--|-------------|------------------------|-----------------------|----------|
|            | Create online, web-based platform; trial and monitor its application   | Geo-Tool web based Prototype  | Existence of online, web based platform and site traffic   | MET         | MME                    | 2020                  | 150 000  |
| <b>2.2</b> | <b>By 2019, Relevant policy and legislation to support the implementation of the Decision making framework is harmonized</b>   |   |  |             |                        |                       |          |
| 2.2.1      | Harmonize legislation and Policy framework and mainstream mining and biodiversity issues   | Undertake an assessment of Policy and Legislative framework for Mining and Biodiversity | Existing research papers and documents on Policy and legislative framework. Information from the NAMEExtract Project | MET and MME | MFMR                   | 2019                  | 160 000  |
|            | Harmonise relevant legislation/policy  | None  | Minutes of meetings and workshops on harmonizing relevant legislation and policy                                     | MET and MME | MFMR                   | 2018-2022 and ongoing | 850 000  |
|            | Develop National Guidelines for mainstreaming biodiversity and environmental issues into the mining sector   | None  | Approved National Guidelines   | MET and MME | MFMR, Chamber of Mines | 2019                  | 350 000  |
| <b>2.3</b> | <b>By 2020, Capacity has been built among current and future user groups to support application of the decision support framework and process in government, private and civil society and across all economic development sectors</b> |   |  |             |                        |                       |          |
| 2.3.1      | Undertake capacity needs assessment for implementation of the Decision Support Tool and the Policy and implement programmes to build capacity  | Undertake a capacity needs assessment   | Previous capacity assessments in different line ministries   | MET and MME | MFMR, NTA, MoHE        | 2019                  | 150 000  |

**Key Performance Indicator: Capacity building Strategy completed and capacity building programmes implemented**

| Strategies | Activities/Tasks   | Baseline 02/2017   | Possible Indicator(s)   | Lead Agency | Supporting Partners       | Timeframe | Cost N\$           |
|------------|--|--|---|-------------|---------------------------|-----------|--------------------|
|            | Develop capacity building strategy and programme plan  | Previous capacity assessments in different line ministries | Approved Capacity Building Strategy   | MET and MME | NTA, MOHE                 | 2020      | 350 000            |
|            | Capacity building programme implementation and monitoring (incl. targeted training for DST operators and users) to address priority capacity needs as identified in needs assessment | Previous workshops, trainings                              | Number of implemented trainings on the DST  | MET and MME | NTA                       | 2018-2022 | 450 000            |
| 2.3.2      | Establish an internship programme  | None   | Interns attached to the DST development Project   | MET         | NIUST, UNAM               | 2019      | 100 000            |
| <b>2.4</b> | <b>By 2020, Institutionalise the DST and Build sustainability</b>  |  | <b>Key Performance Indicator: The Decision Support Tool institutionalized and permanently housed</b>                              |             |                           |           |                    |
| 2.4.1      | DST institutionalized and permanently housed   | MET and MME  | Approved institutional arrangements   | MET and MME | Public Service Commission | 2018-2022 | 0                  |
|            | Creation and maintenance of office dedicated to DST operationalization and management  | None   | Operational DST office  | MET and MME | MET and MME               | 2018-2022 | 1 500 000 annually |
| <b>3.1</b> | <b>By 2019, An assessment for rehabilitation and restoration has been undertaken and biodiversity offsets pilots</b>   |  | <b>Key Performance indicator: Rehabilitation needs assessed and costed and programme developed to rehabilitate impacted sites</b> |             |                           |           |                    |
| 3.1.1      | Assess rehabilitation needs and develop a plan to rehabilitate impacted sites including costing the resource needs   | None   | Existence of database   | MET and MME | Chamber of Mines          | 2018-2020 | 250 000            |

| Strategies   | Activities/Tasks   | Baseline 02/2017  | Possible Indicator(s)   | Lead Agency | Supporting Partners   | Timeframe | Cost N\$ |
|--|--|---|---|-------------|-----------------------|-----------|----------|
|  | Recommend appropriate rehabilitation and restoration mechanisms and strengthen legislation and policy framework for rehabilitation and restoration of impacted sites | None  | Meeting minutes on rehabilitation and restoration. Revised legislative and policy framework   | MET and MME | Chamber of Mines, NCE | 2018-2020 | 0        |
|  | Detailed costing of work required for appropriate rehabilitation and restoration of impacted sites   | None  | Cost analysis of rehabilitation and restoration   | MET and MME | Chamber of Mines      | 2018-2020 | 280 000  |
|  | Set up a Rehabilitation Fund within the Environment Investment Fund for mining and exploration activities  | None  | Approved and operational Rehabilitation Fund housed under the EIF   | MET and MME | Chamber of Mines, EIF | 2019-2020 | 550 000  |
|  | Pilot biodiversity offsets   | LLA documents, Minutes from meetings with FFI   | At least one pilot testing of Biodiversity Offsets undertaken   | MET         | MME                   | 2019-2021 | 450 000  |
| Procedures in relation to different exploration and mining tenements |  |   |   |             |                       |           |          |
| <b>3.2</b>   | <b>By 2019, Institutionalize procedures in relation to different exploration and mining tenements</b>  |   | <b>Key Performance Indicator: Procedures for issuance of exploration and mining licenses in protected areas adopted and implemented</b> |             |                       |           |          |
| 3.2.1  | Ensure that procedures for awarding exploration and mining licenses are adopted and guidelines developed   | None  | Approved guidelines   | MME and MET | MFMR                  | 2019      | 350 000  |
|  | Facilitate adoption of procedures by the different ministries and the MRMPC, MET and MME on different exploration and mining tenements                               | Current practices on issuance of exploration and mining licenses, Minerals Act, Mining Policy and various other pieces of legislation | Meeting minutes, official records of adoption of new guidelines   | MME and MET | MFMR                  | 2018-2019 | 0        |

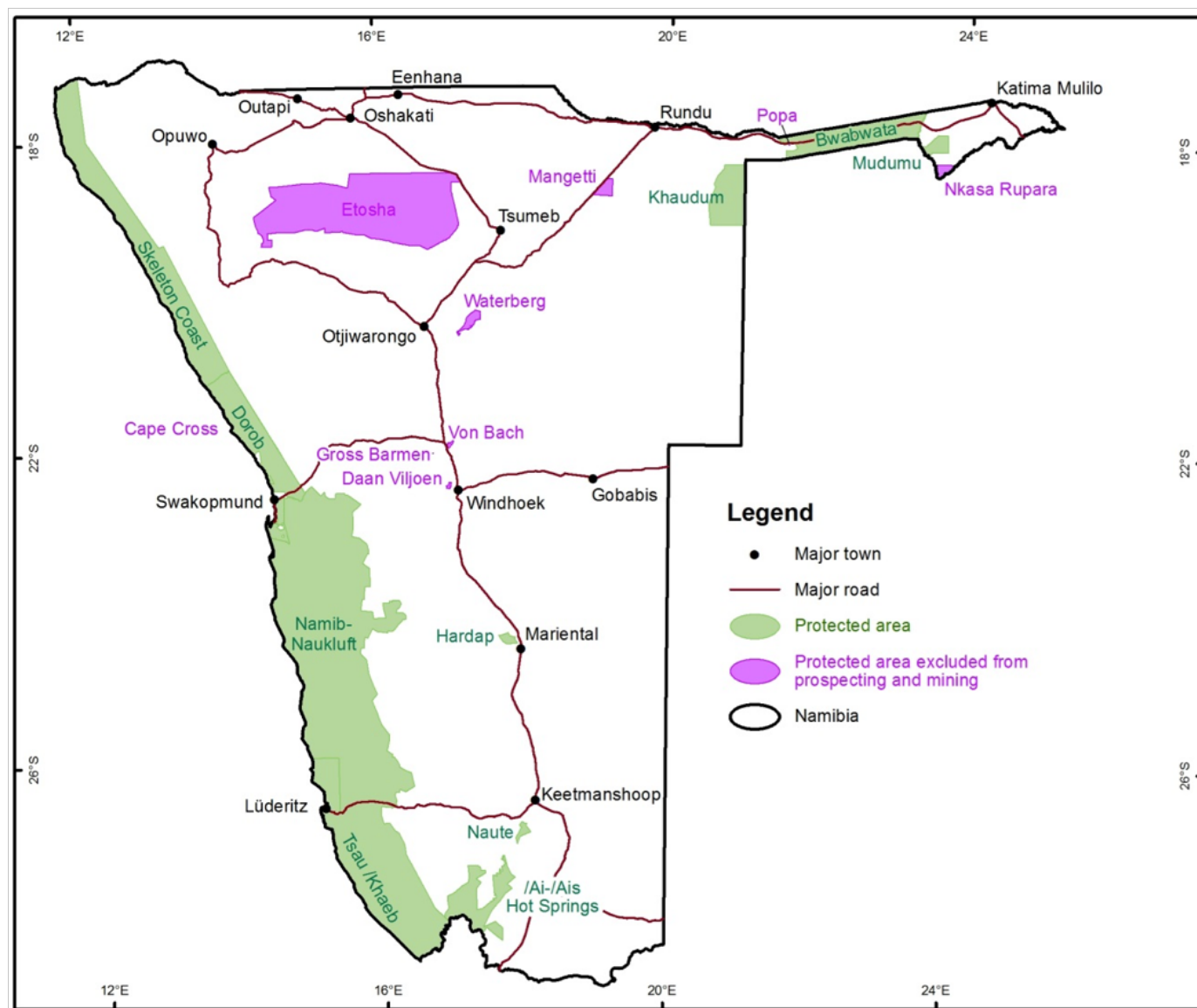
| Strategies   | Activities/Tasks   | Baseline<br>02/2017  | Possible Indicator(s)   | Lead<br>Agency | Supporting<br>Partners | Timeframe | Cost N\$  |         |
|--|--|--|---|----------------|------------------------|-----------|-----------|---------|
|  | Ensure alignment of procedures with new and revised legislation  | Revision of Minerals Act, Finalization and approval process of the PAWMB, Revision of the EMA.   | Uniform provisions of exploration and mining tenements in all pieces of legislation                 | MET and MME    | MFMR                   | 2018-2020 | 0         |         |
| Implementation, Communication, Monitoring, Review and Evaluation |  |  |   |                |                        |           |           |         |
| 3.3  | By 2020, Mobilization of financial resources from all sources has been increased to allow for the effective implementation of this strategy and action plan  |  | Key Performance Indicator: Trends in resources mobilized from all sources for Policy Implementation |                |                        |           |           |         |
| 3.3.1  | Develop and realize a comprehensive resource mobilization strategy for implementation of the Policy  | Identifying funding support from diverse sources including regional and international donor agencies, foundations and, as appropriate, through private-sector involvement; | Ongoing partnerships between government and various funding agencies                                | Mou            | MET and MME            | MFMR      | 2018-2022 | 500 000 |
|  | Establish strategic partnerships with various organizations, regional bodies or centers of excellence with a view to pooling resources and/ or widening opportunities for mobilizing resources from various sources; | Partnership agreements with KfW, UNEP and UNDP.  | Approved allocation of funds and signed partnership agreements                                      | MET and MME    | MFMR                   | 2018-2022 | 100 000   |         |
|  | Identify and maximize opportunities for technical cooperation with regional and international organizations, institutions and development assistance agencies;   | Ongoing cooperation between government and regional international organisations  | Approved allocation of funds and partnership agreements   | MET and MME    | MFMR                   | 2018-2022 | 0         |         |

