



REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

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26 November 2019

Mr. Haroldt Kamatuka  
Chief Executive Officer  
Ya Otto Mining and Exploration (Pty) Ltd  
P. O. Box 7699  
Katutura, Windhoek

Dear Mr. Kamatuka

**Objection to withdrawal of previously granted prospecting areas within the Skeleton Coast Park and a modest proposal for sustainable exploration within Namibian National Parks**

I refer to your letter dated 08 November 2019.

Please note that existing and previously granted EPLs within the withdrawn areas of the Skeleton Coast Park and other National Parks, in line with the National Policy on Prospecting and Mining in Protected Areas, will still apply. Only new EPL applications and renewals will not be considered in such withdrawn areas.

Yours sincerely

  
Teofilus Nghitila

Executive Director



**“Stop the poaching of our rhinos”**

All official correspondence must be addressed to the Permanent Secretary





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**YA OTTO MINING AND EXPLORATION (PROPRIETARY) LTD**

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The Executive Director

Ministry of Environment and Tourism

Private Bag 13306

Dr Kenneth David Kaunda Street

Windhoek

Namibia

08 November 2019

Dear Cde Thio Nghitila

CC

Hon Pohamba Shifeta

Re:

**Objection to Withdrawal of Previously Granted Prospecting Areas Within the Skeleton Coast Park, and a Modest Proposal for Sustainable Exploration Within Namibian National Parks**

The Ministry of Mines and Energy, in conjunction with the Ministry of Environment and Tourism has recently (6 November, 2019) published an annexure of areas within National Park boundaries withdrawn from prospecting on the Namibian Mining Cadastre Portal.

Ya Otto Mining and Exploration (Pty) Ltd holds EPL 5517 within the Skeleton Coast Park as well as the provisionally granted EPL Application 7164, which is contiguous to the eastern boundary of EPL 5517, also entirely within the park.

The Company (and other companies) would like to register a formal objection to the disposition of withdrawn areas for the following reasons:

**Salient Points of Objection:**

- 1). Withdrawn areas were demarcated after the fact of EPL granting and Environmental Clearance Certificate issuance.
- 2). Newly published withdrawn areas (WA's) have different boundaries and are considerably larger than those previously published.



