

**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
26 APRIL 2018**

The Assembly met pursuant to the adjournment.

**HON SPEAKER** took the Chair and read the Prayer and Affirmation.

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**HON SPEAKER**: Honourable Members we have come a long way and indeed in this part of the session of the House having marked by active, vibrant participation. Honestly maybe it is difficult to observe and characterise every session but somehow this one to the best of my observation have been marked by a real genuine desire to interrogate every piece, legislation and particularly the Budget have benefited tremendously from your activism.

Now as a kind of tradition that we have observed in this House, and especially in view of the fact that yours truly this morning was preoccupied with matters pertaining to education, I look in the eyes of these young people walking up to the high table to receive their qualifications and what you see what is registered on their faces is a gentle smile, joyfully and obviously excited about the prospects of finishing their academic qualifications.

Among them also you see people who are older who continue to access education and as a result they finish their post graduate qualifications in terms of Degrees and again, we are reminded about what UNESCO characterises the need to invest in life long education that it is not just a slogan but it is something that human beings, many women actually live through this experience and today it was their day, joyous day.

Now talking about that, I need to disclose to the House the fact that the Honourable Dr Peya Mushelenga is one of those who also recently completed his Master of Law Degree from the University of Namibia and I think we also need to acknowledge that and congratulate him. If I am not wrong I think this is one of the many Degree qualifications that the

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Honourable Member has acquired and he really deserves a warm congratulations. (*Applause*).

Having said that, this morning we also observed one of our own Member of this House who was among the graduating students this morning and this Member graduated to a Degree in Logistic and Supply Chain Management. A Master's Degree. This Member has done that through hard work and this morning I was able to cap him to say congratulations and it is none other one the Honourable Veikko Nekundi. (*Applause*) We extend to him our warmest congratulation as well and I feel we do this because we want the public out there to know that we appreciate people who continue to access education in one way or the other for the betterment of themselves, family and the country and our common humanity. Armed with skills you add value to your life and the life of others.

That said and done I now basically would like to call on a Member who through being compassionate walked an extra mile to lend a hand to a family in need, and came forward and mobilised all of us to make a small contribution to that particular family and that Honourable Member is none other than Honourable Jennifer Van Den Heever. Would you would like to tell us something about that particular family.

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**HON VAN DEN HEEVER:** Thank you Honourable Speaker. I would just like to really appreciate the efforts from all Members of Parliament who contributed to the list of Mrs Goeiemann, who will bury her son on the 5<sup>th</sup> of May. I will have a small delegation from Members of Parliament who will go tomorrow and hand over the money. I think we stand now at N\$6,600.

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**HON SPEAKER:** That is fantastic.

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**HON VAN DEN HEEVER:** Thank you very much. The background of the story is that this son perished in a motor vehicle accident on the 10<sup>th</sup> of December last year, and the mother unfortunately could not manage to bury her son so he is still in the mortuary. There is a little bit of hiccups there but I am really very, very grateful. For the Members of Parliament who unfortunately did not put something on, you are still having time during the day.

I am not forcing anybody like Honourable Kavetuna said I forced her, but thank you for those whom I wrote notes to certain Honourable Ministers and Deputy Ministers and said please have a heart and then they first take out of this small pocket and then later on they took out the purse so thank you very much. I think we really made this woman very happy to be able to bury her son. Thank you Honourable Speaker and to the Speaker, thank you very much that you allowed us to do that.

Thank you.

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**HON SPEAKER:** Thank you very much. Yes, we move on. Any petitions? Oh, yes, Honourable Dr Haufiku. I think it is coming.

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**HON MINISTER OF HEALTH AND SOCIAL SERVICES:** Honourable Speaker I just want to comment. Well first of all thanks for the information we got from the Honourable Member, but there is one trend in this country that all of us can attend to. We need to support and implement the concept of universal health coverage from disease, sickness, death and burial. Too often we meet people with papers collecting money for this treatment of that person, for the burial of this person, all of these things. If we support the policy that is now coming on university health coverage, we will at least solve all of these problems. So when we bring the policy, I really beg the House to support this policy. It will go a long way in addressing a lot of these problems.

Thank you.

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**TABLING OF REPORTS  
HON SCHLETWEIN**

**HON SPEAKER:** Thank you very much indeed, and you have a commitment from the House but of course we need to look at every paragraph and every page to make sure that it is affordable but I am sure this is something that we should welcome warmly.

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**HON SPEAKER:** We Move on. Any Petitions? Reports of Standing and Select Committees? Other Reports and Papers? Minister of Finance.

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**TABLING OF REPORTS**

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**TABLING - REPORTS OF THE AUDITOR GENERAL**

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**HON MINISTER OF FINANCE:** Honourable Speaker I lay upon the Table, Reports of the Auditor General on the accounts of:

- i. Town Council of Arandis for the Financial Year that ended 30<sup>th</sup> June 2016;
- ii. Town Council of Oshikuku for the Financial Year that ended 30<sup>th</sup> June 2016;
- iii. Town Council of Nkurenkuru for the Financial Year that ended 30<sup>th</sup> June 2017;
- iv. Town Council of Oniipa for the Financial Year that ended 30<sup>th</sup> June 2016 and 2017;

I so Move Honourable Speaker.



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**NOTICE OF QUESTIONS  
HON VENAANI**

**HON SPEAKER:** Thank you very much. We Move on notice of questions? Honourable Venaani.

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**NOTICE OF QUESTIONS**

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**ORAL QUESTION**

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**QUESTION 17:**

**HON VENAANI:** Honourable Speaker I pray for your indulgence to ask an oral, urgent and important question to the Minister of Urban and Rural Development my brother Peya Mushelenga. It is quite a very sensitive question but very important.

Honourable Minister this House a number of years ago enacted a law to govern the affairs of Traditional Authorities 1992, later Amended to 2004.  
(Interjection)

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**HON MEMBER:** 1995 and 2007

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**HON VENAANI:** 1995 and 2007. Me and you must finish our Masters, keep quiet. (Laughter) Peya has just done his before us, congratulations brother. But the question that I want to ask is that this law says every community with a distinct cultural practice may be allowed to practice and have their own traditional affairs.

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**NOTICE OF QUESTIONS  
HON VENAANI**

In Constituencies such as Aminuis Constituency, there are more than four separate Traditional Authorities, from separate ethnic groups in that particular Constituency and they co-exist with one another. Same in the Constituency of Epupa in the north east of the country where you have two Traditional Authorities in one area of Jurisdiction that comes nearly from the same ethnic group, but I am seeing a situation in Omusati region, Ruacana where the Ovathemba people seem not to have a right to a chieftaincy because their co, what is the word

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**HON MEMBER:** Co-exist?

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**HON VENAANI:** No it is not co-exist (*Interjection*) cohabitate, no cohabitate is too, the terminology has a legal implication but they co-exist probably. They share the same area of Jurisdiction. Ovakolonghadhi are part of they have a traditional authority respected that is governing that area. The Ovathemba people are in the same area, but when they want to hold a meeting, they are inundated with police to come and check why they are holding a meeting in that particular area, an area where they are inhabiting for since time immemorial. (*Interjection*) no, because to us it is “*kurama arikana*” (wait please) I am asking an important question.

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**HON MEMBER:** Who is dividing (*Indistinct*)

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**HON VENAANI:** It is only dividing (*Interjection*) Yes. So we want to know from your Ministry that if a particular community lives in a particular area, and there is a recognised Traditional Authority there, do they not have a right to sit under a tree and also practice their culture or even talk about their own traditional matters.

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**RESPONS TO ORAL QUESTION  
HON DR MUSHELENGA**

For example I come from an area that we share (*Interjection*) no they do not, that we share with the San communities since time immemorial, and there is no way that I can be a resident of Okatjoruu and tell the San people that you have no right to sit under a tree and do whatever you want to do, but why is it happening in Uukolonghadhi where Chief *Tjikuria* is being denied a right to practice his own traditional? It is true, how can it not be true. So that is question that I want to know from him. It is the truth.

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**HON SPEAKER:** So that is a question, thank you very much. It is fine. We get the Minister to respond.

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**RESPONSE TO ORAL QUESTION**

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**

Thank you very much Honourable Speaker. Yes, indeed in Aminuis Constituency we have a number of Traditional Authorities. Now we go back to the Act that governs the recognition of these traditional authorities. To be recognised you must have a communal land where you are recognised on. If that communal land, there is another Traditional Authority that is recognised, you need to find another area. It is for that reason in the same region that you have the Hoveka Traditional Authority that is not yet recognised because the land on which they applied for is having the Ovambanderu recognised.

Now the issue that you have asked a question about, you have also not provided the correct information. The issue here was because practicing your cultural practices you can do it anywhere, but if you are in an area that belongs to another Traditional Authority, you fall under that Traditional Authority.

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**RESPONS TO ORAL QUESTION  
HON VENAANI**

The Traditional Authority where I come from there is a village called Omashaka which is inhabited largely by the Tjimbundu people. They practice their culture but they fall under that Traditional Authority. Now the particular question that you were asking, you were asking a question whereby a Chief wanted to go and install a senior Headman in an area belonging to another Traditional Authority.

That is why the other Chief had to go to the police and say there is a violation of law here because this area is already designated as belonging to this Traditional community which I am leading and a Chief from a different Traditional Authority is coming to install a traditional leader here. It was not a question of traditional practices and cultural practices.

I thank you Honourable Speaker.

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**HON SPEAKER:** Thank you, yes, Honourable Venaani.

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**HON VENAANI:** This is so, so great, and you cannot “*Kurama*” (wait) what is your problem, no you are also conflicted because you come from the area. Honourable Mushelenga you are rightly saying that in Aminuis Constituency there are four Traditional Authorities on the same communal land and all of them are all recognised, same communal land.

In Kunene North, Epupa Constituency the ruling party has just installed Chief Kapika, while in an area where there is (*Interjections*). Yes the ruling party. After he went to SWAPO you installed him. He has been asking for recognition over the years because he went with ten people now you recognise him, but in Epupa, wait, wait. In Epupa Constituency where you have three Traditional Authorities that are recognised in the same communal area that is fine, but when it comes to Uukolonghadhi it cannot be done.

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**RESPONS TO ORAL QUESTION  
HON MAAMBERUA**

How are you applying the law selectively? In Aminuis all four Traditional Authorities in the same communal land. In Kunene north three Traditional Authorities on the same communal land. In Uukolonghadhi only one communal Traditional Authority.

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**HON SPEAKER:** Thank you, Honourable Venaani. Minister you want to come back please.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**  
Honourable Speaker.

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**HON SPEAKER:** Let him respond. (*Interjection*) He is responding now. No, no, because you could have called for a Point of Order while he was still on the Floor. (*Interjections*) okay, have a go.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**  
Honourable Speaker,

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**HON MAAMBERUA:** Thank you Comrade Speaker. Comrade Speaker.

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**HON SPEAKER:** Can we listen. Please, please, I just need some order please.

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**RESPONS TO ORAL QUESTION  
HON MAAMBERUA**

**HON MAAMBERUA:** Comrade Speaker I think when we address this point we have to be very sober and honest and sensitive and patriotic. In that this law, the *Traditional Authorities Act* many of us do recognise that it has many inconsistencies. It has to be revised. Let me give you an example. Some traditional authorities are recognised on the basis of Regions. A certain Region is where the whole Traditional Authority is recognised. Some others are recognised on the basis of Constituencies like the one that he is talking about Aminuis. Some others are recognised, please Comrade Prime Minister (*Laughter*) some other authorities are recognised on the basis of demarcations of the traditional borders.

Can I give you an example? Some Traditional Authorities are recognised on the basis of ethnic traditional original areas, which have got no either Regions or constituencies (*Interjection*) I will give you now, it is not impossible.

So Comrade Speaker, some Traditional Authorities are recognised on the basis of the people that are under a particular Chief, and not on the basis of a geographic area. So these are the variety of confusions as far as this Act is concerned, and I think that is what we have to address.