| Strategies   | Activities/Tasks  | Baseline 02/2017  | Possible Indicator(s)  | Lead Agency | Supporting Partners | Timeframe        | Cost N\$ |
|--------------|---|---|--|-------------|---------------------|------------------|----------|
|              | Ensure efficient use of available resources and adopt cost-effective approaches to capacity-building.   | Lessons learnt and best practices from previous projects and programmes | M&E reports, financial reports                                 | MET and MME | MFMR                | 2018-2022        | 0        |
| <b>3.4</b>   | <b>Key Performance Indicator: Periodic monitoring and evaluation of the Policy implementation</b>   |   |  |             |                     |                  |          |
| <b>3.4.1</b> | Prepare and implement the Policy in a transparent, effective and participatory manner   | Current inspections by MET and MME                                      | Number of inspections per month. Inspection reports            | MET and MME | MFMR                | Ongoing          | 200 000  |
|              | Submission of bi-annual reports by exploration and mining companies to MET and MME  | None  | Reports from exploration and mining companies                  | MET and MME | Chamber of Mines    | Twice every year | 0        |
|              | Establish a Permanent Technical Committee that will carry out inspections on mines in protected areas. The Committee will be composed of officials from MET, MME, and MFMR. | None  | ToRs and Minutes of the Committee meetings. Inspection reports | MET and MME | MFMR                | 2019             | 0        |
|              | Undertake annual Environmental Audit on any EPL/ML within any protected area.   | None  | Annual Audit report  | MET and MME | Consultant          | 2018             | 450 000  |

| Strategies | Activities/Tasks   | Baseline 02/2017   | Possible Indicator(s)   | Lead Agency | Supporting Partners | Timeframe | Cost N\$ |
|------------|--|--|---|-------------|---------------------|-----------|----------|
| 4.1        | By 2019, the general public, especially key target groups, are aware of the Policy implications and its implementation   |  | Key Performance Indicator: Trends in awareness and attitudes to Policy issues, particularly among decision-makers and on-the-ground resource managers   |             |                     |           |          |
| 4.1.1      | Develop and implement a comprehensive and proactive Communication, Education and Public Awareness (CEPA) Strategy that reaches identified target sectors and facilitates | Identify key target groups and select sectoral champions to drive awareness of mining and biodiversity issues among specific sectors | Different CEPA-related initiatives including operational Namibian Environmental Education Network (NEEN); draft environmental education policy; national capacity self-assessment in 2006; CEPA related activities for UNCCD and UNFCCC | MET         | MME, MFMIR          | 2018-2021 | 20 000   |
|            |  | Monitor and evaluate the impacts of communication, education and public awareness programmes on stakeholders and behavioral change   | No survey   | MET-DEA     | NUST, UNAM          | 2020      | 30 000   |
| 4.2.1      | Utilization of existing structures in dissemination of policy information to reach out to local level  | Identify key structures in dissemination of key information  | Existing Committees, Ministerial structures   | MET and MME | NPC                 | 2018-2021 | 0        |
|            |  | Establishment of awareness education desks in all institutions so that decision-makers have knowledge of the policy.                 | None  | MET-DEA     | NUST                | 2018-2019 | 0        |
|            |  | Information exchange workshop with the Parliamentary Standing Committee on Natural Resources   | Sustainable Advisory Committee, Previous workshops with Parliamentary Standing Committees   | MET and MME | Parliament          | 2019      | 30 000   |

## ANNEX 2: Protected Areas excluded from exploration and mining

**Map 1:** Map of Namibia indicating Protected Areas excluded from prospecting and mining.



## ANNEX 3: Description of Protected Areas to be excluded from prospecting and Mining

| Name of Park            | Size (km <sup>2</sup> ) | Justification for exclusions   |
|-------------------------|-------------------------|--|
| Cape Cross Seal Reserve | 23                      | The entire park is to be excluded from prospecting and mining. Cape Cross is a Cape Fur Seal breeding colony and despite its very small size, it is the third highest income generating park in Namibia after Etosha and Namib Naukluft, with an annual income to the State amounting to N\$ 1.2 million. The lagoon is an important bird area. There are extremely important historical sites and a significant lichen area in the park. Furthermore, it has global importance as a surfing destination and a 5-star lodge to accommodate tourists.   |
| Daan Viljoen Game Park  | 80                      | The entire park is to be excluded from prospecting and mining. This is the only part of the highland savanna under national protection. As it is situated within the Windhoek City boundaries, the park has great potential for environmental education as well as further tourism development. The park is small and therefore cannot accommodate mining operations.  |
| Etosha National Park    | 22 880                  | The entire park is to be excluded from prospecting and mining. Etosha is Namibia's flagship protected area and is an important international tourism destination. The park hosts large populations of rare species that are economically important to the country. Etosha is considered a global important bird area. The Etosha Pan and the associated rivers are some of the most important features in the park and one of the only two breeding sites for flamingoes in the southern African Region, and hence of global significance. The sensitivity of this park to human impacts demands special protection. The sand veld in the north east and the dolomite hills are unique habitats in the park. The park, including the three rest camps, is a major revenue contributor to the government, generating N\$ 15.1 million per year from entrance fees alone. An additional N\$ 10 million per annum is also expected from concession fees if identified concession opportunities are fully developed. With the opening of the west side of the park for tourism and the Narawandu and Galton gates respectively, the park stands to generate more revenues to the state and provide economic benefits to local communities. |

|                                   |     |  |
|-----------------------------------|-----|--|
| <b>Gross Barmen</b>               | 1   | The entire park is to be excluded from prospecting and mining. This is a small recreational area that cannot accommodate prospecting and mining activities. The area also has hot springs upon which the tourism product is based.   |
| <b>Hardap Game Park</b>           | 240 | The entire park is to be excluded from prospecting and mining. Hardap is one of only two parks with dwarf shrub savanna vegetation. There is also a small population of black rhinoceros in the park. Furthermore the park is a sub-regional important bird area which hosts breeding sites for White Pelicans.  |
| <b>Nkasa Rupara National Park</b> | 345 | The entire park is to be excluded from prospecting and mining. The park protects the important wetlands of the Kwando/Linyanti system which are part of a global important bird area. The surrounding conservancies use the park as a core area and it is included in planned tourism developments which are of high economic importance. The park hosts large populations of key species such buffalo, lion, elephant and variety of wetland birds. |
| <b>Popa Falls</b>                 | 0.1 | The entire park is to be excluded from prospecting and mining. It is a small tourist resort. The park is too small for any prospecting or mining activities.   |
| <b>Von Bach Game Park</b>         | 40  | The entire park is to be excluded from prospecting and mining. This is the only park that protects the thornbush savanna. The park also offers affordable recreational opportunities to visitors.  |
| <b>Waterberg Plateau Park</b>     | 460 | The entire park is to be excluded from prospecting and mining. The park is used as a breeding area for rare and endangered species with high economic value and is a globally important bird area. Many species are translocated from this park to other areas of the country including conservancies. This is an important breeding ground as well as a holding area for game species that are sold at the MET's bi-annual game auctions.           |

