

The conflict in Uis: A tale of community betrayal

Herbert Jauch

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Last week, several newspapers carried sensationalised stories about the conflict in Uis between the community and the Dâure Daman Traditional Authority. The headlines suggested that the community and petrol bombers targeted the chief's house. These reports were published on the day when the accused community members were ordered to appear in the Omaruru Magistrate's Court. None of the articles carried the affected residents' side of events in keeping with standard journalistic practices. The articles only cited the police and chief Seibeb but none of them provided any context to the events that occurred.

There are however a number of issues that require further exploration. Firstly, despite Uis having a local police force, the Special Field Force was called in and according to community reports, this force was used to brutalise community members, including the elderly. It is unclear how a Special Field Force unit from Walvis arrived at the scene so rapidly. It should be noted that Chief Zacharias Seibeb was a police officer before becoming chief, and that his wife is still a serving police officer. Secondly, charges seem to be laid against community members at a time when it is almost impossible for them to get legal representation. This happened just before Christmas last year and now on 30 April - ahead of a long week-end with public holidays.

The conflict in Uis goes back several years and has its origin not in power struggles within the community (as chief Seibeb suggests) but in the illegal and ruthless mining activities which happen in the area. It is a case of a marginalised community which tries to hold big mining corporations and government agencies accountable. The recent events were preceded by a number of injustices committed against the community and the environment. At the core of the conflict are the alleged illegal mining activities by transnational corporations which destroyed local livelihoods, the environment and cultural sites, including ancestral graves. All this occurred without the communities' guaranteed rights to free, prior and informed consent.

Mining operations

The brownfield open-cast tin mine in Uis was closed in 1990 due to low commodity prices. In recent years, companies have resumed tin mining operations, and have also started reclaiming lithium minerals from stockpiled tailings. The Chinese mining company, Tangshan Xinfeng Mining Co., has been mining lithium since 2022. Uis community members repeatedly pointed out that the company was operating illegally which was officially confirmed at the end of 2024 – more than 2 years after the community had raised its concerns!

Xinfeng has 10 mining claims for semi-precious stones. This places them in direct competition with community-based small-scale artisanal miners, who have mining claims in the area and have been mining there for decades. In some cases, the claims were

issued for areas in which community members already hold valid artisanal mining licenses. It is also alleged that the company has been granted permission to mine on mining claims that belong to other companies. This is illegal.

The local Tsiseb Conservancy has some management authority over the local land but was also not consulted or informed about Xinfeng's lithium mining license, despite the fact that the granting of an Environmental Compliance Certificate (ECC) requires the consent of the conservancy. Likewise, the Communal Land Board was not involved in the granting of the license. The license was approved with the consent of the Traditional Authority.

Seeking justice

In their quest for accountability and justice the impoverished community had to use their meagre resources to contact various institutions including the Office of the Ombudsman, the Ministry of Environment and Tourism, the Ministry of Mines and Energy and the Anti-Corruption Commission. None of these agencies provided the community with a report of their investigations despite repeated requests. The community had asked for the Environment Impact Assessment (EIA) and other reports, which despite Namibia's access to information law, have been denied to them.

In December 2024, the Ministry of Mines and Energy finally launched an investigation and a criminal case against Xinfeng for conducting illegal mining activities. However, instead of arresting the representatives of the mining company, the police arrested community members, allegedly for violating public order laws during a protest at the traditional authority's offices.

The events and arrests in Uis, could have been avoided if the government bodies tasked with investigating the alleged violations and those charged with upholding the community's rights to free, informed and prior consent acted with greater respect and urgency to uphold Namibian laws and community rights. These events speak volumes about the failures of Namibia's systems of accountability that were set up to safeguard public interests and to ensure accountability. Perhaps the new administration in power will demonstrate that social justice forms part of its mandate and that there will be no longer business as usual. The community of Uis deserves justice.

Herbert Jauch is the chairperson of the Economic and Social Justice Trust