Thank you.

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**HON SPEAKER:** Thank you very much.

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**HON MAAMBERUA:** And I should also add that I support the sentiment about the manipulation of these recognitions. For example my brother here, the Baster community were deprived of their land, of their authority. Today the Basters have a Chief, they have a Traditional Authority that cannot be recognised because Government decided that they have to deprive them, and declared the whole of the Rehoboth *gebiet*,

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**RESPONS TO ORAL QUESTION  
HON DR MUSHELENGA**

as a Local Authority and therefore in terms of that law they cannot be recognised.

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**HON SPEAKER:** Thank you very much, Honourable Minister please.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**

Thank you very much Honourable Speaker. Let me start with the last comment because even the Bible said the first will be the last and the last will be the first. So on the question of the law review for the information of the Honourable Member I have heard (*Intervention*)

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**HON SPEAKER:** Please let us have some order.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:**

There has been a consultation between myself and the Minister of Justice, and we have already given instructions to our staff to look at the review of the *Traditional Authorities Act* to address a lot of issues that need to be reviewed as there are conflicts of law.

Two, Honourable Speaker I gave an example and the Honourable Member Venaani is trying to cherry pick. He is not talking. I told him he is not talking about the Hoveka Royal House that cannot be recognised. The application was turn down because of the very same, but he is particularly picking on Uukolonghadhi only and not picking on the Hoveka. I am mentioning (*Interjection*) (*Intervention*).

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HON VENAANI / HON DR MUSHELENGA**

**HON SPEAKER:** No, no, I will not have that please. Let me finish please, (*Interjections*) yes, your microphone.

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**HON VENAANI:** Honourable Speaker, the Honourable Minister in replying to the questions that I asked. The Hoveka Traditional Authority is one of those traditional authorities that is in limbo because of the wrong application of the law, because in Aminuis the same Region in Omaheke you have four Traditional Authorities already recognised in one communal area, and now you are saying Hoveka should not be recognised because there is another one. How do you apply that differently in the same Region?

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**HON SPEAKER:** Alright let us leave it there. Minister please conclude. I do not want to drag this question. There is limit, yes.

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**HON MINISTER OF URBAN AND RURAL DEVELOPMENT:** I want to say and I want to repeat. The recognition of the Traditional Authority that is why you have the same situation of Uukolonghadhi and Hoveka, depends on whether there is already an existing traditional authority. Now what happens is when a Traditional Authority applies for a recognition on a communal land that is already occupied by another traditional authority, it is the traditional authority that is already recognised that goes to object and not Government. I want this to be clear.

In Aminuis if you have Traditional Authorities that agreed among themselves no one object against the other, no one went to Court it is a different thing, but when you have a Traditional Authority that objects, when you have a Traditional Authority that says I have this area and objects, the Court will decide otherwise.



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**RESPONS TO ORAL QUESTION  
HON DR KAWANA**

This is what happened to the Hoveka Royal House. (*Interjections*) The Ruacana the existing Traditional Authority of Uukolonghadhi they objected.

Thank you.

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**HON SPEAKER:** Thank you very much, Honourable Dr Albert Kawana.

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**HON ATTORNEY GENERAL:** Thank you very much Honourable Speaker. I agree with the Honourable Members who say this issue can only be resolved if we are patriotic, if we want Namibia to be peaceful, stable and democratic. I think here, my experience as former Attorney General then, there are Traditional Authorities which were recognised before Independence which could not be recognised. I will give you an example Comrade Speaker.

There is a Traditional Authority which used to reside in the area of Dan Viljoen. When Dan Viljoen was declared a park they were removed by the colonial system. That Chief now has no Jurisdiction anywhere. He is staying in Windhoek. These are what we call colonial legacies that we inherited some time. That is number one.

Number two, also Comrade Speaker, I agree with Honourable Maamberua and my young professor Honourable Mushelenga. I think time has come to sit down all of us with sober minds, look at this issue, address it amicably because the problem now which some of our Colleagues unfortunately, they always have a habit of pointing a finger to SWAPO, SWAPO, SWAPO, but in terms of the law these issues are recommended by the Council of Traditional Leaders a Constitutional body. Those are the ones who and that body does not just belong to SWAPO just like this Parliament does not belong to SWAPO.

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**RESPONS TO ORAL QUESTION  
HON DR KAWANA**

So therefore matters of that nature is best now to refer that matter to the Council of traditional authorities because in terms of Article 102 of the Constitution. The President can refer any matter to the Council and the Council can try to advice Government what to do, even if it be even a referendum. In other countries they resorted to referendum because what is happening now is that that law says people, as Honourable Venaani said people of the same culture, same tradition and whatever, but because of the technicalities in Namibia even today people of the same culture, same traditional same language they are divided into different what we call Chieftainships. This is a reality today.

I will give you also one example and it is a pity that Honourable Tjihuiiko is no longer in the House. When there was an application one Traditional Authority I do not want to mention the name because I do not want really to stir emotions. There was an application whereby 600 Councillors were also proposed all over the country. Kunene, Omusati, where, all over but we sat down to say colleagues, let us be reasonable, let us make Namibia a peaceful country, and today that traditional authority is recognised.

Comrade Speaker so in short, these are historical legacies that we inherited. The current law is very complicated also to apply because of that colonial legacy and the Council of Traditional Leaders in terms of the *Council of Traditional Leaders Act* and *Act of Parliament* is the one which has now statutory power to recommend, and if really people, citizens feel aggrieved, it is always better to refer some of these issues, questions to the Council of Traditional Leaders in terms of the Constitution, in terms of the *Act of Parliament*. If need be even for a referendum.

I so submit.

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**HON SPEAKER:** Thank you. Prime Minister.

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**RESPONS TO ORAL QUESTION  
RT HON DR KUUGONGELWA-AMADHILA**

**RT HON DR PRIME MINISTER:** Thank you Honourable Speaker I also want to emphasise one or two points in regards to this matter, but I want to first of all explain that when I suggest to Honourable Members that issues which are very important, when there are queries to be made about them it is better to do that in writing instead of doing it orally. It is not really to try and how do I say deny people's rights to ask questions. It is not for that purpose so people should never feel intimidated.

It is just a suggestion to make sure that issues that people have queries on are properly responded to because if you now raise an issue because maybe you want a quick answer and you raise it orally and the other person respond without properly investigating the issue, you may end up having information that they not fully address your concerns and in the end, that would be a de-service to the public out there that is following this Debate and would want to be informed by what we are saying in the House. So I know that was probably said on a lighter note, but I just want to assure my Honourable Colleague there who seems to think that every time I suggest something different from what he is saying, I am trying to intimidate him no, it is not so.

Now having said that, I just want to also make another point that is very important. I know that we as politicians come from the communities out there. We are members of the communities where we come from. We pick up issues from these communities. We come here and we raise them. We have our personal views. We are affected by issues that are happening out there, but I think really given the sensitivity of some of the issues that we deal with, especially issues of Traditional Authorities and recognition thereof by the Government. I think we should try very hard to not support efforts that seek to politicise these issues you know, because there is no Traditional community that is homogenous politically.

So no political party can try to project itself as a champion for a specific traditional community. It cannot happen in every community, even within families you find people who are members of different political parties. I think that when we try to politicise issues because there are just certain political parties who are consistently just raising issues related to certain

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**NOTICE OF QUESTIONS**  
**RT HON DR KUUGONGELWA-AMADHILA**

communities creating that impression and I think that just creates unnecessary tension. It alienates us where we are supposed to come together and actually build a consensus. I was saying, and I am saying this to Honourable Muharukua, you see as Members of this House we may come from the ruling party, the majority party, we may come from opposition party, the minority parties, and I have heard many opposition Members of Parliament say several times as opposition party Members, they have a right to be heard and we can have our way. It should not necessarily be that way.

When we are elected to Parliament, we are elected to Parliament to come here and discharge of the functions of Parliament collectively as a team. No one should come to this House and just say my job is just to talk, and I do not mind if anything that I say is not bought by anyone. I do not think really that is an appropriate thing, because otherwise, if we take that approach, then if we are taking that approach then it means that our being here does not add value. So that is the point that I am making.

What I am trying to say is that when a Member gets up and makes a point in Parliament, the aim should be to clarify their point of view to the other person to attempt to convince the other person, because myself as a Member of the ruling party I am open to ideas from other people. I cannot just say because that one is an opposition member every time they speak I must close my ears and I should not listen, no. I will listen and if you really make an effort to convince me you can actually convince me. So if you take this attitude of yes, keep quiet Prime Minister, I will have my say and you can have your way. I do not really think that we are serving the best interest of the nation. *(Interjections)*

Now the third point that I want to make Honourable Speaker, *(Intervention)*

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**HON SPEAKER:** Order, order please.

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**RESPONS TO ORAL QUESTION  
RT HON DR KUUGONGELWA-AMADHILA**

**RT HON DR PRIME MINISTER:** The third point that I want to make Honourable Speaker is this continuous allegation that SWAPO party recognises Traditional Authorities who are members of the party and it refuses to grant recognition to those that are not members is false. The SWAPO party does not recognise Traditional Authorities. *(Interjections)* SWAPO party does not recognise Traditional Authorities.

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**HON SPEAKER:** No, no, please. You know let me just say to you. Please, please we have over extended ourselves on the subject matter you raised. We have gone through the time. I can rule you now to say we stop here, because we are not getting anywhere. Honestly speaking Prime Minister can you conclude?

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**RT HON PRIME MINISTER:** I should conclude?

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**HON SPEAKER:** Yes, please.

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**RT HON PRIME MINISTER:** Yes, thank you. Honourable Speaker I just want to make one last point which is very important.

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**HON SPEAKER:** No, no, I will give you a chance. Please we cannot. This is not, you are not basically talking to each other. Talk through the Chair. Prime Minister please conclude. We are over the time now.

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**RT HON PRIME MINISTER:** Yes, I just want to make the last point. Yes Comrade Speaker, because it is important to say that the Constitution guarantees the right of every Namibian to practice their culture.

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RT HON DR KUUGONGELWA-AMADHILA**

It cannot be possible that because somebody finds themselves in a certain part of the country where there is a Traditional Authority and they come from another community or that Traditional Leader does not come from their ethnic backgrounds, they would be denied the right to practice their culture. That would be unconstitutional, and if in that case there is any Honourable Member that is aware of any such situation, I just want to encourage that person to report such incidents with the police so that they are investigated.

I do know that even in traditional communities where you have multiple ethnic groups and you may have a traditional community with a leader that has Jurisdiction over that area that is multicultural, the Traditional Authorities try by all means if you have another group of people that come from a different culture and they pre-dominate a certain part of that.

It is an important point to make Comrade Speaker. I think really it cannot be left. You can make your point. You finished making your point. You want to bully me now but the point that I am trying to make is to say if you have a group of people that come from a certain culture, they cohabitate in an area with another cultural group, and then you have a Traditional Authority that presides over that area that has Jurisdiction normally what happens is, these people the Headman over that area, that is pre-dominated by that group of people, is normally drawn from that community in order to ensure that there is a sense of belonging.

That is what I have observed in different parts of the country so that is true and really for somebody to say people cannot come under a tree and just meet because they come from a certain ethnic background in another area it is not true.

Thank you Honourable Speaker.

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**HON SPEAKER:** Alright, thank you. Honestly speaking can I say I do not know where we are heading to.

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**RESPONS TO ORAL QUESTION  
HON NUJOMA**

Let me give you a peace of mind. Honourable Uutoni Nujoma I know you were listening patiently please permit me to share this with you. I have granted the Honourable Venaani to raise the point. The point of urgent question basically is to solicit information, to share information that has been urgent. This topic the question that we embarked upon cannot be addressed through an oral question. It will require thorough investigation with the documentation and the Minister actually confirmed that.