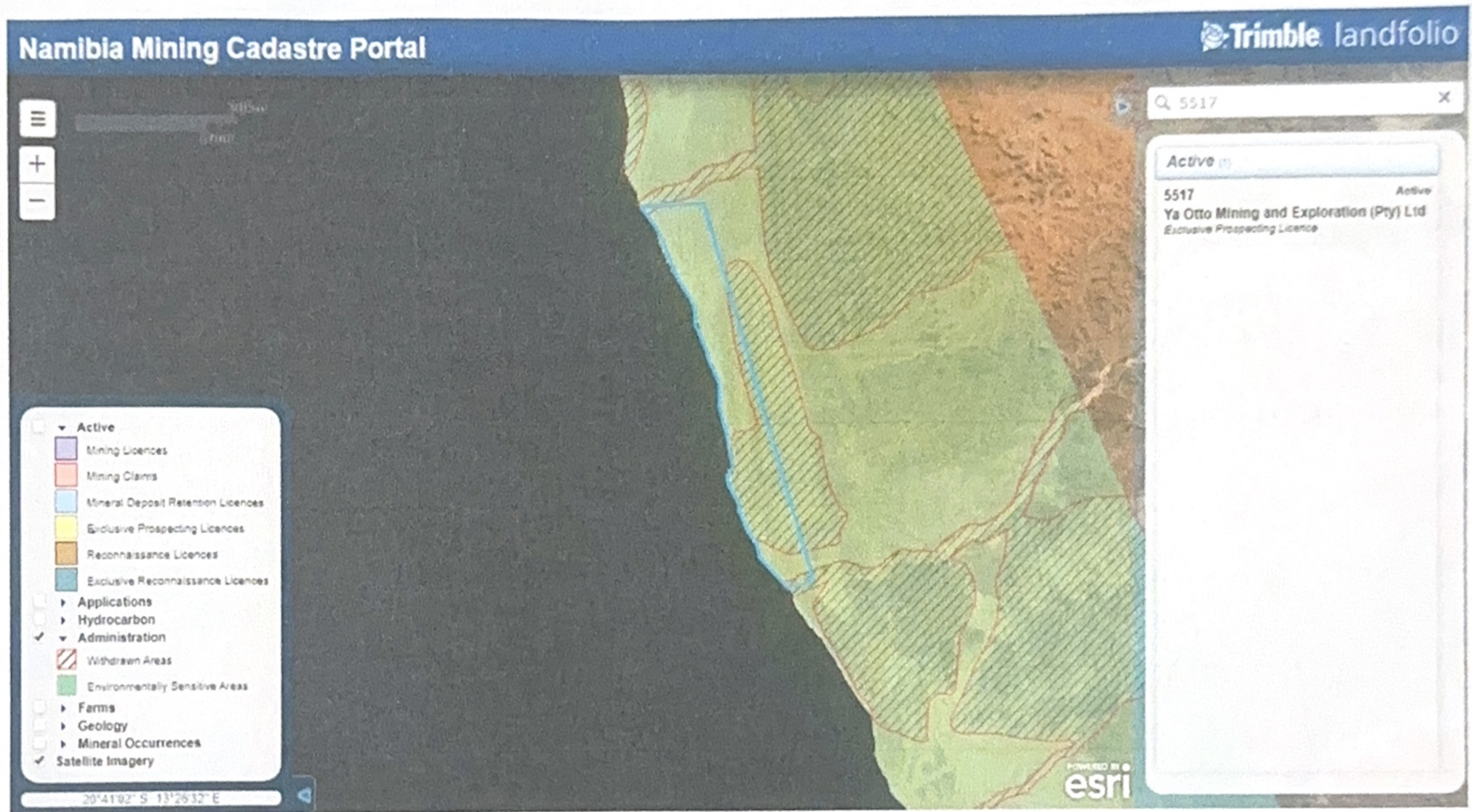
- 2). Newly published withdrawn areas (WA's) have different boundaries and are considerably larger than those previously published.
- 3). Areas of known mineralization, highly prospective areas, and environmentally degraded areas with a mining history have been disproportionately withdrawn.
- 4). No input from the EPL holders was sought before withdrawals were published, thus affording said holders no opportunity to voice objections.
- 5). For accepted EPL Applications, the very economic geological basis for the applications has been undermined.
- 6). These arbitrary delimitations have the effect of culling the development of new geological and exploration models in our young geologists and mining engineers.
- 7). The restrictions, as they now stand, permanently take out of play large areas of unknown but potentially economic mineralization without recourse to proper scientific assessment.
- 8). Large, remote and pristine areas within the park have not been withdrawn.
- 9). Withdrawn areas are not contiguous with withdrawn areas immediately adjacent to the Park boundaries.
- 10). The withdrawn areas are often contradictory, occurring where little or no other land use is noted, while areas with high use such as tourist areas are not withdrawn.
- 11). Arbitrarily withdrawing areas on already granted EPL's negatively affects the perception of potential investors thereby compromising the value of said EPL's to the national economy.
- 12). Arbitrary withdrawal undermines the security of tenure, vital for foreign investors' country risk assessment in the mining industry.
- 13). It is vital to the national economy that the mineral potential of EPL's be accurately assessed before balanced decision making can be undertaken with respect to land use.
- 12). Most of the areas under consideration have little to no agricultural value.
- 13). Many of the areas withdrawn were made on the premise of the enjoyment of the landscapes by a very few foreign tourists and environmental activists. Not ordinary Namibians.