## ANNEX 4: Protected Areas with specific zones to be excluded from Prospecting and Mining

### 1. /Ai-/Ais National Park

**Size of Park:** 4 300 km<sup>2</sup>

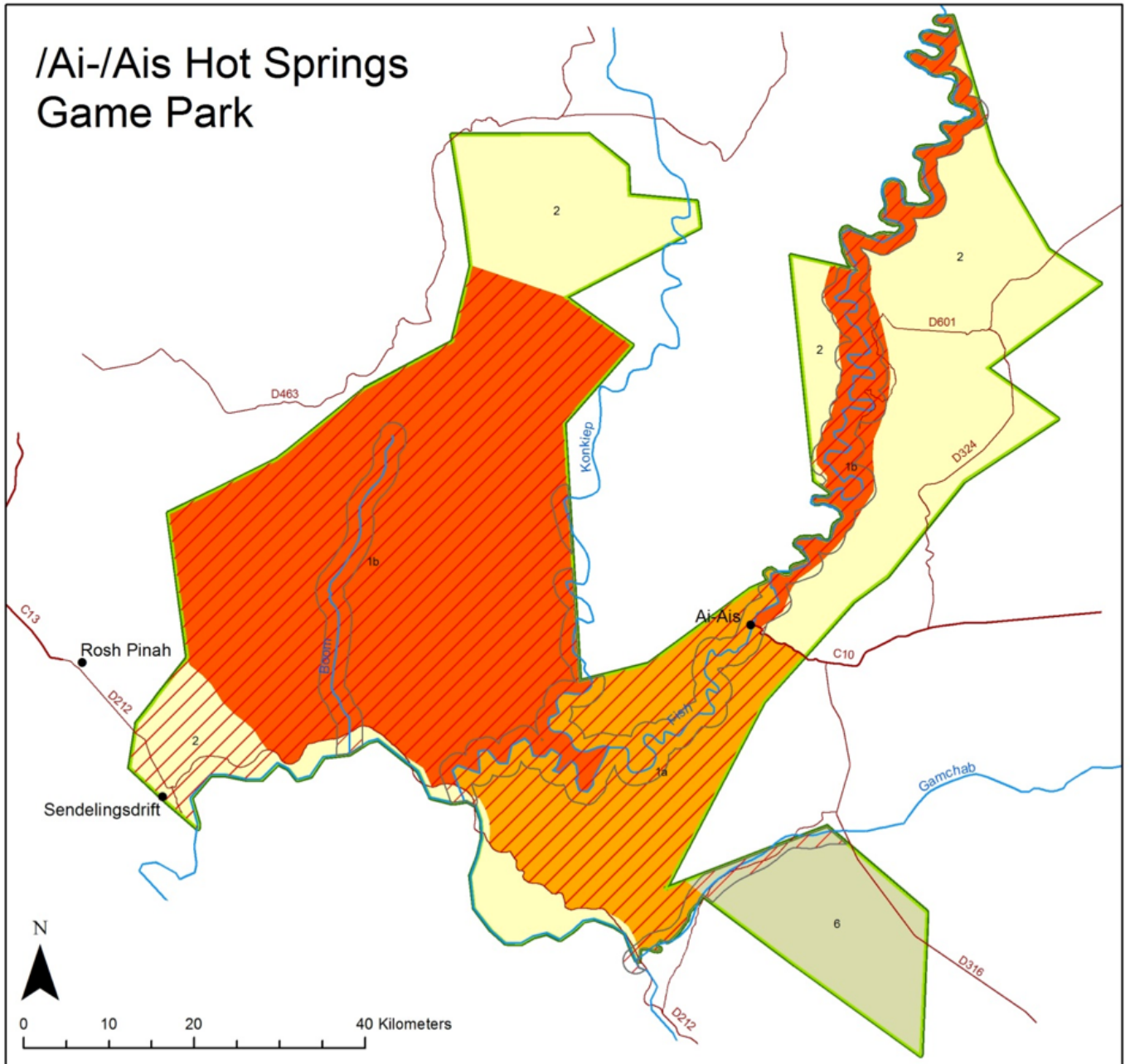
**Rationale:** The park falls within the Succulent Karoo Biome which is a global biodiversity hotspot. There are several species of endemic plants and reptiles in the area. The Fish River Canyon within the park is the second largest canyon in the world, and is a very well-known tourist destination and boasts one of the most well-known and famous hiking trails in southern Africa. The canyon is also on Namibia's tentative list for nomination as a World Heritage Site.

The following areas therefore have been identified to be excluded from future prospecting and mining:

- a. The area around the scenic Fish River Mouth is an important wetland for a variety of wetland species including birds.
- b. Existing tourist camps such as /Ai-/Ais and Hobas Tourist Camp have high tourism value and currently generate substantial income from tourism. A 30 km radius should be observed for any mining exploration activities.
- c. The River mouths for the Konkiep, Boom and Naub rivers have potential for tourism and are ecologically important as they contain rare and endemic species and provide drainage system.
- d. Areas close to the Canyon including the northern areas should be excluded to avoid any irreparable damage to the canyon which might affect current and future prospects of tourism.
- e. Grootpens Island east of the Fish River has been earmarked as a potential lodge site.
- f. Gamkab Valley and River Mouth has huge potential for 4x4 tour activities and new MET gate and facilities have been constructed at the Gamkab River mouth.

Areas adjacent to the Orange River have been severely impacted by mining, and major rehabilitation activities will be required to restore the aesthetic value of the area for any future tourism development. In line with the National Heritage Act some areas may be used for heritage tourism.

# /Ai-/Ais Hot Springs Game Park



## Management areas and areas where prospecting and mining is not allowed

### Topography

- Town/Settlement
- Main road
- District road
- River
- /Ai-/Ais Hot Springs Game Park Boundary

### Management areas

- 1a Strict nature reserve
- 1b Wilderness area
- 2 National park
- 6 Protected area with sustainable use of natural resources

### Mining and prospecting

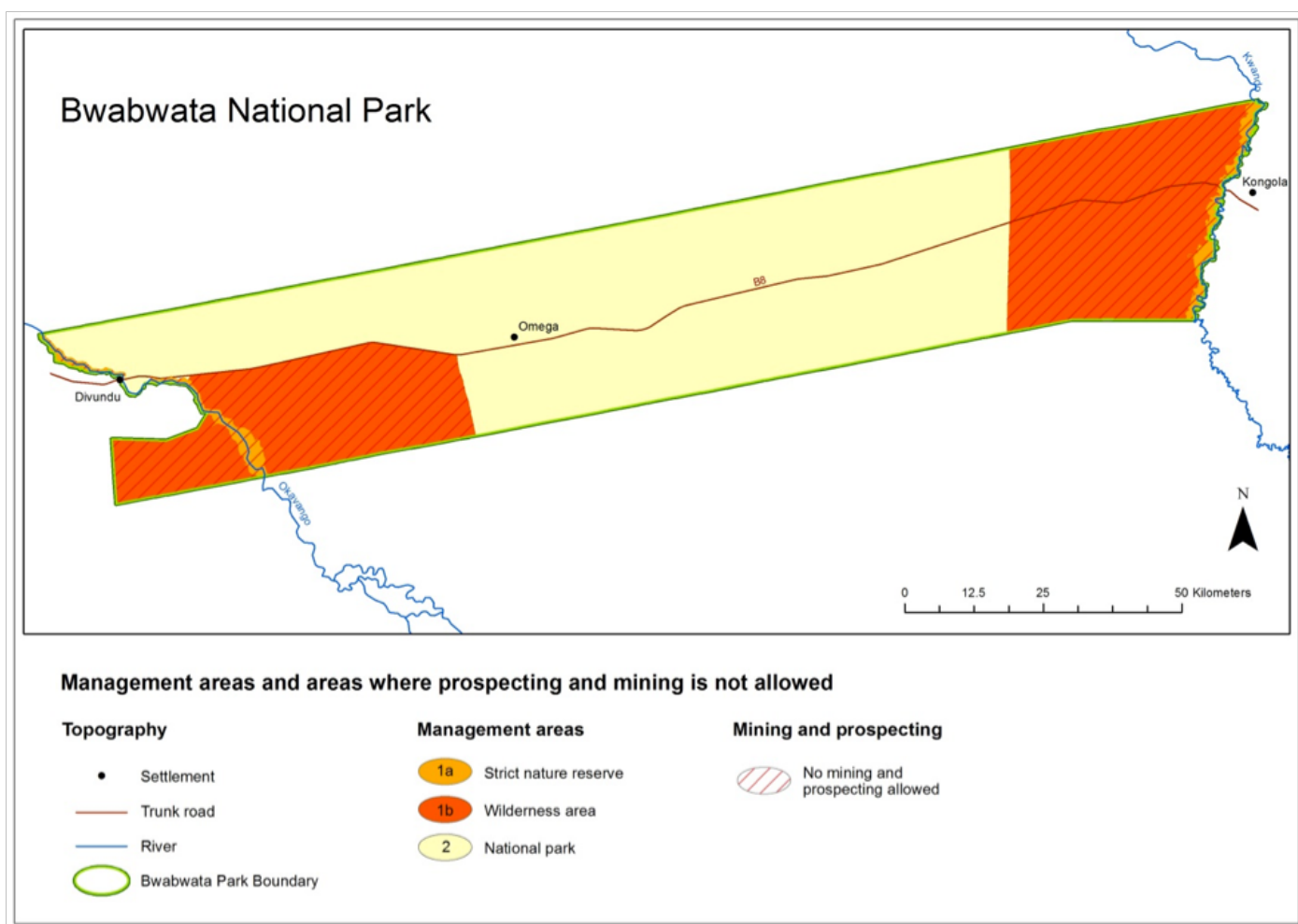
- No mining and prospecting allowed
- Mining and prospecting allowed