Can I say this? The Minister already has indicated the fact that this is the subject that he himself does recognise that requires particular attention. Now what are we doing in continuing? We are not really getting to the bottom of the matter. We have highlighted this aspect and we should leave it at that. I else I have my own view about this subject matter.

There is a total confusion on the part of the traditional leaders in some areas. Some people regard geographical Region as being under the custodian, and it is confusing as that. So we cannot solve it here by throwing a ball at each other. Let us leave it to the Minister to deal with the issues and come back and Report to the House. So Honourable Uutoni Nujoma, can you conclude.

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**HON MINISTER OF LAND REFORM:** Thank you Comrade Speaker. I agree the Prime Minister has responded but what I was objecting to, is Honourable Nauyoma when I switched off when the Speaker said we close this subject, I switched off my microphone and then Honourable Nauyoma pressed it again. That cannot be allowed. *(Laughter)* Nujoma comes first, and then the Nau, and the Night *(Laughter)*

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**HON SPEAKER:** Can I appeal to all of you now. Honourable actually it was something obviously important, but I think the Minister has got the

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**COMMITTEE STAGE – MICRO LENDING BILL  
HON SCHLETTWEIN**

message and definitely he will do something about it within the law of course. Let us leave it at that.

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**HON SPEAKER:** Notice of Motions? Messages from the Head of State? Ministerial Statements thank you very much.

The Secretary will read the first order of the day.

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**COMMITTEE STAGE - MICRO LENDING BILL [B. 9 – 2017]**

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**SECRETARY:** Committee Stage – *Micro Lending Bill* [. 9 – 2017]

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**HON SPEAKER:** Can we take this item and then come back to questions maybe divide the time? We are only going to deal with the first three and we will be done. We will revert back to question time.

Does the Honourable Minister of Finance Move that the Assembly now goes into Committee?

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**HON MINISTER OF FINANCE:** I Move so Honourable Speaker.

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**COMMITTEE STAGE – MICRO LENDING BILL  
HON VAN DEN HEEVER**

**HON SPEAKER:** It is moved that I leave the chair. Any objection? Who seconds? Agreed to. I now call on the Chairperson of the Whole House Committee to take the Chair.

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
The Whole House Committee is called to order. The Committee has to consider *Micro Lending Bill* [B. 9 – 2017]

I put Clause 01, 02, 03 and 04. Any discussions? Any objection? I recognise Honourable Van Den Heever.

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**HON VAN DEN HEEVER:** Thank you Honourable Chairperson under **Clause 01:-**

*The definition of credit bureau it says in the definition that:*

*“Credit bureaus are those which are registered”*

Why does the definition not refer to the law under which they are required to register?

I propose that this is Amended to clarify this and provide certainty as to who qualifies as a credit bureau and who would not and then,

*Under finance charges on page 4 of the Bill, in paragraph (c) of the definition the Bill refers to an allowable service fee charged by a payment system service provider.*

Again in order to provide certainty about these words, I propose that the payment systems service provider, and the service fee allowable in terms of that Act are clearly referenced to the *Payment Systems Management Act*, 2003 (Act. 18 of 2003) which is defined in Clause 01 of the Bill.

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What for example are the kind of payment system services currently provided to micro lender and who determines the fees paid for them?

Then still *on page 4 under financial crime in paragraph (c) of the definition of financial crime*

Honourable Minister *it is made a criminal offence to deal with the proceeds of an offence apart of being extremely broad.*

I would like to know what does dealing means. Is it any offence and what is the procedure of an offence and what is not? In any event only knowingly dealing with something obtained illegally and constitutes an offence should constitutes a financial crime.

*On page 5 under 'fit proper' the definition of 'fit and proper'*

*"Businesses are owned and run by people and is the same requirement that key responsible persons must be fit and proper also apply to banking and non-banking institutions in Namibia."*

Why is there no criteria in order to establish certainty and in that way retain ownership of this aspect of governing our financial institutions? The senator made by a regulator without recourse to the legislator what is contained in this schedule is broad and a bit vague and of little practical meaning to a person who really has Grade 10 and wants to open a micro lending business in say for instance Katima Mulilo. All that is referenced to necessary qualities, competencies and experience. Why, is this all imposed on an industry which advances its own money under loans to borrowing? In what way must there be a fit and proper requirements at all?

Then *the definition of key responsible persons also on page 5 in the case of (Intervention).*

---

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Where are you now?

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**HON VAN DEN HEEVER:** Clause 01 on page 5. I am sighting all these definitions. In the case of larger micro lenders such as the listed Letsego how will fit and proper requirements be applied to every shareholder, every Director, member or person with at least 5% ownership or decision making role? What does the 5% ownership mean? When does the person play a decision making role and when not, and when is it relevant that the Branch Manager is also a key responsible person and when is it irrelevant? All of this is quite confusing to me and then the next one is still on *page 5 licensed premises*:

*“Doctors, pharmacies, lawyers and garage owners do not have to license their premises”.*

Honourable Minister why is this requirement for a micro lender? Would it not be much better to lay down in this law, basic requirements for what a premise of micro lender or any money lender under the *Usury Act* look like.

Then still on page 5 *under the definition of “micro lender”*

I would like to know who decides what and when anything is a regular feature of a business.

*“If a micro lender advances loans amounting to say a quarter of the business during any one year or months or five years at a finance charge allowed for micro lenders, but 80% at the rate not exceeding that prescribed under the Usury Act the money lender.”*

Is this someone who must register as a micro lender or not? Why is the law not written in a way that this is certain?

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These open ended and vague and broad definition are quite unhelpful.

Then *on page 5 still under “micro lending transaction”*

Honourable Minister. Do I understand this to mean that all loans which are advanced in line with paragraphs (a) and (b) of the definition are money lending transactions and not micro lending transactions?

Is the annual financial charge rate prescribed by the registrar for money lending transactions under the *Usury Act* is not exceeded, who if that is the case? How are the money lenders in respect of money lending transactions regulated?

They include persons who facilitate the purchase of service and goods by way of credit cards for example. The only difference according to this definition of a micro lending transaction and the money lending transaction

*“and therefore between a micro lender and a money lender is the finance charge which is applied to a loan of up to N\$100 000 and repayable over a period or not more than 60 months.”*

On page 7 still under **Clause 01: the Usury Act:-**

The Usury Act was brought to this House recently, and some of the definitions referred to in this Bill which at that time and still is not law. Is it then correct that the reference to *Usury Act* here is to the *Usury Act* without any Amendments because it is still referred to the *Usury Act*, 1968, (Act. of 1968)

Then under ***Usury Act* Clause 01:-**

*“Sub-paragraph 2, the Minister can determine the maximum loan amount and the maximum repayment period and therefore in effect Amend this Act by Parliament.”*

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Is that the intention that the Minister should have that power? Micro lending has become an important feature of the ordinary life of many salary earners and business people who commit their own funds to lend out. If the conditions in the country change, and the money lending transaction into a micro lending transaction. This should be a matter to be debated in this Parliament and not left to law making and discretion of one Member of the political Executive or the regulator.

*I accordingly move that this provision should be deleted.*

**Clause 01(3):** The same argument applies to the schedule which should for starters be reconsidered in its entirety to provide clear understandable requirements which if they are met should render a person fit and proper for starting and operating a micro lending business.

*I also move that these provisions are accordingly deleted from the Bill.*

**Section 3:** *still on page 7 the prohibition to conduct micro lending business.*

*In terms of Sub-clause 02 'a person who conducts a business of a micro lender without being registered will upon a conviction be liable to a fine of N\$500 000 or imprisonment of not more than five years, or both such fine and such imprisonment.'*

May I ask the Minister what precisely is this evil to be addressed? Micro lenders invest and place at risk their own money when they make loans. Why is this Clause there?

*Section 4 under unregistered persons still page 7 under **Clause 01:-***

*In terms of Clause 02 'NAMFISA can require any person to produce documents whether it is a micro lender or not.'*

Is this brought power to include into what may very well be business, which has nothing to do with the regulator business of a micro lender

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**HON DIENDA**

right? Why is this money not paid to the fiscus as is the case with other similar laws?

The provisions in Sub-clauses 03 to 06 are repeated at least ten times in this Bill. I do not understand. Why is it repeated so much?

Then under Clause 05 on page 8. (*Intervention*)

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Sorry Madam I just end up to Clause 04. I did not put Clause 05.

---

**HON VAN DEN HEEVER:** Oh, up to Clause 04.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Honourable Minister.

---

**HON VAN DEN HEEVER:** Still under Clause 01.

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Okay, before that, there is another comment, Honourable Minister. Honourable Dienda, you still want to say something.

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**HON DIENDA:** Sorry Honourable Chairperson I think several of us have asked that this Bill be referred to a Standing Committee to scrutinise it

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further because of the fact that we have picked up so many issues. Is it off the table or what is the situation?

Thank you.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Alright, Honourable Minister.

---

**HON MINISTER OF FINANCE:** Honourable Chairperson, to be honest I am a little bit lost because from a procedural point of view many of these issues were raised, I responded to them. I even responded to the suggestion of a Committee in my response. The Bill was then read a second time and there were no objections.

Now all these objections in spite of having been responded to are brought back again, and I am lost how to deal with it. It looks as if and many of you were not there when I responded, but that is not my problem and that should not be a problem of passing the Bill if Members that ask questions are then not there when they are responded to, then what is my problem? How do we proceed? (*Interjection*), so I am in your hands.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Honourable Van Den Heever, yes.

---

**HON VAN DEN HEEVER:** Thank you. Honourable Minister rightly said that some of us were not here when he responded to this, but if issues were brought, and there are no Amendments and the issues are still there, what is the way forward then on it.

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Then I will also then support my Colleague and said that we should then refer rather this Bill to a Parliamentary Standing Committee for scrutiny because there are so many. I am having a whole Bible, so if the issues were raised and no Amendments were brought to this table then unfortunately we thought that this is Committee Stage and we will raise the issues we are still having with it, but *(Interjection)* I am not bulldozing, this Committee Stage. Am I not allowed to say *(Intervention)*

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Sorry, Honourable Van Den Heever, I thought I gave you the Floor and *(Interjection)* you cannot, it is illegal. Even if he says, you cannot comment. It is an illegal comment actually although we do that. Now we are in a dilemma. I should think if issues were raised and the Minister has responded, explained and no Amendment was put forward, it means the proposed Amendments from the Member was not accepted by the Minister. *(Interjection)*

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**HON VAN DEN HEEVER:** *(Indistinct)*

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Honourable Minister what should we do now?

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**HON MINISTER OF FINANCE:** Comrade Chairperson I think your summary was correct, and in my response I took issue with those issues that were raised, but it is not to say that I always accept all the Amendments that were proposed. *(Interjections)*



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HON VAN DEN HEEVER / HON VAN WYK**

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** I have put Clause 01, 02, 03 to 04 and I have called upon the discussions and the discussion was made. The Minister has responded to that. Any objection? I should think by procedure the objection by the Members from PDM is noted, then agreed to.

I put Clause 05 and 06. Any discussions? Any objection? I recognise the objection from PDM. Procedurally (*Interjection*) you would like to explain your objection.

---

**HON VAN DEN HEEVER:** I just want it to be noted that we are objecting since there are still so many issues in this Bill and we would like to discuss it, but since the Minister said he responded to it, it will not serve any purpose for us to discuss it. There were no Amendments brought to this table and we are objecting the Bill in its entirety.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** In its totality so I can just proceed and the objection by the official opposition is noted. Honourable Van Wyk.

---

**HON VAN WYK:** Thank you Honourable Chairperson of the Whole House Committee. I also would like to register my objection. I also made some proposals, especially the one of the employment age. There is no Amendment on that. So for that reason I also want to register my objection.

Thank you.

---

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

So the objection by Members of NDP and UPM (*Interjection*) I did mention that, no. PDM, are you not PDM. Yes PDM and UPM is noted.