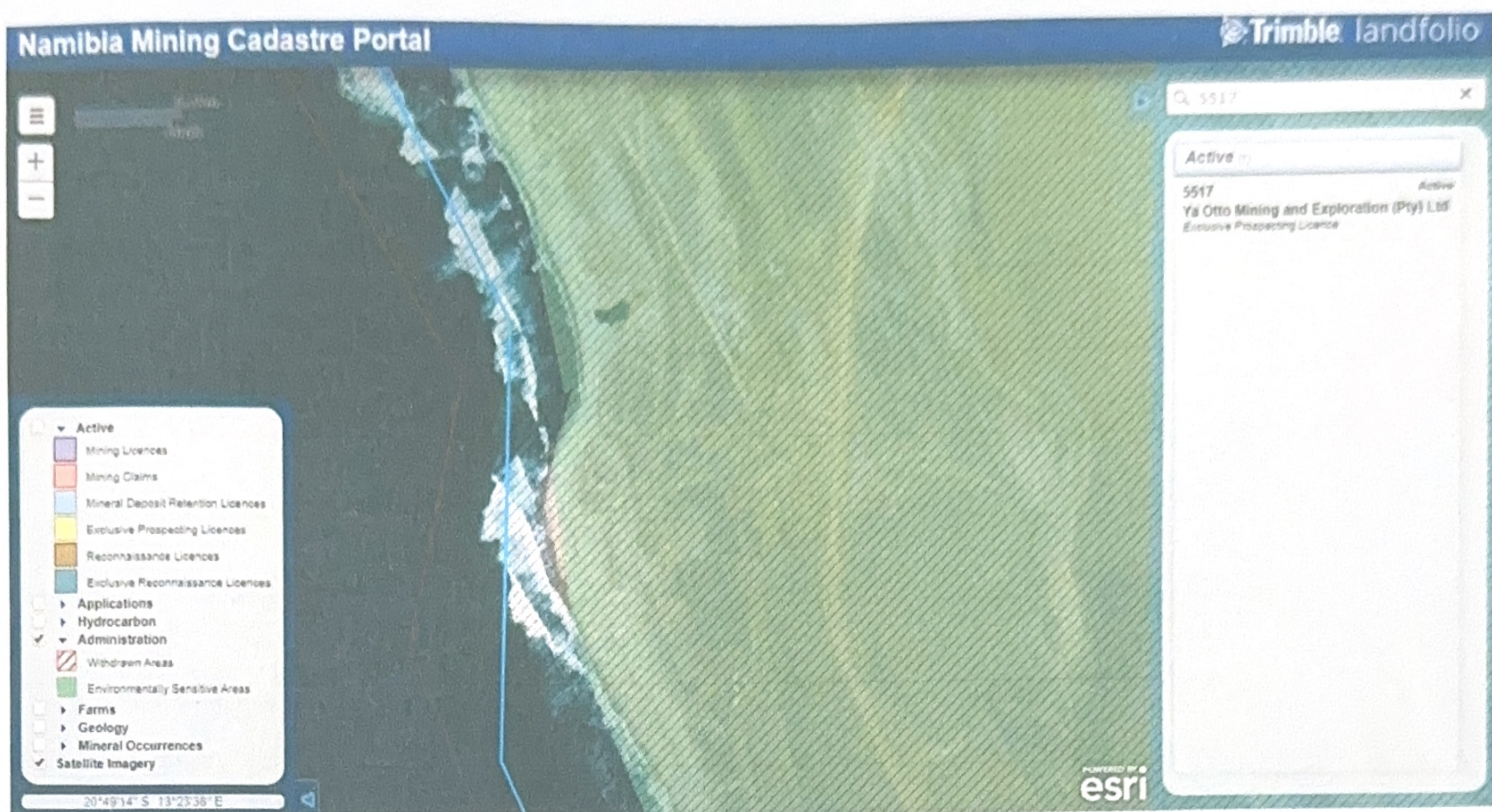
14). Careful and environmentally responsible prospecting does not degrade and disfigure the landscape.

Some examples of above points are illustrated in the following figures:

Figures 1-3). Newly published withdrawn area covering areas with known mineralization and recorded mining history on EPL 5517.