## 2. Bwabwata National Park

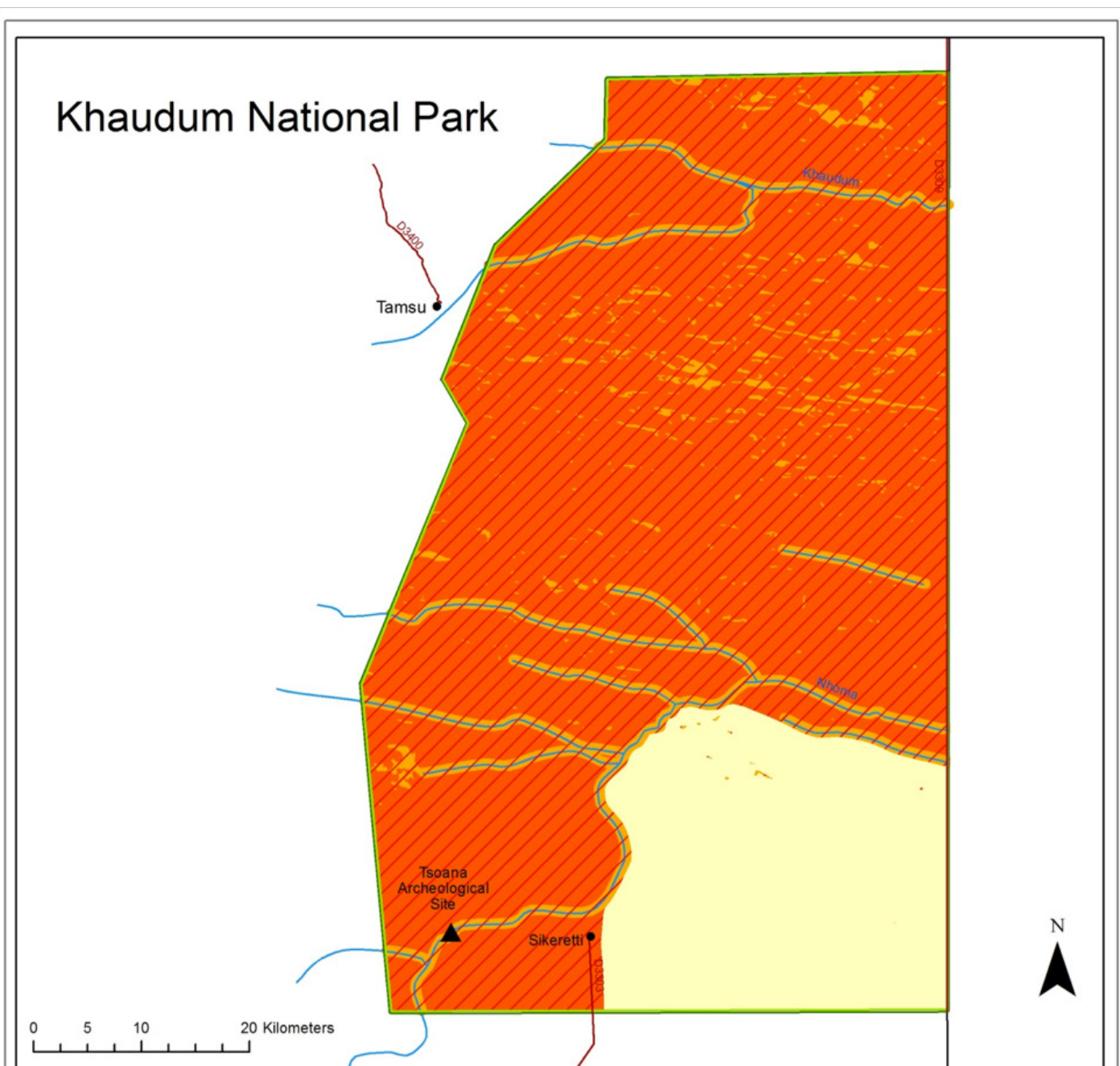
**Size of Park:** 6 370 km<sup>2</sup>

**Rationale:** The area which must be excluded from prospecting and mining comprises mainly the three core areas: Mahango, Buffalo and Kwando. The rivers are important breeding areas for fish and birds and have high tourism potential. Part of the lower Kavango River is a globally important bird area, and a Ramsar Site is in the process of being proclaimed which will include the Mahango Core Area. Islands in this part of the Kavango River are of cultural and historical importance since they are burial grounds of the Chiefs. The Mahango area in the south western part of the park has high numbers of tourist arrivals and is a breeding area for economically valuable rare game species. The Kwando core area in the eastern part of the park is a major elephant migration corridor and includes pockets of important riverine woodland, floodplains and broad-leaved woodlands and omuramba habitats. Kwando is also a major tourism development area and its potential for tourism has yet to be realised.

### Map: Bwabwata National Park



### 3. Khaudum National Park



#### Management areas and areas where prospecting and mining is not allowed

##### Topography

- Settlement
- Main road
- River
- Khaudum Park Boundary

##### Management areas

- 1a Strict nature reserve
- 1b Wilderness area
- 2 National park

##### Mining and prospecting

- No mining and prospecting allowed

**Size of Park:** 3 860 km<sup>2</sup>

**Rationale:** The Park houses large populations of rare antelope species, such as roan antelope, that are of high economic value. The Tsoana Fountain (located towards the south-western corner of the park) is considered a globally important archeological site after the discovery of some of the oldest hand-tools from the Hominid period. The waterhole surroundings, as well as the entire Nhoma muramba from Soncana up to Nhoma Post in the Nyae Nyae Conservancy (bordering the Khaudum Park to the South) fall within this vitally important site. All the murambas (seasonally flooded riverbed) in the park (Quiba to the far north, Khaudum to the north and Nhoma to the east and south) are extremely important ecological sites because, depending on season and yearly rainfall, these murambas act as migratory pathways for free-moving game. Besides the migratory importance, the murambas also provide wildlife with vital nourishment in the form of acacia trees and shrubs as this type of vegetation is mostly lacking from other parts of the park. The Doringstraat and Leeupan waterholes to the east of the park are considered the stronghold for rare and endangered species in the park. Roan antelope are considered as extremely valuable and this antelope is mostly found in the areas mentioned above.

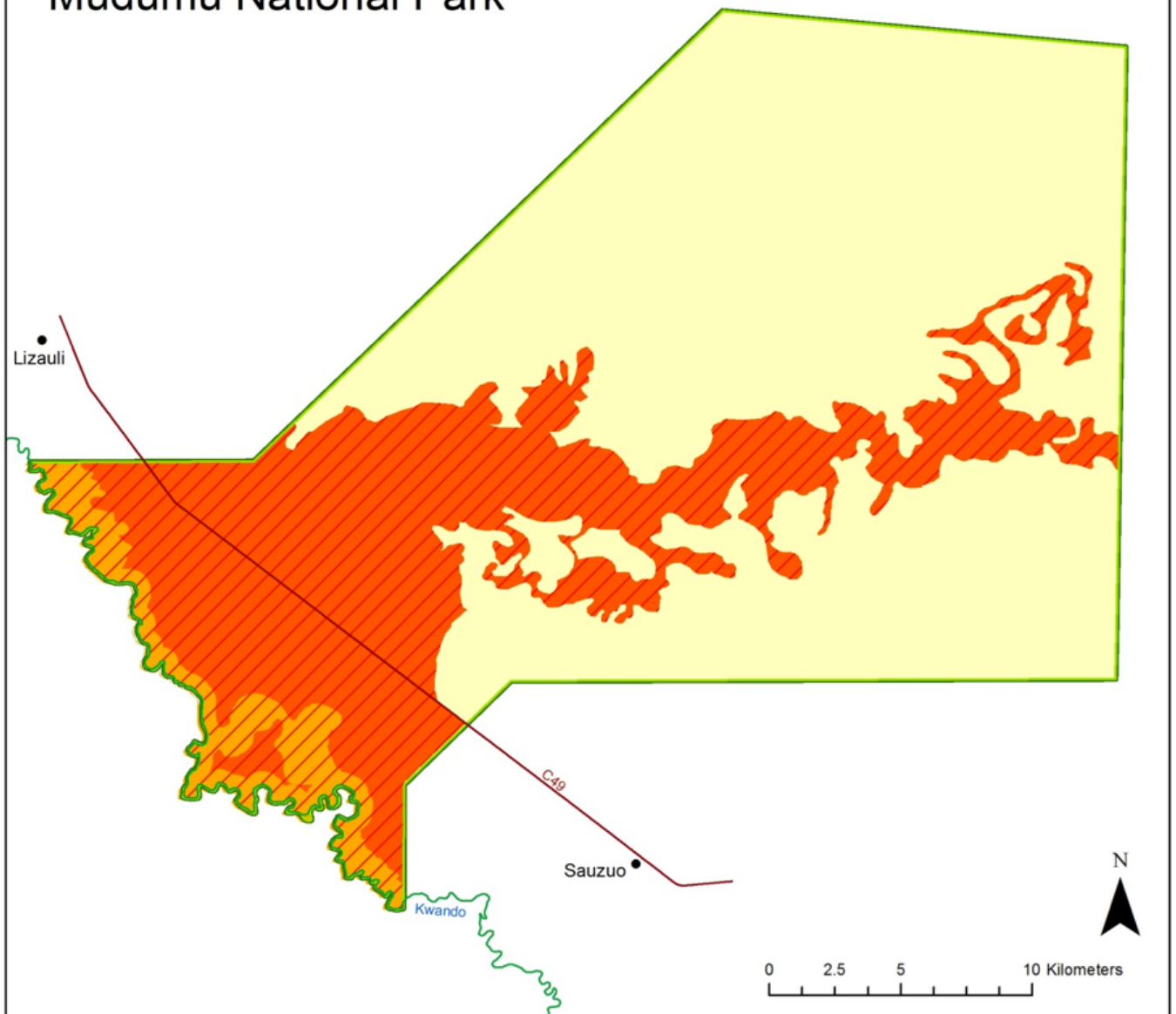
An estimated 450 Roan antelope are concentrated around these waterholes. As this is a fragile area with very area- and vegetation-specific species, it is of great importance to leave these areas undisturbed so as to promote population increase.

#### **4. *Mudumu National Park***

**Size of Park:** 730 km<sup>2</sup>

**Rationale:** The park protects the important Kwando wetlands, part of a globally important bird area, and woodlands important for rare species. A tourism concession consisting of two lodges within the park provides employment and contributes to state revenue. The surrounding conservancies use the park as a core area. Mudumu has a high tourism potential and areas to the west of the C49 road have been zoned as tourism development areas.