Then Clause 06 and 07 agreed to.

I put Clauses 08, 09, 10, 11 and 12. Any discussions? Any objection? I recognise the objection. Maybe you can make it official. You are also with them. Okay the objection from UPM and PDM is noted. Then agreed to.

Also Colleagues do we a quorum. Colleagues we should not leave this because when we agree to it, it means (*Incomplete*). Which one is illegal?

---

**HON VENAANI:** There is

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

“*Iyaloo*” (Thank you) Your President says there is a quorum.

Can you ring the bell? These people do they know that Committee Stage is the whole of it, it is just to agree to the selection and then they just disappear?

---

**HON MEMBER:** No they do not know. (*Interjections*)

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Now where are you? Now we are just 40. Can we ring the bell and call them in? Chief Whip can you call the others? What were you doing outside people?

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**HON SHANGHALA**

**HON MEMBER:** We now have a quorum.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
We now have a quorum we proceed. I put clauses 13, 14, (*Interjection*) we were counting in silence here. We are 54 now.

I put Clauses 13, 14, 15 and 16. Any discussions? Any objection?

So I am made to understand that. I take note that PDM and UPM object to the whole Bill, so I take note of their objection. It is noted. Agreed to. In the Committee Stage you can object and it is noted.

I put Clauses 17, 18, 19, 20, 21, 22, and 23. Any discussions? Any objection? I take note of the objection by PMD and UPM. Agreed to.

I put Clauses 24, 25, 26, 27, 28, 29, and 30. Any discussions? Any objection? I take note of the objection by PMD and UPM. Yes, Honourable Minister of Justice.

---

**HON MINISTER OF JUSTICE:** Comrade Chairperson. Can the objection be made by the party or by the individual?

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
They state it on their behalf.

---

**HON MINISTER OF JUSTICE:** It should be an individual entered into the record not the party. (*Interjections*)

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**THIRD READING – MICRO LENDING BILL**

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** It is by the party, so agreed to.

I put Clauses 31, 32, 33, 34 and 35 and 36. Any discussions? Any objection? Likewise I take note of the objection by PDM and UPM. Then agreed to.

I put Clauses 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47. Any discussions? Any objection? I take note of the objection by PMD and UPM. Then agreed to.

Under the schedule I put Clause 01, Clause 02, Clause 03, and Clause 04. Any discussions? Any objection. I take note of the objection by PDM and UPM. Then agreed to.

I put the Title. Any discussion? Any objection? I take note of the objection by PDM and UPM. Agreed to.

I shall report the Bill without Amendments.

---

**ASSEMBLY RESUMES**

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Honourable Speaker the Committee has gone through the *Micro Lending Bill* [B. 9-2017] as set forth in the accompanying copy and agree to it without Amendments.

---

**HON SPEAKER:** Thank you very much. Does the Honourable Minister of Finance Move that the Bill be now read a third time?

---

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**THIRD READING – MICRO LENDING BILL  
HON SCHLETTWEIN**

**HON MINISTER OF FINANCE:** I do Move so Honourable Speaker.

---

**HON SPEAKER:** Any objection? Objection noted. Who seconds? (*Interjection*) But you have entered the objection already, but I suppose because I am calling for objection, you are responding so noted. Agreed to. Any further discussions? Does the Honourable Minister of Finance wish to reply.

---

**HON MINISTER OF FINANCE:** Thank you Honourable Speaker. I am thankful to the House to have considered the Bill and agreed to it. We believe that Micro Lending which was up to now an unregulated business is in dire need to be regulated. There are a reported number of harmful practices in this business and hence the need for regulation. I do believe that micro lending is still an important business that offers economic opportunities for many citizens, but it must be in a fair and proper regulated manner and therefore I am very satisfied that the Bill indeed was considered positively by the House.

Thank you very much.

---

**HON SPEAKER:** Thank you. I now put the question that the Bill be read a third time. Any objection? Agreed to. The Secretary will read the Bill a Third Time.

---

**THIRD READING – MICRO LENDING BILL [B. 9 – 2017]**

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**SECRETARY:** *Micro Lending Bill* [B. 9 – 2017]

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ENTERTAINMENT CONTROL BILL  
HON SHIFETA**

**HON SPEAKER:** Thank you. The Secretary will read the Second Order of the Day.

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**COMMITTEE STAGE - GAMING AND  
ENTERTAINMENT CONTROL BILL [B. 12 – 2017]**

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**SECRETARY:** Committee Stage – Gaming and Entertainment Control Bill [B. 12 – 2017]

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**HON SPEAKER:** Does the Honourable Minister of Environment and Tourism Move that the Assembly now goes into Committee?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** I so Move Honourable Speaker.

---

**HON SPEAKER:** It is moved that I leave the Chair. Any objection? Who seconds? Agreed to. I now call on the Chairperson of the Whole House Committee to take the Chair.

---

**ASSEMBLY IN COMMITTEE**

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
The Whole House Committee is called to order. The Committee has to

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ENTERTAINMENT CONTROL BILL  
HON SHIFETA**

consider the *Gaming and Entertainment Control Bill* [B. 12 – 2017]. I put Clause 01? I put the arrangement of sections? Any discussion? I recognise Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Chairperson of the Whole House Committee. The table of content arrangement of **sections:-**

1. *delete the following phrase: '108 no taxation on price and winning'*
2. *. renumber the rest of the Clauses accordingly.*

Thank you.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** Please submit the Amendment. Any discussions to the Amendment put forward. Any objection? Agreed to.

Then I put Clause 01. Any discussions? I recognise Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Clause 01:

*in the definition of the words regulation:*

*substitute phrase 'section 109' with the following 'section 108'.*

So I Move Honourable Deputy Speaker.

---

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HON VAN DEN HEEVER / HON SHIFETA**

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Please Table the Amendment. Any discussions on the Amendment to Clause 01 as put forward? Any objection? Agreed to.

I put Clause 02, Clause 03, and Clause 04. Any discussions? I recognise Honourable Van Den Heever.

---

**HON VAN DEN HEEVER:** Honourable Chairperson just one issue at Clause 02. The numbering of the Act, there is no numbering of the sentence as it is reading here. This Act does not apply to an activity that is regulated in terms of the *Lotteries Act* 2017, Act number so this is not an active year. Should we leave it like that? I am just a bit confused now.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Honourable Minister can you respond to that question? It is on page 10 Clause 02. The number of the Act is missing she is asking. It is just one sentence. Can you stand up?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes, I am trying to get there now. What is the application, which is the Act number.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Yes, application of the Act, Clause 02. You have the copy of the Bill, do you?

---



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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I have it. I see it now which I think is missing there.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
She is saying that the number of the Act is still missing.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** But the number is normally inserted. (*Interjection*) This is the *Lottery Act*. It refers to another Act which is not this one.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Which one?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** You see this Bill it refers to the *Lottery Act* not the Gaming.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Yes but that referred Act the number is missing.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes.

---

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

The number is missing which is 2017 which was last year.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Let me do this Honourable Deputy Speaker. I am trying to see. Let me just get the number of it.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Can we come back to it?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** I think we can come back to it. I will just check. I have to get the right number. I know 2017, but I just have to get the right number.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** If somebody can assist you. Where is your Deputy?

I put Clauses 03, 04, 05 and 06. Any discussions? Any objection?  
Agreed to.

I put Clause 07. Any discussions? I recognise Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Deputy Speaker thank you very much. **Clause 07:**

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HON SHIFETA**

*one, substitute the following Sub-clauses for Sub-clause 01:*

*Sub-clause 01, subject to section 14 and 15 of the Public Enterprise Governance Act 'the Board consist of the following members appointed by the Minister:*

*(a) that is now paragraph (a) a person whom in the opinion of the Minister has knowledge or experience in matters relating to the functions of the Board*

*(b) a person with a law qualification which entitles such a person to be admitted as a Legal Practitioner under the Legal Practitioners Act, 1995 (Act. 15 of 1995)*

*(c) five persons of whom:*

*(i) one must have the knowledge and experience in the tourism sector;*

*(ii) one must have knowledge and experience in finance;*

*(iii) one must have knowledge and experience in safety and security matters;*

*(iv) one must have knowledge and experience in health or social services, and*

*(v) one must have knowledge and experience in commercial industrial matters, and*

*(d) the Chief Executive Officer who is an ex officio member of the Board but does not have voting rights at the meetings of the Board.*

*Sub-section 2 delete Sub-clauses 02, 03 and 04.*

*Sub-section 03 renumber the rest of Sub-clauses accordingly.*

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HON DIENDA**

I so Move Honourable Deputy Speaker.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Please submit the Amendment. Any discussions on the Amendment put forward? Any objection? Agreed to.

Then I put Clauses 08, 09, and 10. Any discussions? I recognise Honourable Dienda.

---

**HON DIENDA:** Honourable Chairperson Clause 9(2)

‘a Member of the Board referred to in Sub-section 1 is eligible for reappointment after the expiry of his or her term as Member of the Board.’

Honourable Minister I think we suggested that you must have a specific term for them to serve on the Board. This was our suggestion to you.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

A specific.

---

**HON DIENDA:** A specific maximum three terms or two terms and not for them to be reappointed.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Yes, Honourable Minister.

---

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**HON MINISTER OF ENVIRONMENT AND TOURISM:**

Honourable Deputy Speaker you see, if you read from the beginning of the appointment, Clause 07 it talks about the Public Enterprises, and the *Public Enterprises Governance Act* stipulates the terms of appointment for all the Boards, It even says three. So there is no need to do a repetition again here. It is already there.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Alright, any further discussions? Agreed to.

I put Clauses 11, 12 and 13. Any discussions? Any objection? Agreed to.

I put Clauses 14, 15 and 16. Any discussions? Any objection? Agreed to.

I put Clauses 17, 18, 19. Any discussions? Any objection? Agreed to.

Then I put Clauses 20, 21, 22, 23, 24, 25 and 26. Any discussions? Any objection? Then agreed to.

Then I put Clauses 27, 28, 29 and 30. Any discussions? Any objections? Agreed to.

Then I put Clauses 31, 32 and 33. Any discussions? Any objections? Agreed to.

Then I put Clause 34. Any discussions? I recognise Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM: Clause 34:**

*substitute the following Clause for Clause 02:*

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HON SHIFETA**

*(2) a Casino license authorised that is now paragraph:*

*(a) playing of the prescribed games and*

*(b) keeping and operating of prescribed gambling machines and tables not exceeding the maximum number specified in the license, in or on the premises of the accommodation establishment in respect of which the license has been granted or such part of the premise as specified on the license.*

I so Move Honourable Deputy Speaker.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Please Table the Amendment. Any discussion on the Amendment put forward by the Minister? Any objection, agreed to.

Then I put Clause 35. Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM: Clause 35:**

*substitute the following Sub-clause for Sub-clause 02:*

*(2) a gambling house license authorises the keeping or playing in/or on the premises, or the part of the premises of the accommodation establishment or in the retail liquor business as specified in the license or the prescribed gambling machines, or prescribed gambling games excluding tables but not exceeding the number of gambling machines or gambling games specified in the license.*

I so Move Honourable Chairperson.

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Any discussions? Yes kindly Table the Amendment. Before I put, any discussions, we still lack quorum. It would be unfair for me to proceed without a quorum. Where are the people? We are 46. We need three.

Honourable Members I should think we must be serious. Senior Cabinet Ministers please. Honourable Minister of Justice move forward to take your rightful place.

Before I put the Amended Clause 35, I would like to humbly remind the Honourable Members that we are busy with the Committee Stage and without a required quorum of 49, we cannot pass this Bill. It is very, very important. So from now onwards, no one should move. If you move, if nature calls, I give you three minutes and come back.

I put now the Amended Clause 35. Any discussions? So agreed.

I put Clauses 37, 38 and 39. Any discussions? Any objection? Agreed to.