**Figures 4-6). Newly published withdrawn area covering areas with high economic potential on EPL 7164.**



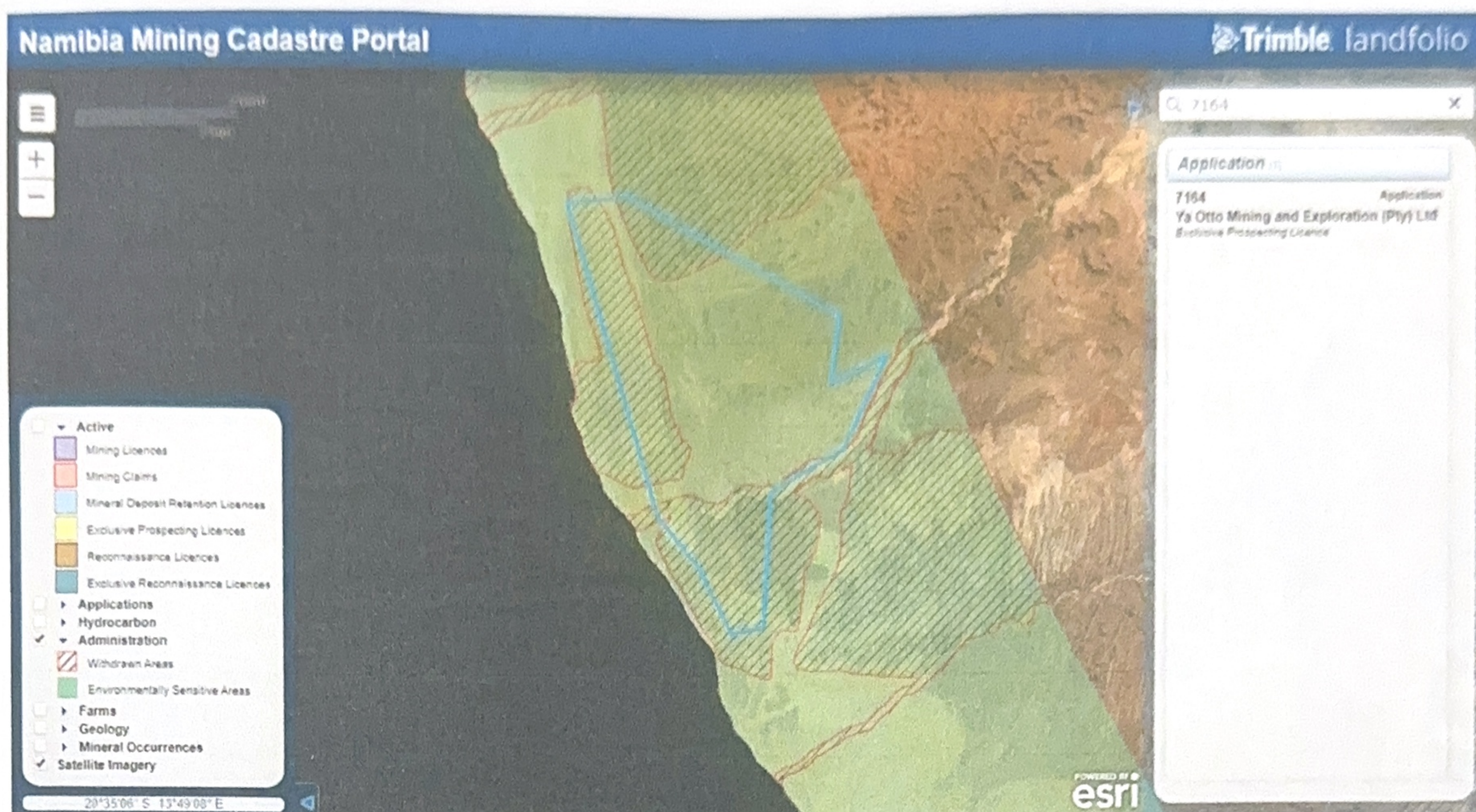






Figure 7-8). Newly published withdrawn area covering areas of best known mineral potential on EPL 5887.







Figure 9). Remote and totally pristine areas of the Skeleton Coast Park not withdrawn but adjacent to withdrawn environmentally sensitive areas without the park.