# Mudumu National Park



## Management areas and areas where prospecting and mining is not allowed

### Topography

- Settlement
- Main road
- River
- Mudumu Park Boundary

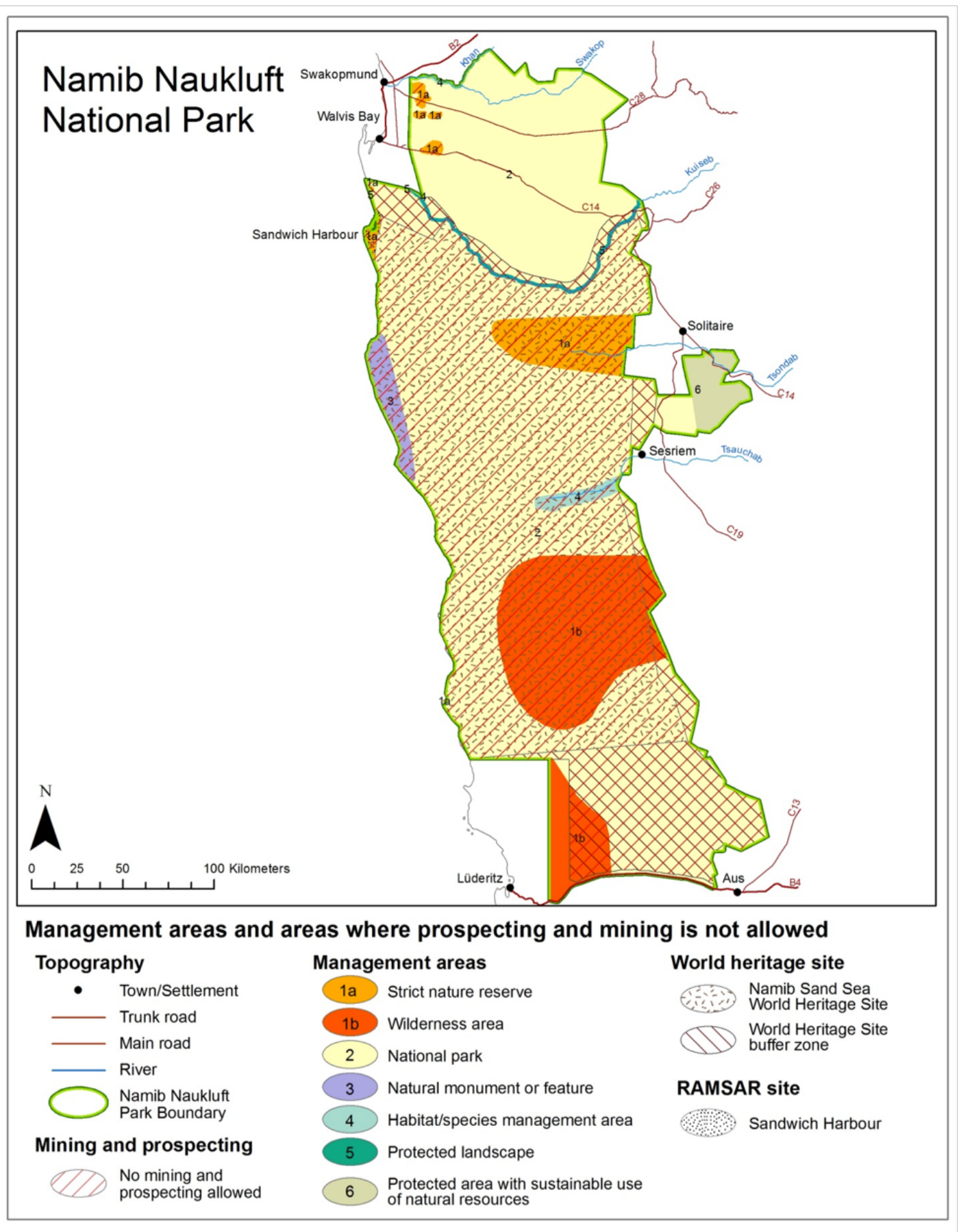
### Management areas

- 1a Strict nature reserve
- 1b Wilderness area
- 2 National park

### Mining and prospecting

- No mining and prospecting allowed

## 5. Namib-Naukluft Park



**Size of Park:** 50 955 km<sup>2</sup>

**Rationale:** The park protects large portions of some west-flowing rivers as well as the sensitive ecosystems of the Namib and Pro-Namib. The entire sand sea part of the park has been declared a World Heritage Site which gives it special international status. Sandwich Harbour, one of Namibia's Ramsar sites and global IBA N015, is located within the park. The entire park is considered a globally important bird area.

The park generates approximately N\$ 10 million per annum which makes it the second biggest tourist destination in Namibia, and it has still unexploited tourism potential. It has one of the most scenic coastlines on the planet. The northern section of the Namib Naukluft is a very sensitive area with gypsum crusts covering 80% of the area. This makes the area very sensitive for vehicular traffic, and tracks made never recover even with rehabilitation afterwards. This area also has a very unique vegetation and wildlife species including reptiles and avifauna many of which are endemic to the Namib Desert. The gravel plains south of the C14 road, and a 40-60 km width of plains north of the Kuiseb River are very important as this is where the internationally renowned Gobabeb Training and Research Centre is located and the area is also inhabited by the Topnaar community who have lived here for centuries.

## **6. *Dorob National Park***

**Size of Park:** 7380 km<sup>2</sup>

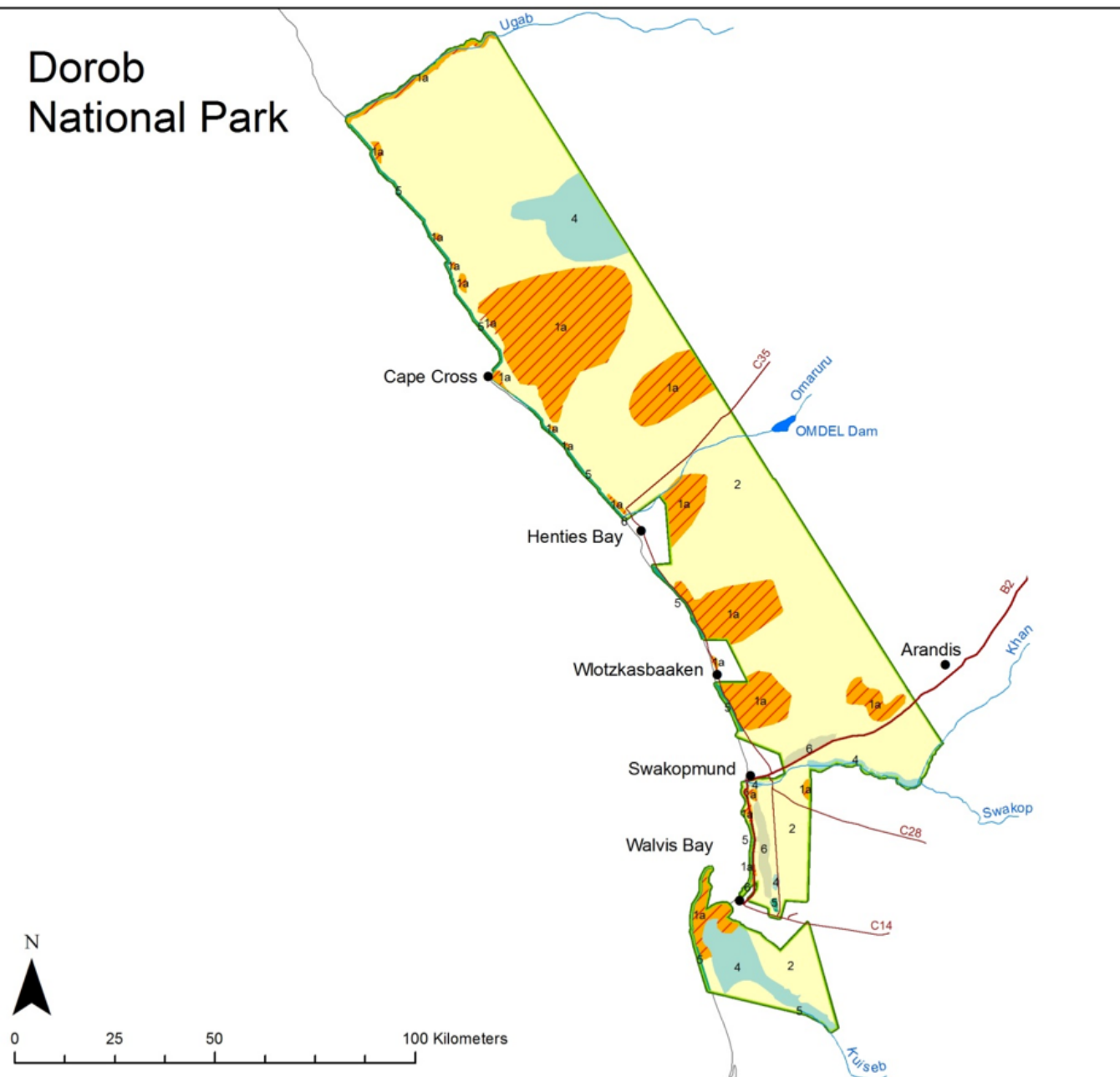
**Rationale:** The Dorob National Park comprises the most sensitive portion of the Namib Desert with vast gravel plains, inselbergs and dolorite dykes. Unique geological features like the Messum Crater and Lagunenberg and unique fauna and flora exist in this area. The Messum Crater and surrounding areas stretching to the Ugab River have some of the largest Welwitschia plants in the world. Welwitschias are also more abundant over a larger area in the park than anywhere else in Namibia. Many tours pass daily through this area to view the Welwitschias, the Messum Crater and some important archaeological sites. Because of the Welwitschias, the Messum Crater is on Namibia's tentative list for proclamation as a World Heritage Site.

Internationally recognized lichen fields, including over 100 species and large expanses of various species, occur especially east of Cape Cross and east of the coastline between Mile 8 and Henties Bay. Species like *Teloschistes capensis* exist in concentrations not found anywhere else in the world.

The raised banks north of the Omaruru River mouth host various species of vegetated coastal hummocks with various species of mammals including rodent species of the *Gerbillurus* genera, endemic to the area.

Damara terns nest in 13 different loose colonies along the coast at a distance between 2 to 8 kilometres from the sea. The most important one in terms of numbers of breeding pairs is the colony at Durissa Bay. As this species requires a special mix of conditions, climate variability together with other factors is effecting the locations of these colonies. The other colonies are in the areas of the Ugab mouth, and at Mile 108, Horing Bay, Cape Cross, Mile 72, Henties Bay, Mile 30, and Mile 14.