I put Clause 40. Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Honourable Chairperson of the Whole House Committee.  
**Clause 40:**

*substitute the following Clause for Clause 40:*

*'key employee license. Clause 40(1) subject to section 43 the Board may on application by a person who intends to engage in any prescribed I think it is supposed to be prescribed. That verb should be prescribed you add there, prescribed work or a category of prescribed work in the gambling industry issue a key employee license or a provisional key*

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*employee license to the person.*

*Sub-clause 2 any employer of a person who is licensed in terms of this section must within the prescribed time disclose to the Board any prescribed information concerning a holder of a key employee license, or a provisional key employee license.*

*Sub-clause 3 a key employee license or a provisional key employee license authorises the holder of a key employee license or a provisional key employee license to engage in any prescribed work or category of prescribed work in the gambling industry.*

*Sub-clause 04 the Minister may prescribe work or categories of work in the gambling industry in which employees engage in that work are required to hold a key employee license or a provisional key employee license.*

*Sub-clause 05 the Minister may prescribe a condition and the qualifications under which a provisional key employee license may be issued to a person.*

I so Move Honourable Chairperson.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Please Table the Amendment. Any discussions on the Amendment put forward? Any objection? Agreed to.

Then I put Clauses 41, 42, 4 and 44. Any discussions? Any objection? Agreed to.

Then I put Clauses 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55. Any discussions? Any objection? Agreed to.



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HON SHIFETA**

Then I put Clause 56. Honourable Minister.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Honourable Chairperson. **Clause 56**

*substitute the following Sub-clause for Sub-clause 01:*

*Sub-clause 1 subject to section, let us put sections there just plural 57 and 59.*

*Paragraph (a) a Casino license is valid for 50 years from the date of issue subject to payment of annual fees.*

*Paragraph (b) a gambling house license bookmaker license and total (Indistinct) license is valid for 25 years from the date of issue subject to payment of annual fees and*

*Paragraph (c) any other license issued under this Act is valid for a period of one year unless if the Board when granting the publications specifies on the license the duration of the license.*

I so Move Honourable Deputy Speaker.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Table the Amendment please. Any discussions on the Amendment to Clause 56? Any objection? Agreed to.

Then I put Clauses 57, 58, 59, 60, 61, 62, 63, 64 and 65. Any discussions? Any objection? Agreed to.

I put Clauses 66, 67, 68, 69, 70 and 71. Any discussions? Any objection?

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Agreed to.

Then I put Clauses 72, 73, 74 and 75. Any discussions? Any objection?  
Agreed to.

Then I put Clauses 76, 77, 78, 79 and 80. Any discussions? Any  
objection? Agreed to.

Then I put Clauses 81 and 82. Any discussion? Any objection? Agreed  
to.

Then I put Clause 83. I recognise Honourable Minister for discussions.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you  
Chairperson of the Whole House Committee. **Clause 83:**

*substitute the following Clause for Clause 83:*

*Standards for gambling premises 83(1) ‘a license holder must comply with  
the prescribed standards for the design used and the maintenance of the  
license premises in which gambling activities take place.’*

*Sub-clause 02 ‘the Minister may prescribe the standard and requirements  
with which the premises must comply with before the premises might be  
licensed or continue to be licensed in terms of this Act.’*

*Sub-clause 03 ‘a person who contravenes or fails to comply with  
subsection 1 commit any offence and on conviction is liable to a fine not  
exceeding N\$10 000 or to imprisonment for a period not exceeding two  
years or to both such fine and such imprisonment.’*

I so Move Honourable Chairperson.

---

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**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Table the Amendments. Any discussions on the Amendments to Clause 83. Any objection? Agreed to.

I put Clauses 84, 85, 86, 87, 88, 89, 90 and 9. Any discussions? Any objection? Agreed to.

I put Clauses 92, 93, 94, 95 and 96. Any discussions? Any objection? Agreed to.

Then I put Clauses 97, 98, 99, 100 and 101. Any discussions? Any objection? Agreed to.

I put Clauses 102, 103, 104 and 105. Any discussions? Any objection? Agreed to.

I put Clause 106. Any discussion? Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM: Clause 106:**

*in paragraph (d) of Sub-clause 01:*

*substitute the phrase section 109 with the following section 108.*

I so Move Honourable Deputy Speaker.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

Table the Amendment. Any discussions on Clause 106? Any objection? Agreed to.

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Then I put Clause 107. Any discussions? Any objection? Agreed to.

Then I put Clause 108. Any discussions? Honourable Minister.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM: Clause 108:**

*delete Clause 108 completely and*

*two, renumber the rest of the clauses accordingly.*

I so Move Honourable Chairperson.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Table the Amendment. Clause 109 we have already, it becomes 108.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:**  
Accordingly.

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Any discussions? Any objection? Agreed to.

Then I put clause 109 and 1010,

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**HON MEMBER:** Clause 100.

---

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HON SHIFETA**

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

No, then just stand up and say the numbers. Okay 109 and 1010. *(Interjections)* 109 and 110. Any discussions? Any objection? Agreed to. Then we go to Clause 111 and 112. Any discussions? Any objection? Agreed to.

I put the Schedule. Any discussions? Any objection? Agreed to.

I put the Title. Any discussions? Any objection? Agreed to.

I shall Report the Bill with Amendments.

Before I report, can we turn to page 10 Clause 02? Honourable Minister?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM: Page 10;**

*application for Act that is paragraph 2:*

*this Act does not apply to an activity that is regulated in terms of the Lotteries Act, 2017 (Act. 13 of 2017).*

---

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**

They are now asking the yellow paper certified by the Attorney General.

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** It is something that can be inserted without it, because it does not change any substance. It is a not a material change. It has to be there.

---

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HON SHIFETA**

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Just correct it.

\_\_\_\_\_

**HON MINISTER OF ENVIRONMENT AND TOURISM:** That law is  
already there.

\_\_\_\_\_

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Can you give it to him. So agreed?

\_\_\_\_\_

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you.

\_\_\_\_\_

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:** I  
shall report the Bill with Amendments.

\_\_\_\_\_

**ASSEMBLY RESUMES**

\_\_\_\_\_

**HON CHAIRPERSON OF THE WHOLE HOUSE COMMITTEE:**  
Honourable Speaker the Committee has gone through the Bill, namely  
*Gaming and Entertainment Control Bill* [B. 2-2017] as set forth in the  
accompanying copies and agreed to it with Amendments.

\_\_\_\_\_

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**THIRD READING – GAMING AND  
ENTERTAINMENT CONTROL BILL  
HON SHIFETA**

**HON SPEAKER:** Thank you very much. Does the Honourable Minister of Environment and Tourism Move that the Bill be now read a third time?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes, I so Move Honourable Speaker.

---

**HON SPEAKER:** Any objection? Who seconds? Agreed to.

Any further discussions? None. Does the Honourable Minister of Environment and Tourism wish to reply?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** I just want to say thank you very much Honourable Members. With those many Amendments that were proposed here, that were generated from the House. Thank you very much for that and for that support you have given.

Thank you.

---

**HON SPEAKER:** Thank you. I now put the question that the Bill be now read a third time, any objection, agreed to. The Secretary will now read the Bill a Third Time.

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**GAMING AND ENTERTAINMENT  
CONTROL BILL [B. 12 – 2017]**

---

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**REPORT ON THE IMPLEMENTATION  
OF THE ENVIRONMENTAL ACT  
HON SHANGHALA**

**SECRETARY:** *Gaming and Entertainment Control Bill* [B. 12 – 2017]

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**HON SPEAKER:** The Secretary will read the Third Order of the Day.

---

**RESUMPTION OF DEBATE ON THE  
REPORT ON THE IMPLEMENTATION OF THE  
ENVIRONMENTAL MANAGEMENT ACT OF 2017**

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**SECRETARY:** Resumption of Debate on the Report on the Implementation of the *Environmental Management Act* of 2017

---

**HON SPEAKER:** When this Assembly adjourned on Tuesday, the 10<sup>th</sup> of April 2018, the question before the Assembly was a Report by Honourable Minister of Environment and Tourism that the Report be adopted. The Honourable Deputy Minister of Public Enterprises adjourned the Debate. He is not here. Yes, Honourable Minister of Justice.

---

**HON MINISTER OF JUSTICE:** Honourable Speaker, before, I just want to draw your attention to Rule 4(b) a Member can lose membership of this House if they are absent for more than ten sittings. There is a Member who has normally been a neighbour of Honourable Dienda. Where is that Member? *(Laughter)*

---

**HON SPEAKER:** Let me reassure the House that that matter has been taken care of duly notified formally.



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**REPORT ON THE IMPLEMENTATION  
OF THE ENVIRONMENTAL ACT  
HON SHIFETA**

So the Honourable Member is not in the House. Any further discussions? Can we move on? In the absence of any further discussions, does the Honourable Minister of Environment and Tourism wish to reply?

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Honourable Speaker, and I want to thank Members who have participated in this. I think there were some who participated and supported, and I am hopeful that all of you have supported in silence. The implementation of our *Environmental Management Act* is a very important Act, and we have to observe it especially the Organs of State are obliged to observe this Act and I want to thank you all.

Thank you.

---

**HON SPEAKER:** Thank you. I now put the question that the Report be adopted. Any objection? Agreed to. That is as far as I think we can go.

---

**RESPONSE TO QUESTIONS**

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**HON SPEAKER:** Can we revert back to question time and do justice to some of those questions as quickly as possible.

Yes, question 7 that of the Honourable Madhala Nauyoma directed to the Minister of Higher Education, Training and Innovation. (*Interjection*) None of them are in the House.

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HON !AUXAB  
HON UUTONI**

Question 11, posed by the Honourable Kavekatora? Do you put the question (*Interjection*)

Question 13, Honourable !Auxab. Do you put the question?

---

**HON !AUXAB**: I put the question.

---

**HON SPEAKER**: The question is directed to the Minister of Sports, Youth and National Service. Honourable Minister.

---

**QUESTION 13:**

**HON !AUXAB**: Put the question.

**HON MINISTER OF SPORT, YOUTH AND NATIONAL SERVICE**: Thank you very much Comrade Speaker. Let me try to respond to the two questions Honourable !Auxab asked in this august House.

- 1. How does the Ministry plan to deal effectively with the deepening unemployment among the Namibian youth population, and how the youth demographic in Namibia could be seen as assets for change, progress and dynamism?**

Honourable Speaker, Honourable Members unemployed youth are defined as those able to work and seeking employment but unable to secure jobs. The reason for youth unemployment are similar to other causes of general unemployment.

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HON !AUXAB  
HON UUTONI**

The youth demographic in Namibia indicate that young people are the majority population in the country which makes them also the most active and most likely to be the productive group. Therefore, it is equally a time to capitalise in the youth and to invest in opportunities that would enable them to unleash their potential as assets for change, progress and dynamism.

Firstly, the quality and relevance of education is often considered as the first root cause of youth unemployment. However, higher education does not guarantee a decent employment in a labour market where employment opportunities are limited.

**Honourable Members**

for us as a **Ministry of Sports, Youth and National Service**, we want to ensure that young people who are unable to go into mainstream tertiary and vocational skills institutions are equipped with the soft skills that they are more employable or able to become self-reliant as entrepreneurs. The Ministry offers skills training at our various centres, skills such as basic computer training, tailoring skills, and other vocational skills such as carpentry, bricklaying, hospitality, welding and etcetera.

The **Namibian Youth Credit Scheme (NYCS)** is a project of the Ministry that offers soft loans to young people who are keen on entrepreneurship to enable them to start small enterprises resulting in self-employment and to further contribute as possible employers. The National Youth Council of Namibia compliments the National Youth Councils' credit scheme with a similar initiative called **Credit for Youth in Business**.