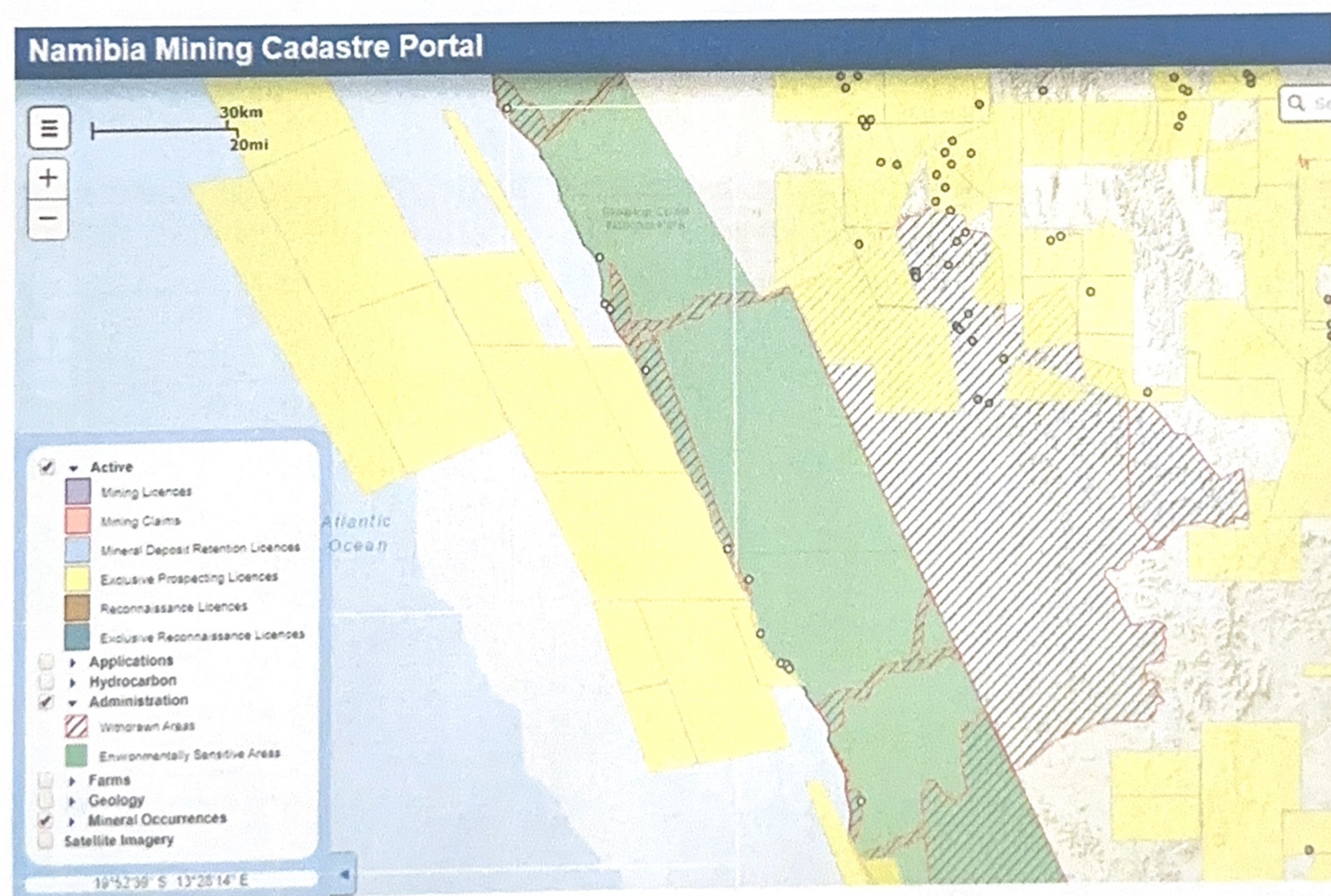




Figure 10). Newly published withdrawn area covering areas of known mineral potential on unused areas within the park.