# Dorob National Park



## Management areas and areas where prospecting and mining is not allowed

### Topography

- Town/Settlement
- Trunk road
- Main road
- River
- Dorob National Park Boundary

### Management areas

- 1a Strict nature reserve
- 1b Wilderness area
- 2 National park
- 4 Habitat/species management area
- 5 Protected landscape
- 6 Protected area with sustainable use of natural resources

### Mining and prospecting

- No mining and prospecting allowed

## 7. *Tsau //Khaeb (Sperrgebiet) National Park*

**Size of Park:** 21 750 km<sup>2</sup> <sup>1</sup>

**Rationale:** The Sperrgebiet National Park (SNP) covers about 90% of the Succulent Karoo Biome in Namibia. The Succulent Karoo Biome is internationally recognized as one of the global biodiversity hotspots and contains many species of endemic plants. The park is thus recognised as a priority area for conservation. The entire area is considered a global Important Bird Area. At the same time, and because of the historical diamond mining activities, the park has a rich industrial heritage. Having been inaccessible to the public for a century and free of land-use activities such as livestock farming, the SNP presents an area of high importance for conservation, tourism and research.

Areas which were found to have very high conservation importance are (in no order): Lüderitz Peninsula dwarf-shrubland, Kowisberge and Tsaukhaib dwarf shrubland and Grillental corridor shrubland. In addition the following inselbergs and mountain shrublands were also rated as of high conservation importance: Klinghardt, Heioab, Boegoeberg, Rooiberg, Aurus, Obib and Schakalsberge. Based on studies, the following areas within the SNP were identified as areas of greatest importance for plant endemism: Lüderitz-Kowisberge, Klinghardt Mountains, Aurus- Heioab mountains, Skorpion, Obib-Schakalsberge, Grillental and central coastal area (Bakers Bay to Pomona). These areas are extremely sensitive and take more than 10 years to re-establish plant cover and composition similar to that prior to the disturbance. Depending on the severity of the disturbance some areas may never recover, especially where substrate has been chemically or physically altered.

Although closed to the public for more than a century the SNP has high tourism potential. A number of viable low impact tourism options have been identified in the park. The SNP offers: tranquil unspoiled wilderness, rare and endemic species, natural monuments such as Roter Kamm and Bogenfels, seal colonies, historical artefacts and structures such as ghost towns, 4X4 desert drive opportunities, a Ramsar Site and river adventures. A tourism plan and business plan for the SNP, which will provide more information on tourism potential of the park, is in preparation.

<sup>1</sup> Area of the park within the fenceline, the area of the Sperrgebiet as proclaimed is 26000 km<sup>2</sup>

## 8. *Skeleton Coast Park*

**Size of Park:** 16 845 km<sup>2</sup>

**Rationale:** The Park covers about 500 km of coastline and the floodplains/wetlands of many west-flowing rivers. These rivers form linear oases that provide important feeding and breeding grounds for many animals including elephant, black rhinoceros, giraffe and some antelope species. The Kunene River mouth forms one of only two permanent estuaries in Namibia. It is in fact a river mouth with no marine or saline influence making it unique on the west coast of southern Africa. It is also therefore extremely sensitive to human impacts. The Kunene River mouth is a sub-regional important bird area and harbours unique biodiversity. The Kunene mouth is the only southern African locality where the fresh water Nile soft shelled turtle occurs.

Gravel plains throughout the park support significant numbers of breeding Damara terns. These threatened seabirds breed almost solely on the coastal gravel plains in the Namib Desert.

The littoral zone from Terrace Bay to the Kunene is unique in that it is the area influenced by the tropical Angolan current, it could almost be considered an ecotone between the Benguela and Angolan currents. Many littoral species are unique to this zone. The littoral zone is fringed on the eastern side by an intermittent cordon of vegetated dune hummocks. These hummocks are generally *Salsola* spp, shrubs covered with sand thus forming a stable hummock.

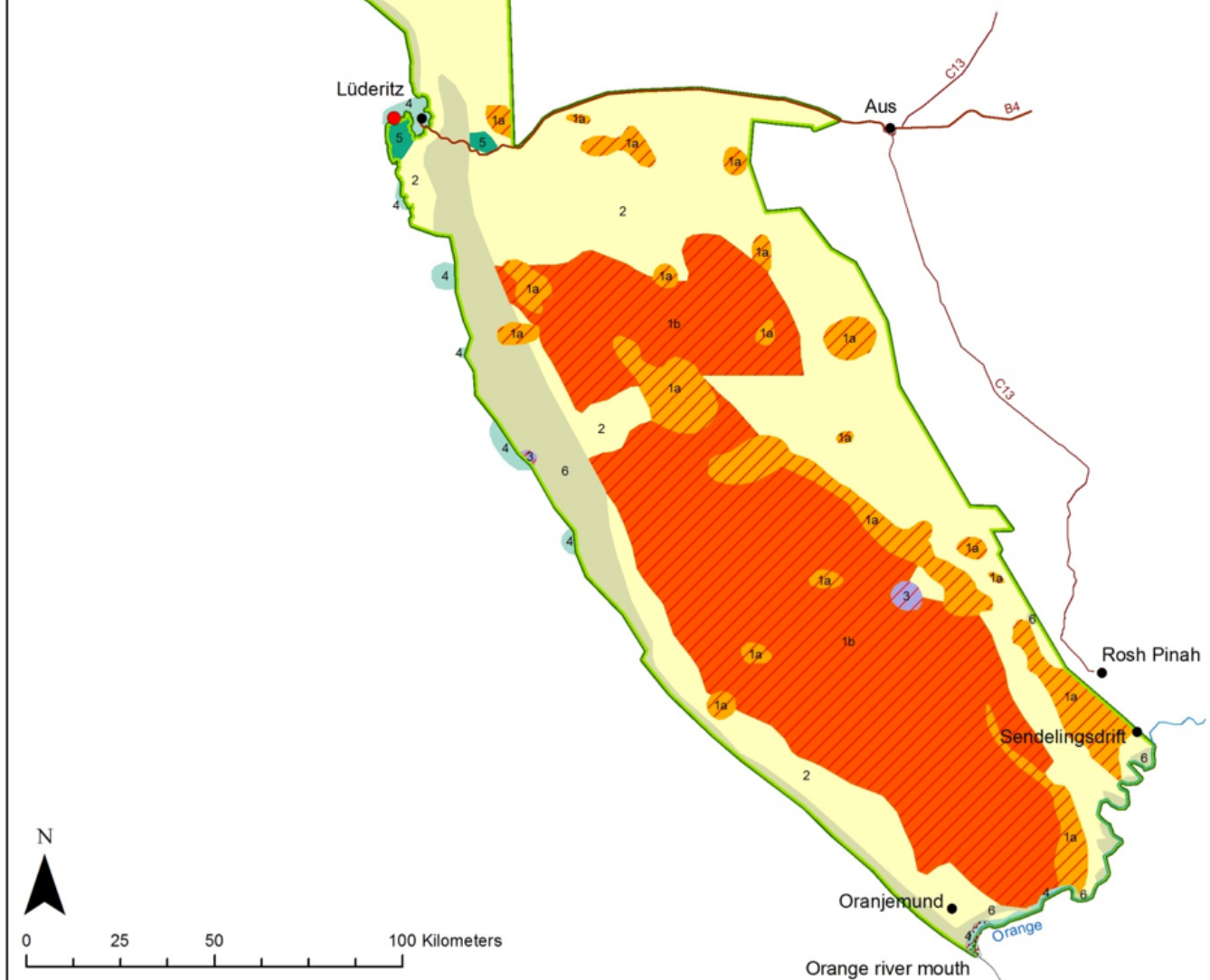
With the decline of food in southern Namibia there has been a shift of cape fur seals to the Skeleton Coast with new colonies forming at Toscanini, Palgrave Point and Möwe Bay. The long established colony at Cape Fria has greatly increased in size.

There are also many unique landscapes with very high tourism potential. The Park is an iconic and internationally renowned tourism destination, and the 3 000 km<sup>2</sup> Skeleton Coast Camp concession alone pays the Government a concession fee of N\$ 1.65 million per year. The MET expects that at least three more high-value tourism concessions can be developed, quadrupling the concession income to the State.

The Uniab Delta has been identified by international experts as a unique and geologically interesting and important alluvial fan that requires total protection.

There is a rich archaeological and historical heritage in the park. A settlement with whale bone shelters at the Ugab River is a unique site in southern Africa. The coast from the Sechumib River to about 80km north of Angra Fria is rich in historical artifacts. This stretch of coast is littered with the remains of sailing ships dating back 500 years. Recent wreck surveys conducted along this coast indicate that this area is of great historic value.

# Tsau //Khaeb National Park



## Management areas and areas where prospecting and mining is not allowed

### Topography

- Town/Settlement
- Trunk road
- Main road
- River
- Tsau //Khaeb National Park Boundary

### Management areas

- 1a Strict nature reserve
- 1b Wilderness area
- 2 National park
- 3 Natural monument or feature
- 4 Habitat/species management area
- 5 Protected landscape
- 6 Protected area with sustainable use of natural resources