Furthermore, as per the Ministry's strategic plan of 2017/2022, the Ministry has strategically planned to establish 121 youth enterprises through the Harambee Prosperity Plan. The current progress on this project is that:

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HON UUTONI**

- Nine (9) youth enterprises have been trained thus far and plans to disperse the funds are still being worked on. This process is targeted to be completed within the month of March 2018, of which it is already done.
- The Ministry further calls on the Regional Councils to select and endorse two (2) Constituency based youth enterprises per region for training to be offered in March-April 2018.
- The target number of proposals expected is twenty eight (28) project proposals for March 2018.
- For the rest of the year we have targeted to train fifty six (56) Constituencies within the 2018/2019 Financial Year, once the Budget has been secured.

**Honourable Speaker, Honourable Members,**

The creation of the youth enterprises is aimed at nurturing and encouraging innovation, skills and business development. This in turn will stimulate and create enabling environment for industrialisation, growth and employment creation.

The high rate of unemployment are because of youth dropping out of school particularly in Grade 10 and 12 and not being able to enter into mainstream tertiary institutions. Furthermore, the young people that are fortunate enough to proceed to tertiary institutions and graduate are not guaranteed decent employment. Therefore, we need not only encourage and foster entrepreneurship but career guidance in schools should also be encouraged at an early onset in order to tap into their skills and to assist them in steering them into the best possible career path.

**The issue of creating employment for the Namibian youth should be viewed as a cross cutting and collective responsibility for all**

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HON UUTONI**

**stakeholders that are offices, Ministries, Agencies, private sectors and the public at large.**

**Honourable Members,**

As per the recent status of the youth report some key findings and action points on youth employment are as such.

*1. Create more employment and economic opportunities for the youth.*

Government should continue with policies aimed at growing the economy especially in key sectors such as agriculture that absorb most youth. Other economic opportunities can be availed through support for entrepreneurship development.

*2. Promote higher level educational or education and training.*

Education can be used as a vehicle for reducing youth unemployment and other negative youth behaviours that threaten youth development in Namibia. Better education opportunities will make the youth employable and also enhance chances for youth to be employed in better paying jobs. It is commendable that the Government pre-primary education policy is already yielding positive results. However, efforts should now shift to tertiary education and vocational training.

*3. Support vocational skills training that much demand of growing sector of economy.*

There should be a deliberate effort to grow the skills of youth so that they are employable in other fast growing sectors of the economy such as mining and agriculture in order to source skills gaps that fuel unemployment and deal with school dropouts. The youths further suggest that opportunities for vocational training and entrepreneurship be Region specific to capture the competitive advantage of each Region uniqueness.

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HON UUTONI**

*4. Package information on opportunities in different sectors.*

There is a need for the provision of adequate information on youth on opportunities that exist in the different sectors of the economy including how to access them and what they can do to better prepare for future initiatives. For example, there is evidence of poor packaging of information on opportunities for youth in the mining sector with most unaware of such opportunities. In general however, the mining sector is attractive to youth for a number of reasons including opportunities for formal training and education platform for building a sustainable career.

*5. Consider age disparities in employment.*

The age disparities should be reflected in the national employment and economic development policies. Strategies for Government led opportunities for vocational training, entrepreneurship and livelihood projects should consider age stratification. For example the younger youth between 18 and 25 should be encouraged (*Interjections*) we are the older youth, should be encouraged to pursue more rigorous skills vocational training, entrepreneurship and livelihood projects should be made more accessible to the older youth. Now the older youth I think is Minister of Justice (*Interjection*) the one behind, Kavetuna, oh General even.

*6. Create of platforms for engagement between youths and their employers*

Platform for tripartite engagement of key stakeholders in youth employment involving the youth, Government as the major employer and business or the private sector. The platform will afford all parties an opportunity to discuss the challenges facing youths and employer views and expectations. Such a platform will create a shared understanding of youth and their issues and will give a foundation for addressing youth unemployment.

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HON !AUXAB  
HON UUTONI**

**Honourable Members,**

The Ministry is to finalise the review of the National Youth policy and priority is thereby given towards strategizing for the reduction of youth unemployment as per the NDP5 the Ministerial strategic plan and the Harambee Prosperity Plan.

Honourable Members, addressing youth unemployment requires concerted efforts such as Public Private Partnership as this is a national concern and needs efforts from all of us.

That was about the first question. I have elaborated more on that question. Now your last question and it is very, very short.

- 2. How far is the Ministry involved in the Regional integrated approach to infrastructure development where the Ministry made possible the formation of large competitive markets instead of small fragmented and inefficient ones, and to lower costs across production sectors to stimulate industrialisation and growth and consequently enabling job creation for Namibian youth.**

Honourable Speaker, Honourable Members,

As per the Ministry strategic plan of 2017/2022, the Ministry has strategically planned to:

- Establish 121 Youth Enterprises through the Harambee Prosperity Plan, and the current progress on this project has been mentioned in the previous question. The creation of the youth enterprises is aimed at nurturing and encouraging innovation, skills and business development and in turn stimulate and create enabling environment for industrialization growth and employment creation.
- Construct and renovate multipurpose youth centres for them to cater for the needs of the youth. Needs such as skills training opportunities

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HON UUTONI**

as this will contribute towards sustainable youth enterprises development. This is in accordance with the NDP5.

Ensure improved Public Service delivery through the decentralisation of functions as per the decentralisation policy. Progress thus far is in year two of the targeted five years in timeframe which is invasion to be 20% it in the 2018/2019 Financial Year. This will further foster a wider spread of participation at Regional level and assist in tackling social exclusion.

In terms of labour market initiatives Government plays a central role in supporting employment creation by ensuring that employers can access the people with the right skills though the portfolio of employment creation is currently with the Ministry of Labour Industrial Relations and Employment Creation, this activity should be considered as a cross cutting function of all offices, Ministries and Agencies.

**Honourable Members,**

The Honourable Member who posed the question wants us to move that *“large competitive markets instead of small fragmented and inefficiency ones...”*

My response is that small businesses do in fact contribute to the economic growth and towards job creation for the Namibian youth, not only the big businesses. While we appreciate large competitive markets, we need to be cautious of the Namibian population and demographics.

**Honourable Members,**

Many of us one way or another might be engaging business activities and I am therefore appealing to all that engage business activities to employ the youths as a deliberate move towards reducing the rate of youth unemployment.



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HON !AUXAB  
HON !AUXAB**

We all can make the difference and should work towards making a positive differences. I so submit Honourable Speaker and Honourable Members.

I thank you.

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**HON SPEAKER:** Thank you. Honourable !Auxab.

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**HON !AUXAB:** Thank you very much Honourable Speaker. Honourable Minister I know it is not only your problem. It is a continental problem, but you as a new Minister I strongly believe that you will create an environment for the Namibian youth to become job creators and not job seekers.

Thank you very much for your response.

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**HON SPEAKER:** Thank you. Let us move on question 18 from the Honourable Maamberua. Do you put the question?

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**HON MAAMBERUA:** Yes I put the question.

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**HON SPEAKER:** Yes, the question is directed to the Attorney General Honourable Dr Kawana.

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**RESPONSE TO QUESTIONS BY  
HON MAAMBERUA  
HON DR KAWANA**

**QUESTION 18:**

**HON ATTORNEY GENERAL:** Thank you very much Honourable Speaker. Honourable Speaker I rise to respond to the questions posed by Honourable Usutaije Maamberua, a Member of SWANU, and a former President of the aforementioned political party.

Honourable Speaker the Honourable Member put a preamble before the questions, so I am not going to waste time to read the preamble because it is already recorded in the question. I will go straight to the answers. I am not going to also read the questions because Honourable Members have the questions.

**Preamble**

His Excellency, the President Dr. Hage Geingob, during the opening of the National Assembly this year, underscored the need for transparency and accountability.

The Namibian Constitution under Article 94 A (3), underscores the need for the Anti-Corruption Commission (ACC) to be an independent and impartial body. The Act, *Anti-Corruption Act*, 2003 (Act. 8 of 2003), establishing the Anti-Corruption Commission also lays emphasise on the independence and impartiality of this body

**Question 1**

**In view of the above, how can the independence of the ACC from the Executive be ensured, in terms of appointment of the Director General and Deputy; reporting lines (Annual Report); financial allocation to the ACC (Budgets); dismissal processes; supervision of the ACC (Commission with Commissioners)?**

My response Honourable Speaker to question 1 is as follows.

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HON DR KAWANA**

Honourable Speaker contrary to the assertion of the Honourable Member, the independence of the ACC from the Executive is guaranteed by the Supreme law of our land, the Namibian Constitution. The Honourable Member is reminded that the Namibian Constitution had to be Amended in order to provide the ACC as a constitutional body in addition to being a statutory body. Indeed Namibia is one of the few countries in the world which had taken measures of this nature.

Article 94 A (3) states that the ACC shall be an independent and impartial body. Article 94 A (4) of the Namibian Constitution states that the National Assembly appoints the Director General and the Deputy Director General of the ACC upon nomination by the President.

Honourable Speaker, in addition to guaranteeing the independence of the ACC through constitutional Amendments, the Executive took further administrative measures aimed at ensuring ACC independence. Today the ACC has its own Budget and its own Accounting Officer.

**Question 2**

**Would you agree with me that because of the current blurred arrangements, the Parliament, which is the oversight body over the Executive, has not effectively utilised the ACC as an instrument in its oversight function?**

My response to question 2 is as follows:

Honourable Speaker I do not understand what the Honourable Member refers to as **“the current blurred the arrangements”**, there is no blurred arrangements, and therefore I do not agree with the Honourable Member’s analysis. Parliament as appointing authority for the leadership of the ACC exercises sufficient oversight functions over the ACC.

The fact that the Budget and Reports of the ACC are tabled by the Office of the Prime Minister does not take away the independence of the ACC.

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HON MAAMBERUA  
HON MAMBERUA**

Its reports are never doctored or as Americans would say, sexed up by the Executive. On the contrary (*Interjections*) its Reports are never doctored as Americans would say, sexed up by the Executive. They are never sexed up.

On the contrary Namibia is far ahead of many countries when it comes to the independence of the ACC.

**Question 3**

**In order to align the independence and impartiality objective of the Anti-Corruption Commission with the mandate of the Parliament on oversight, will your office or that of the Law Reform Commission be amenable to initiate the process leading to the amendment of the ACC Act?**

My response to question 3 Honourable Speaker is as follows:

As already stated above, there is no need to Amend the ACC Act or the Namibian Constitution in order to guarantee the independence of the ACC, or to ensure effective oversight by Parliament. If there is a need to take any further measures which I think for now it is not necessary administrative measures will suffice.

I thank you Honourable Speaker.

---

**HON SPEAKER:** Thank you very much, Honourable Maamberua.

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**HON MAAMBERUA:** Thank you Comrade Speaker. I take note of the response of the Attorney General. You see the question was asked in an attempt to maximise the independence of the Anti-Corruption

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HON MAMBERUA**

Commission within the context. That is why I put a preamble in the context of the call by His Excellency of transparency and accountability. The question was well intended.

This discussion had taken place before and after this question was tabled, with the majority of this House or many rather agreeing that in order to maximise the independence of the Anti-Corruption Commission and not only the Anti-Corruption Commission but all the accountability institutions that something needs to be done. For example that the reporting channels of the Anti-Corruption Commission as an oversight body be revisited so that we do not have the Anti-Corruption Commission to report through the Executive but to report directly through the Speaker for example, and that is the noble intention of this.

Similarly the Budget also not to be defended and to be channelled through the Executive for the same reasoning that we want to maximise the independence of the Anti-Corruption Commission and the other bodies. Of course, the Minister has expressed this, I do not know whether that is now an Executive view that we do not need to do much more than this in terms of Amending the law, or whether that opinion actually is a broad opinion, but nevertheless we are not suspicious of whether the Executive doctors, and the other word of course that I do not know whether it is Parliamentary the Reports of the Anti-Corruption Commission, but obviously independence must not only be seen but we have to be able to as you say feel it. It has to be tangible in terms of these provisions and in terms of these relationships.