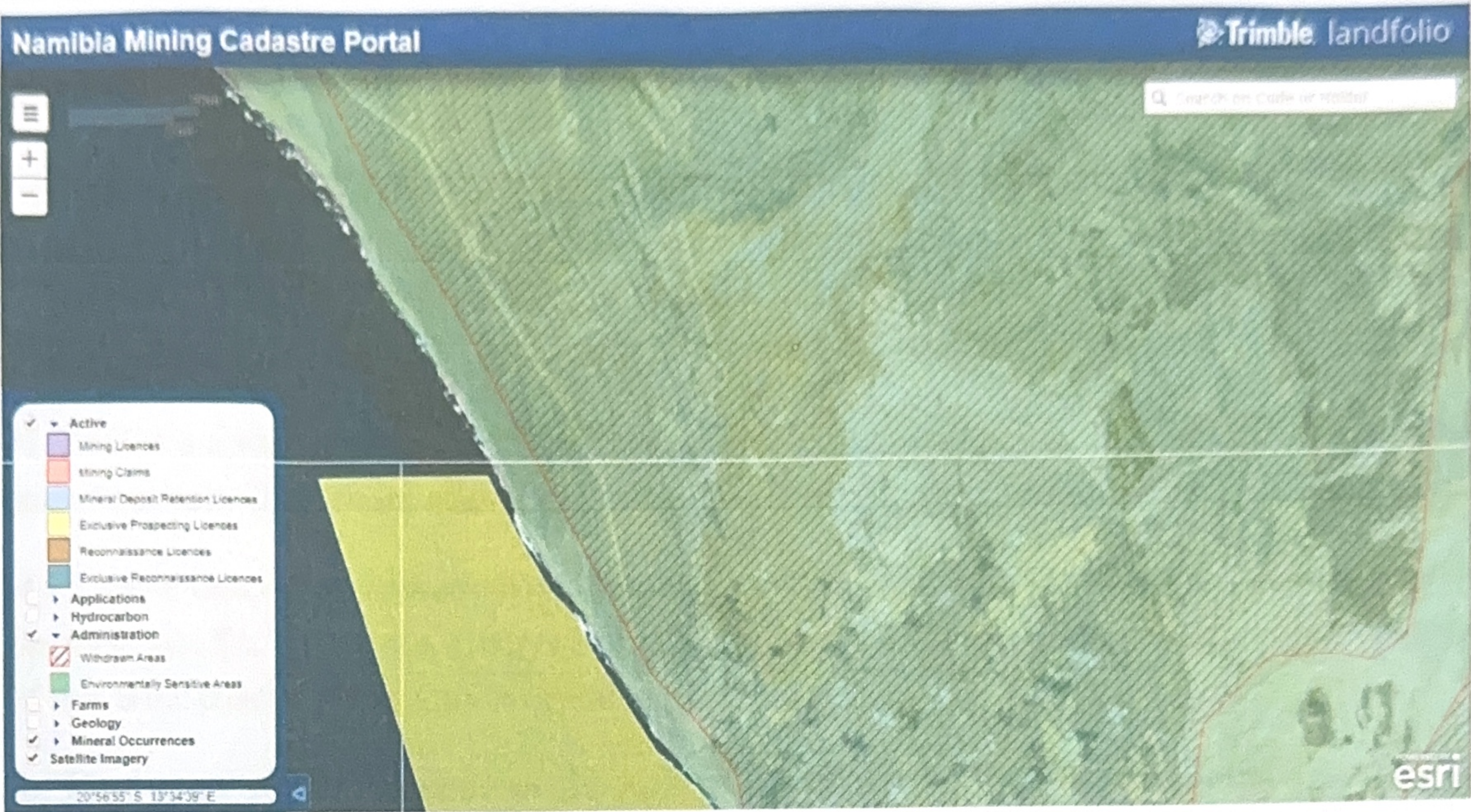


Figure 11). Area of the park not withdrawn where the attraction for tourist is previous mining activity.





7). That withdrawn areas be open to review with respect to new geological exploration and economic models.

8). That this approach be applied throughout Namibian National Parks.

Closing Remarks:

As CEO of Ya Otto, and writing on behalf of other explorationists operating within the boundaries of Namibian National Parks, I beseech you to reconsider these draconian new regulations, which will only have the effect of stifling national development as set out in the spirit of Cabinet Order # XXXX of 1998.

I remain, faithfully;

Haroldt Kamatuka

CEO

Ya Otto Mining and Exploration (Pty) Ltd

Windhoek

8 November, 2019