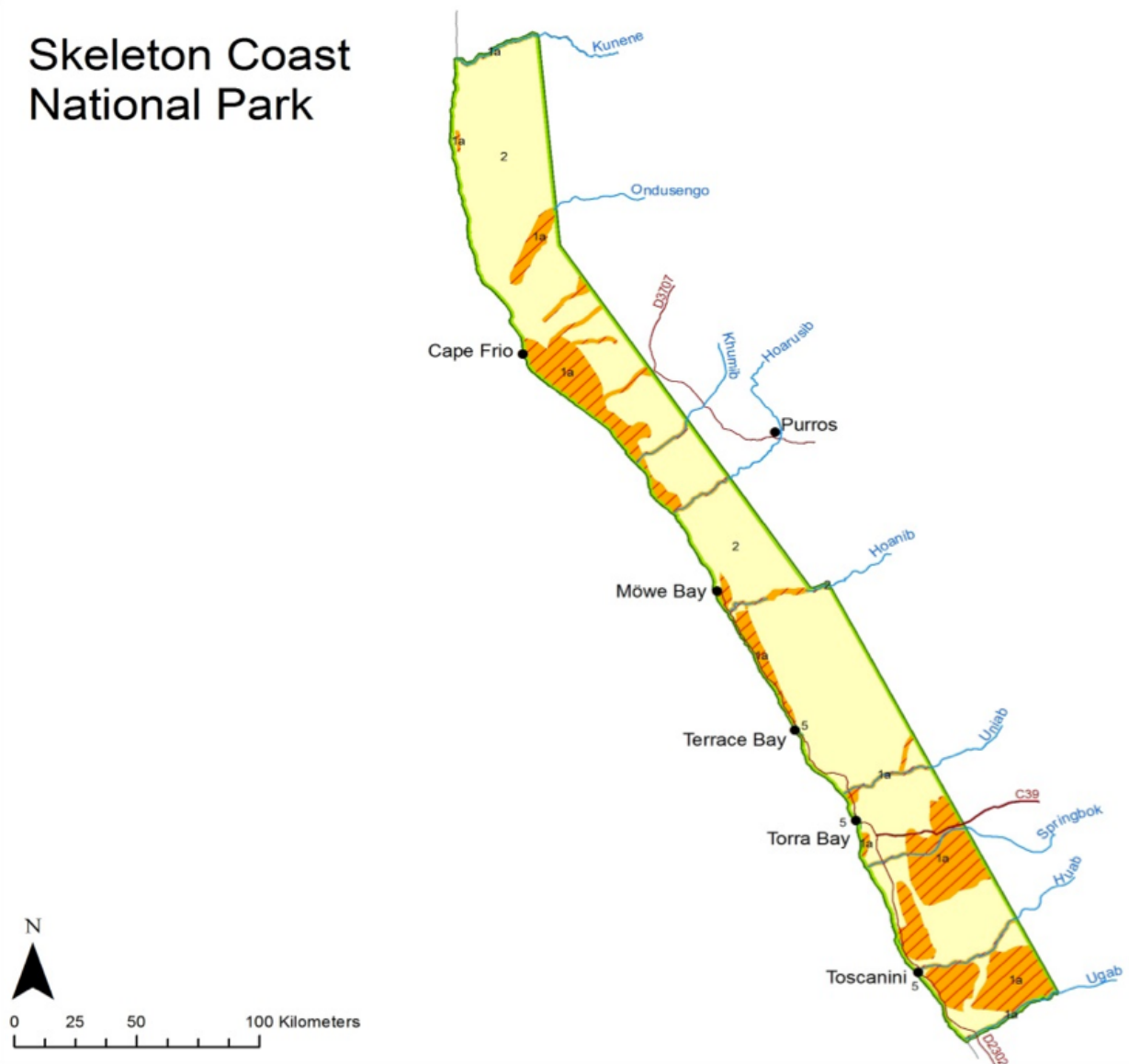
### RAMSAR site

- Orange river mouth

### Mining and prospecting

- No mining and prospecting allowed

# Skeleton Coast National Park



## Management areas and areas where prospecting and mining is not allowed

### Topography

- Town/Settlement
- Trunk road
- Main road
- River
- Namib Naukluft Park Boundary

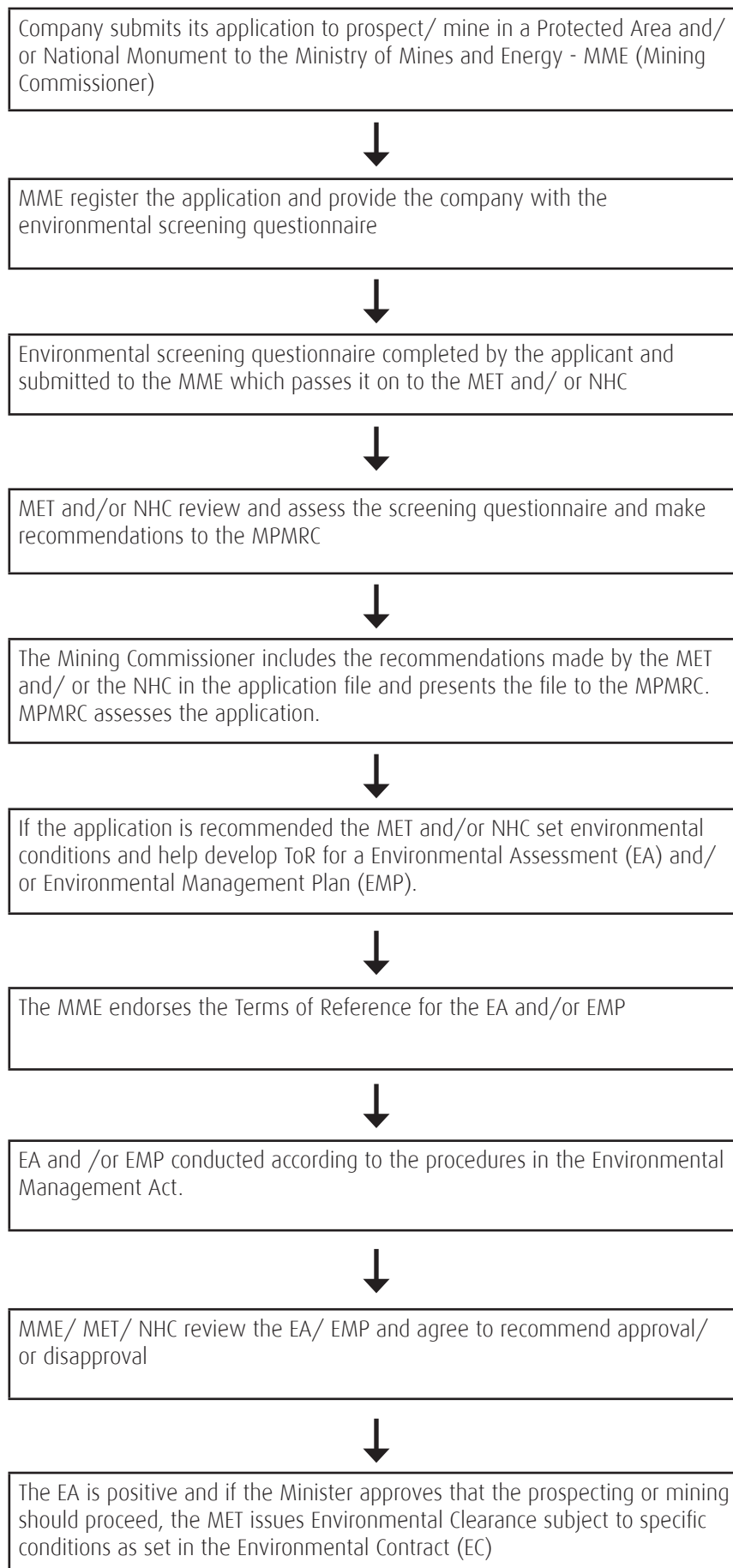
### Management areas

- 1a Strict nature reserve
- 2 National park
- 5 Protected landscape

### Mining and prospecting

- No mining and prospecting allowed

## ANNEXURE 5: Application Procedure for prospecting/mining in protected areas



## ANNEX 6: Conditions to operate in protected areas

### General Conditions:

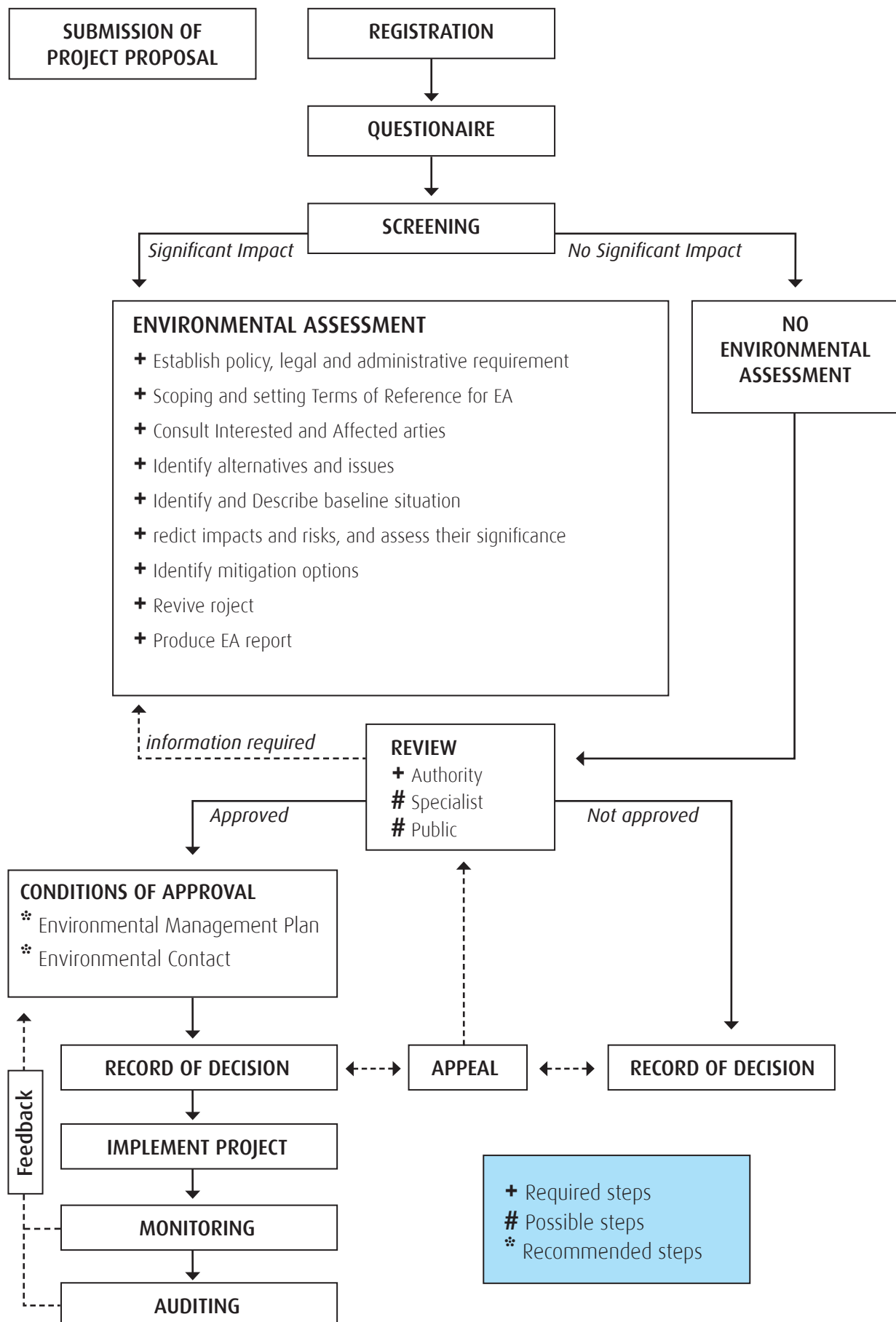
1. A list of company personnel, including ID/Passport numbers, nationality and position, authorized to enter or work on the company's tenements within a PA, must be supplied to the MET officer in charge of the area.
2. Employee and personnel lists must be updated on a regular basis (when any changes happen).
3. An annual permit must be obtained from the MET to enter a PA. All permanent staff must be listed on this permit. This permit must be shown each time a staff member enters the park, and all people in a group must correspond with the permit list. A separate permit must be obtained from the MET for non-permanent employees (contractors, service providers etc.) to cover the duration of their visit.
4. A copy of all permits and permissions from the relevant authorities or ministries to carry out any of the proposed activities on an EPL, ERL, MDRL and/or ML must be supplied to the officer in charge of the area.
5. All employees must be in possession of an ID/name tag with their name, photo and job or function with an authorizing signature.
6. A suitable communication system to enable regular contact with PA officials must be installed.