So for us to suggest that maximisation of independence is important, I think it is something that I think we all need to accept. Nevertheless the opinion of the Minister is his own opinion perhaps, and is up to us now maybe to take this matter further and I propose through a Motion or any other mechanism to guarantee this independence. So otherwise, I as I said take note for the Minister for having attempted to address this issue, but I think it does not suffice in terms of wanting to guarantee and to maximise the independence and transparency. In view also of the so many criticisms

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HON BISHOP KAMEETA**

levelled again the partiality or impartiality or lack thereof of the Office of the Anti-Corruption Commission. Our intention is actually to assist. Otherwise, thank you very much. We shall find different means of addressing this matter.

---

**HON SPEAKER:** Thank you and as you said at the end of the concluding remarks by the Honourable Minister the door is open for further consultation. I am sure you can continue the dialogue.

Thank you.

The Honourable Muharukua you put the question?

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**HON MUHARUKUA:** I put the question.

---

**HON SPEAKER:** The question is directed to the Honourable Minister of Poverty Eradication and Social Welfare Honourable Doctor Kameeta.

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**HON MINISTER OF POVERTY ERADICATION AND SOCIAL WELFARE:** Thank you Comrade Speaker Sir. I appreciated the question of Honourable Muharukua very much because in that process I would have given information on what we are doing, but I think with my Budget motivation speech, I attended to the many issues the Honourable Muharukua is bringing up or posing in his question and so if I now answer that question, I would be just repeating what I said in the Budget speech.

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**RESPONSE TO QUESTIONS BY  
HON MUHARUKUA  
HON MUHARUKUA**

So I ask the indulgence of the Honourable Muharukua that if there is anything which was left out that he bring it then to my attention and I can then respond to that at another stage.

---

**HON SPEAKER:** Thank you very much. Honourable Muharukua the question might have been overtaken by the events that is the Budget.

---

**HON MUHARUKUA:** Honourable Speaker that is the problem, might have taken. I have answered many issues, not all the issues. Now the Honourable Member with all due respect is really seeking me to determine which were answered and which not. I do not think that is my duty in all fairness, and when we say the questions have been overtaken by events, then I believe it should be pointed out that this question, this question has been answered out of the many this has not been answered.

I take it then that the Honourable Bishop perhaps needs more time to see which ones were answered and which not and the question can just stand down to the very last question and then we can take it from there.

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**HON SPEAKER:** Okay. Thank you. Thank you very much. I like the understanding that both of you have shown.

Question 31 is that of Honourable Jan Van Wyk. You put the question.

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**HON VAN WYK:** I put the question.

---

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HON VAN WYK  
HON BISHOP KAMEETA**

**HON SPEAKER:** Once again it is directed to the Honourable Minister.

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**QUESTION 31:**

**HON MINISTER OF POVERTY ERADICATION AND SOCIAL WELFARE:** Thank you very much Comrade Speaker. Allow me to respond to this Notice of a question 31 raised by Honourable Van Wyk of UPM with regards to a news story that appeared in the local daily newspaper the New Era newspaper on the 26<sup>th</sup> of February 2018. It was quite a long time ago. *“Man losses disability grant over alleged negligence was the headline”*.

**1. What measures would your Ministry take to ensure that such cases are prevented, as this is not an isolated case?**

Allow me to respond to the question as follows.

In accordance with the *National Pension Act*, 1992 (Act. 10 of 1992) Section 4(3):

*“a disability grant is paid to a person who has been declared either permanent or temporarily disabled by a State Medical Doctor.”*

The understanding of the temporary disability is that the person's situation would improve within the period declared by the State Medical Doctor. Should there be no improvement in the pension situation, the State Doctor should be revisited to reassess the condition. The period for which Mr Donovan Van Schalkwyk was recommended for the disability grant, was determined by the State Medical Doctor and it lapsed end of February 2018. The Ministry therefore advised that three months prior to the lapsing of the declared period the client should revisit the State Medical Doctor for reassessment. This will allow our Ministry to ensure that there is no interruption in payment in this regard.



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**RESPONSE TO QUESTIONS BY  
HON VAN WYK  
HON BISHOP KAMEETA**

**2. What measures would you take to assist families during such times that their little income is now jeopardised by whoever is negligence in your Ministry.**

With regard to question 2. Whether or not there was negligence. I wish to state that there was no negligence from the side of the Ministry as a period of the disability grant for Mr Donovan Van Schalkwyk Wyk had lapsed as determined by the State Medical Doctor. The incident reported by the New Era newspaper is not negligence. It was a matter of a delay by the beneficiary to subject himself to a State Medical Doctor examination following the expiry of his recommended period of disablement. A State Medical Doctor needed to declare the degree and duration of disability of the above said beneficiary in order to determine continuity of payment or stoppage.

**3. What action would be taken to reprimand the staff members involved?**

With regard to what action was taken to reprimand the staff members involved. I wish to state that there was no negligence from the side of the Ministry. The onus is on the beneficiary to seek another recommendation from a State Medical Doctor to extend the period of disability grant, which in this case was only done when the period of the disability for Mr Donovan Van Schalkwyk lapsed in February 2018.

**4. How many such cases were reported over the past two years?**

With regard to how many cases have been reported. It is difficult to highlight that as not all people declared disabled are permanently disabled. As in some cases, it is approved for a year or two and have to get re-evaluated and verified again by the State Medical Doctor, but those who are permanently disabled as declared by the State Medical Doctor just need to at least visit our Offices once a year to verify and confirm that they are still alive.

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HON VAN WYK  
HON VAN WYK**

**5. What curative action was taken?**

Lastly, I wish to share with the august House that Mr Donovan Van Schalkwyk was first registered in 2002 and his status was renewed in January 2014 for a period of four years. Hence that led to the lapse of the four year period in February 2018. Since the story has broken, the Ministry has intervened, and after the verification by our staff and declaration by the State Medical Officer, he has now been declared permanently disabled and will not be cut off, and only need to do at least one verification yearly for the disability grant to be continued, to be paid to him. From March 2018, he will start to receive his monthly grant, and I believe it has happened already from March 2018, he will start to receive his monthly grant.

In conclusion Honourable Speaker, Honourable Members,

I would like to thank you for the opportunity accorded to me to respond to this question and to this position and I want also to thank Mr Wyk for bringing up this issue. I am sorry that it took such a long time to come to the response of this question.

Thank you so much.

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**HON SPEAKER:** Thank you very much, Honourable Jan Van Wyk.

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**HON VAN WYK:** Thank you Honourable Speaker and I would like to thank the Honourable Minister for the answers given. However, I do have a follow up question Honourable Minister. I can confirm that the grant was paid for April, but there was no payment made for March and February so I just want to find out will the person still receive that grant for the two months.

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HON VAN WYK  
HON VAN WYK**

Honourable Minister just maybe for information we clearly understand what the *National Pension Act* is saying and this person was declared in 2002. This is where I too have a problem. It is 26 years old man bedridden for many years. Now I do not understand why the permanent disability was sort of made a temporary disability in 2014. There was an agreement that a social worker annually visit the house of the beneficiary to verify and then to send the Report to the Medical Officer. Now this was not done this time around and that is why I am saying there was certain extend of negligence at the side of the Ministry, so really. Three weeks ago I met another young man. (*Intervention*)

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**HON SPEAKER:** Is that related to this question?

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**HON VAN WYK:** It is related to this issue Honourable Speaker. Also according to me, I do not think that one can grow a leg over eight months. I do not think that is possible and how this disability can be seen as a temporary disability I do not understand, and this is what I want the Minister to look at. So sometimes I think the Medical Officers on the Reports that they receive they just sign without really checking so that is my plea to the Minister. Please let the Medical Officers and Social Workers really look at the problem. I hope to see the social worker tomorrow to find out about this matter, but thank you very much for the information.

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**HON SPEAKER:** Thank you very much. In the meantime I think the Minister is Office is there. You have raised this issue. Continue to inform him and provide the necessary information so that he can act on the matter so can we leave it at that.

I do not think there is a need for the Honourable Minister. You still want to come back, yes, please.

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**RESPONSE TO QUESTIONS BY  
HON VAN WYK  
HON BISHOP KAMEETA**

**HON MINISTER OF POVERTY ERADICATION AND SOCIAL WELFARE:** Comrade Speaker I am a politician, I nearly said by default. In this case I am here, but from my profession I should say there are certain things which really does not need Parliament at all. It is a matter of compassion. It is a matter of care, and we can contact each other anytime, anywhere and I will immediately also act and go to that particular person who is supposed to give report on this particular person, but of course, we depend very much also on the judgement of the State Medical Officer. If he or she says so then we cannot do something else but in this case, I think let us be open with one another and just talk to each other. We do not need really the Floor of the Parliament to address the plight of our people.

Thank you so much.

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**HON SPEAKER:** Thank you very much. With that understanding, let us move on. Honourable Venaani you put the question.

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**HON VENAANI:** I put the question.

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**HON SPEAKER:** Thank you. The question is directed to the Minister of Information and Communication Technology the Honourable Stanley Simataa.

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**QUESTION 34:**

**HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY:** Thank you very much Honourable Speaker and I will not repeat the questions because they appear on the paper in the order they

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HON VENAANI  
HON SIMATAA**

were raised, but before answering the two questions, let me advance the following and that is to confirm that indeed Namibia made substantial investment in establishing the submarine cable commonly known as WACS in full West African cable system. This notwithstanding however, it needs to be stated upfront that going forward, further investments are needed in future for a second cable system to secure the much needed redundancy to cater for eventualities, and to also ensure constant connectivity.

Our neighbour South Africa for argument sake, is connected to at least four different cable systems with no latency roots in different directions both on the west and also on the east. What also needs to be stated is that Namibia with a huge geographical area of about 825 000 square kilometres, and a low population density has low economies of scale and this is the biggest challenge that we have. This places a huge financial investment burden on telecommunications providers to provide affordable quality services particularly in remote areas.

**1. Why has the cell phone charges not decreased since the construction and operation of this cable?**

The question 1 then. In answering this question it needs to be acknowledged that there is a need to further bring down transmission costs as these have a bearing on the costs that are passed on to the consumer both in terms of voice and also in terms of data and like I said earlier on Honourable Speaker, the low economies of scale as indicated earlier continue to be a burden on our operators in terms of providing affordable services but we will not stop at that. I will indicate to you what will be done further in terms of the regulator.

**2. Can the Minister furnish to this august House the current cell phone charges?**

Your question 2. Unfortunately I did not bring a printed copy Honourable Speaker. I will have to switch to my e-mode and read the services that are

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HON VENAANI  
HON SIMATAA**

provided both by MTC and Telecom Namibia and it is going to be very much laborious. So I do not know whether I can provide the Honourable Venaani with these figures, and the other Honourable Members I will send it electronically, I am starting no papers. If the Speaker rules me Out of Order, I will accept such, but I am going to send it to the Table Office. They have all our e-mail addresses and that will appreciate the information that I am providing. Comrade Speaker I need your guidance in terms of the figures that I have here, because they are quite many and maybe I do not need to go through that.

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**HON SPEAKER:** Let me reassure you Honourable Member that we are committed to transform our institution in terms of e-Parliament, so let us make a beginning. That information would be available to everybody and we have the system in place, and Honourable Member is part of that list so we will be able to receive the information accordingly so you may proceed along those lines.

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**HON MINISTER OF INFORMATION AND COMMUNICATION TECHNOLOGY:** Thank you very much Honourable Speaker for your guidance, but I must admit now that I advance that to test the system whether our appetite for e-Services has indeed been cultivated, and it would appear that is the case. Thank you very much for your guidance.

So the figures will be indicated in terms of both MTC and Telecom Namibia in as far as it pertains to subscription fees, in terms of seven days, in terms of voice minutes that is now MTC, in terms sms and then the data in terms of megabytes and then the data in terms of social medial again in megabytes so that information would be provided.