### Environmental Conditions:

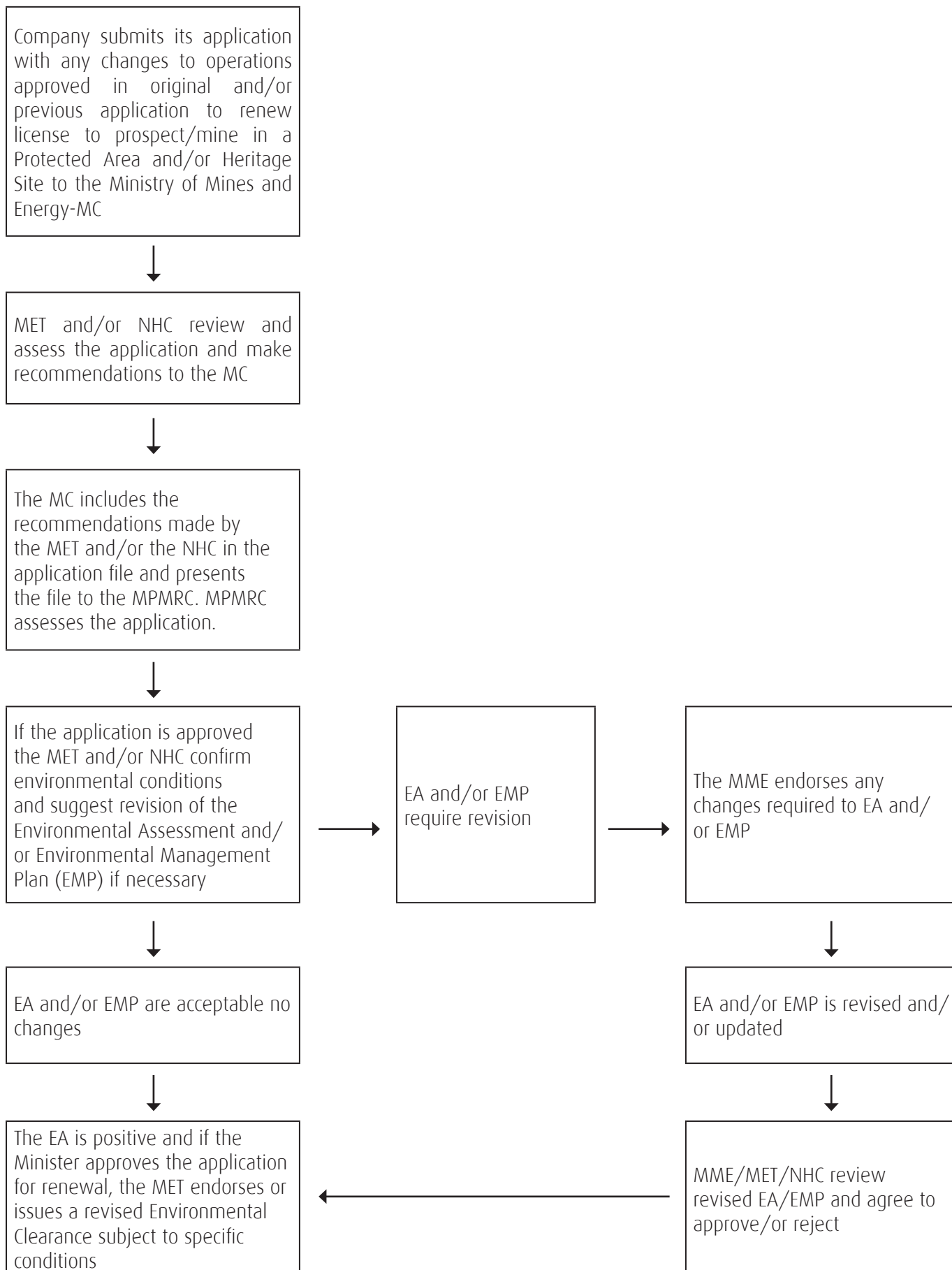
1. A six monthly progress report and environmental management report must be submitted to the MET starting from date of commencement of operations.
2. All provisions of the Nature Conservation Ordinance, Ordinance 4 of 1975 and all amendments to this ordinance and Regulations Relating to Nature Conservation, GN 240 of 1976, with all amendments or any legislation that replaces it must be complied with.
3. All provisions of the Environmental Management Act, Act 7 of 2007, must be complied with.
4. Provisions of any other legislation pertaining to any aspect of the environment must be complied with.
5. Strict compliance with all conditions in the Environmental Contract and appendices.
6. No movement outside of the EPL area except when in transit between entrance to the PA and the EPL area will be allowed. Such transit will be on a specified route.
7. A detailed site inspection will be carried out in conjunction with MET staff prior to commencement of any prospecting activities to establish access routes to target areas.

8. No motor bike, 3-wheeler or quad bike of any nature will be allowed to be used in an EPL for any purpose.
9. No hunting, catching or willfully disturbing any animal is allowed.
10. No boating will be allowed on any river or water body unless it is within the operations detailed on the operational documentation.
11. No gathering of firewood or driftwood for any purpose will be allowed.
12. No pets of any description will be allowed.
13. No firearms, bows, crossbows, catapults or other weapons. Weapons for security purposes must be motivated and registered with the officer in charge of the area.
14. Traveling will be confined to an agreed upon track network. New tracks will be kept to a minimum.
15. All waste must be removed from the license area to a waste disposal unit. No waste to be disposed of within the PA. A suitable scavenger and wind proof storage facility must be constructed to store waste material prior to transportation out of the area. Waste may be burnt on site and the ash and non burn-able residue must be removed as described above. Attention must be given to wind conditions and all necessary measures must be taken to prevent wind distribution of rubbish. All fuel and lubricant waste products must be disposed of at a suitable facility outside of the PA.
16. Suitable and effective traps or pans must be used at vehicle or machinery refueling points. Soil contaminated with fuel or oil must be immediately dug up and stored in a safe place for later removal to a suitable disposal facility.
17. Under no circumstances may any waste material of any nature be disposed of in any water body or river.
18. All structures are to be of a temporary nature.
19. Toilets of a 'long drop' or pit latrine type must be put up immediately. The use of chemical toilets will not be acceptable, as there is the problem of disposing of the chemical residue. Any toilet must be constructed away from the any river to prevent contamination.
20. Harvesting of reeds or other natural materials for construction or other purposes will not be allowed.
21. Transgressions of any provisions of the Nature Conservation Ordinance or its amendments will be dealt with severely. Second time offenders will be asked to leave the park.

## ANNEXURE 7: The Environmental Assessment Process in Namibia



## ANNEX 8: Summary of Renewal Process



## ANNEX 9: Zonation Categories

The following zones have been agreed upon as the guiding zonation for Namibia's protected areas.

| <b>Zones</b>                              | <b>Activities</b>  |
|---|--|
| <b>Strict Nature Reserve</b>              | <ul style="list-style-type: none"> <li>• Highly sensitive and high value conservation / biodiversity areas</li> <li>• Set aside for sensitive and low non-intrusive scientific study</li> <li>• No or minimal mechanized access</li> <li>• No permanent structures</li> </ul>  |
| <b>Wilderness areas</b>                   | <ul style="list-style-type: none"> <li>• Sensitive ecosystems</li> <li>• High value 'sense of place'</li> <li>• Low impact usage</li> <li>• No or minimal mechanized access</li> <li>• No permanent structures</li> </ul>  |
| <b>National Park</b>                      | <ul style="list-style-type: none"> <li>• Managed for conservation and controlled tourism</li> <li>• Mechanised access permitted</li> </ul>   |
| <b>Natural monument</b>                   | <ul style="list-style-type: none"> <li>• Conservation of specific outstanding features, including landscapes, geological and archaeological components, fossil deposits, areas of spiritual significance and areas of heritage value</li> </ul>  |
| <b>Habitat / species management areas</b> | <ul style="list-style-type: none"> <li>• Protected areas managed mainly for conservation through active management intervention</li> <li>• To deliver benefits to people though within the scope of sustainable practices</li> </ul>   |
| <b>Protected landscapes / seascapes</b>   | <ul style="list-style-type: none"> <li>• Relatively open access for public enjoyment</li> <li>• Generally higher intensity and lower regulatory areas</li> <li>• Add to welfare of local communities</li> </ul>  |
| <b>Managed resource protected areas</b>   | <ul style="list-style-type: none"> <li>• Managed mainly for the sustainable use of natural resources, e.g. fishing, mining</li> <li>• Managed to ensure long term protection and maintenance of biological diversity while providing at same time a sustained flow of natural products and services to meet local and national development needs, e.g. mining</li> </ul> |

## NOTES

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## NOTES

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

## NOTES

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