In as far as Telecom Namibia is concerned again the same information will be provided per the different services that they are offering. Ranging

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HON VENAANI  
HON SIMATAA**

from Easy 10, Easy 20, Easy 50, Easy 150 but if you are not a subscriber to their services you will conclude that I am speaking Greek to you. It is not Greek.

I encourage Honourable Members to also subscribe by the way to both MTC and Telecom Namibia. You need to do that. It is our companies and we need to invest in that as Honourable Kapofi reminded us not so many days ago.

The next question of Honourable Venaani was:

**3. When can we expect the public or when can the public expect the decrease?**

Like I said earlier the cost of transmission will continue to be examined to bring about the desired reduction in the course of services that are being provided by the operators including those who will be entering the Namibian operator space, but on its part CRAN the regulator, has initiated a series of actions to this effect. The actions include the publishing of regulations on the sharing of infrastructure as I indicated yesterday, in 2016, because that was part of the cost drivers. You establish yours here, the other one does the same, but then at the end of the day you need to recoup the investment by passing it on to your clients so where you share the infrastructure, you then have the possibility of reducing the ultimate cost that needs to be paid by the clients.

In addition to that through CRAN we will soon be introducing number portability long outstanding issue in our domain, which once realised will provide consumers with the right to keep their numbers when changing Telecommunication service provider. Why should you change your number? It is already part of your DNA in terms of your identification so you can as well keep your number.

Secondly, remove the barrier that restrict customer choice and freedom because at the moment those barriers are there.

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HON VENAANI  
HON VENAANI**

In addition support economic growth also encourage participation in the communication sector also ensure fair competition and then finally, reducing the switching cost. Additionally, CRAN is currently drafting price cap regulations. So there are quite a number of positive steps that are still in the Office. Two weeks ago by the way, I also engaged CRAN and we will continue to do that to consider revisiting the current trend and those of you who are current in terms of development, IKASA in South Africa has just published the regulations and we will be doing the same.

If you buy data today but you do not fully utilise your data for the duration say one month, when the one month comes your unutilised portion of the data it is gone and that is very much unfair, because there is really honestly speaking no value for money because what is the harm in you being allowed or being given the latitude to carry over the portion of the data that you did not utilise. Really we are engaging the regulator, to then engage the operators here, and we will persuade them. We do not want to force things. We consult, we are transparent, but if at the end of the day people do not comply we will not shy away from using the full word of the legal provision to ensure that the desired changes are realised.

Really Honourable Speaker I hope and trust that I have managed in a way to reply to the very genuine questions that were raised by Honourable Venaani, and I would like to thank him very much for having posed the questions.

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**HON SPEAKER:** Thank you very much, Honourable Venaani.

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**HON VENAANI:** Thank you very much Minister for the very eloquent answers that you have provided, but your questions also demand a better study to study those things so that one can really have a better understanding, because the whole perception was created that when we



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**ADJOURNMENT  
HON PROF KATJAVIVI**

invest in this submarine cable things would be better but now I am hearing you saying that there is another investment needed and while there is another investment needed, you are talking about the economies of scale. So it comes back to the question why did we need to invest if our economies of scale and our size is not going to be assisted by this cable and now we have to reinvest again. I will let you go for now. I will analyse your questions and probably bring a Motion so that we discuss these cell phone charges, because these operators all of us that are having this 0811 numbers the money that we are paying on these things sometimes. "*pena outhue*" (there is trouble)

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**HON SPEAKER:** Thank you. Actually Honourable Venaani I have marked about three aspects relating to your questions. One charges not decreasing that is one aspect. The second one current cell phone charges, essentially some people are complaining. I am basically just elaborating what I am hearing, and then the last one the public perception what they are expecting somehow at the end of the day as you say to some benefit in terms of things decreasing, but again, we cannot make a judgement.

Honourable Minister responded in detail way and we will wait to look and scrutinise those responses, and then we can have another opportunity.

Now, we have really come to the end of the session, and I was going to suggest to take the lead from the Honourable Minister of Information to ask those other Ministers whose questions are on the table to do likewise, but I have been informed these questions will not lapse.

When we come back in June they can be dealt with. Do you agree with that? So since they are not going to lapse we will wait until we have an opportunity come the 5<sup>th</sup> of June.

With that understanding and really from the bottom of my heart everything. (*Interjection*) Everything. So with that, can we call it a day and I think a big thank you from the Chairperson and let me wish each and

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every one well. We will continue working. The House is going to be on recess but it is only for a month. We will be doing lots of work at the Committee level. So can I simply say with that, the House stands adjourned until the 5<sup>th</sup> of June? So decided happily.

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**HOUSE ADJOURNS AT 17:50 UNTIL 2018.06.05 AT 14:30**

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NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
05 JUNE. 2018

The Assembly met pursuant to the adjournment.

**HON SPEAKER** took the Chair and read the Prayer and Affirmation.

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**ANNOUNCEMENT IN TERMS OF RULE  
20 (A) OF THE STANDING RULES AND ORDERS**

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**HON SPEAKER**: Welcome back, be blessed and be ready for our assignments. A couple of announcements. I know many of you are invited to the State banquet for the African Gender award. This important event organised to mark the award to be given to Namibia by the African Gender Forum, a forum that we are familiar with in the context of Gender, is my agenda campaign and off course this award is given to Namibia for the outstanding progress made in promoting gender equality and women's empowerment. This event is taking place this evening, many of you are invited and I simply want to request that we get ready for that event by perhaps concluding in good time that we are not late. But again this is something that we all have to, I am not imposing that, I am simply saying if there is a consensus we can do that. I know that we have a big program before us but I am sure we can find a way to manage that, so as not to be late for the event. It does not happen often but it is one of those rare occasions for which we want to make sure that we attend. During the course of the afternoon we will see how it goes.

Apart from that, no birthdays, no announcements from anybody as far as I know (*Interjection*) yes Honourable Hinda, you want to draw my attention to somebody is birthday.

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**ANNOUNCEMENTS**  
**HON HINDA**

**HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION:** Yes, thank you Comrade Speaker. I think the Chief Whip had a birthday over the weekend, on Saturday, and I would appreciate if the Speaker can on behalf of the House congratulate her.

Thank you

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**HON SPEAKER:** Thank you very much. Happy Birthday and best wishes (*Applause*)

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**HON SPEAKER:** Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Deputy Minister of Finance.

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**TABLING OF REPORTS**

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**TABLING - REPORTS OF THE AUDITOR-GENERAL**

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**HON DEPUTY MINISTER OF FINANCE:** Honourable Speaker, Honourable Members, let me first of all welcome all of you back and let me continue with the report of the, let me lay upon the Table, the Report of the Auditor-General for NAMDIA for the Financial Year ended 2017.

I so Move Honourable Speaker.

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**HON SPEAKER:** Thank you.

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**NOTICE OF QUESTIONS  
HON VENAANI**

**HON MEMBER:** Who are the shareholders?

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**HON SPEAKER:** Notices of Questions? Honourable Venaani, welcome back.

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**HON VENAANI:** Honourable Speaker. Let me seize this opportunity to welcome all Members of Parliament to the House. We always call ourselves Honourable in this House. Our conduct should be in the interest of our populace, that we remain Honourable to those that have sent us here. Having said that it is going to be a season of fire and fury, holding Government to account and bringing alternative ideas. I would ask Ministers to be prepared. These stories of you always wanting written texts to go and answer, means that you are not conversant with the issues surrounding the Ministries, be prepared as politicians.

As a prepared leader on this side, I wish to ask two very important urgent questions, to the Minister of Finance of our Republic, Calle Schlettwein. *(Interjection)* Who said political points were expensive, nobody priced them as expensive.

Honourable Minister of Finance we are hearing from international media and national media reports that our Republic has been listed as a tax haven. Of course we are very well aware that there is a need for Namibia to comply with some protocol of the OACD but a very important matter has transpired that triggers these questions to be urgent.

**QUESTION 18:**

It is of the fact that MeatCo is international accounts in the United Kingdom (UK) are reported to be frozen?

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**NOTICE OF QUESTIONS  
HON VENAANI**

**HON SPEAKER:** To be?

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**HON VENAANI:** MeatCo. Meat Corporation international accounts especially accounts that they are holding in the United Kingdom (UK) are frozen, they cannot trade on those accounts because of our linkages to these tax haven criteria that the European Union (EU) has put. Now I am aware that we need to comply with the list of certain things and protocols. Will the Minister assure this country that we are going to comply?

1. Is it true that MeatCo is accounts are frozen?
2. What is the Ministry going to do to make sure that we get off that list, because I am also very aware that we are the only country in Africa that is on that list at this point in time?
3. What are the measures that we are going to do to address that?

First question.

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**QUESTION 19:**

The second important oral question Mr Minister. When His Excellency the Head of State, President Dr Hage Geingob had a very important visit to China. When you came back there were vacillating stories from the same Government. One arm of Government was saying we did not go there to borrow money, two weeks later we were told that money was borrowed, there were deals signed.

1. Can the Minister apprise this House and this House the country, how many deals were signed in China?

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**RESPONSE TO NOTICE OF QUESTIONS  
HON SCHLETTWEIN**

2. How much was agreed upon to be borrowed from China?
3. In which sectors are these monies spread, because when the President came here to give his constitutional mandated State of the Nation Address, he said that he is going to spend N\$5,600,000,000 on agriculture but the source of his agricultural modernisation plan was not very clear.

So we only assume that the money could have come from China. So can the Minister tell us, did you go and borrow money? How much was borrowed, in which sectors?

Thank you very much.

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**HON SPEAKER:** Thank you very much. Honourable Minister.

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**RESPONSE TO ORAL QUESTIONS**

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**HON MINISTER OF FINANCE:** Thank you Honourable Speaker. The Honourable Leader of the Official Opposition. I can first give you the assurance that all Members of this side for sure are Honourable and we want to state that your insinuation that we are not Honourable by alerting us to be Honourable is questionable.

To the two questions. Firstly, the listing of the European Union (EU) as Namibia being a tax haven, there are a number of things that I need to inform this House and with that the population.

The first thing that I need to state and I have said that in public on a number of times is that Namibia is not a tax haven. The definition of a tax

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**RESPONSE TO NOTICE OF QUESTIONS  
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haven broadly says that that tax jurisdiction receives money, investments from abroad with the purpose of giving tax holidays to this money and not for the purpose of investments or whatever. Namibia does not do that. In fact our tax regime is a transparent one and we have double taxation agreements with a number of European countries namely, Germany, France, the United Kingdom and they have full knowledge of what our tax regime is about. We, in terms of the double taxation agreements that Committee could disclose from our tax regimes and in fact they have the right to question any tax payer even their tax jurisdiction that is also a tax payer in our jurisdiction. They have not done so once with regards to allegations that we are receiving illicit funds from them, so it is important to state that we are not a tax haven.

Now how we were classified by the European Union (EU) therefore as a tax haven or what they call a non-conforming or non-complying tax jurisdiction has basically four elements. The first three are, the EU says we must accede and ratify three protocols. Now our stance for that is these protocols are probably good protocols to accede to, but because we are a Parliamentary system and because of the fact that Parliament has the power to ratify, we cannot just unconditionally say we will comply, and we will accede to these protocols, and probably we must go through a process where we evaluate and scrutinise these protocols and take them to Parliament for ratification.

That was not good enough for them. They said well we have to comply, take it or leave it. We believe that that is not proper, but having said so the protocols are protocols that are helping in transparency, are helping in actually fighting illicit funds flowing out of our tax jurisdiction on a global basis. So we are not in disagreement on the principles of the protocol but, we are saying that we must follow and as a sovereign we must be allowed to follow due process to accede to these protocols.

The fourth element concerns our EPZ scheme and our manufacturers' incentive schemes. Now the definition that we tailored our EPZ scheme around and our incentive scheme for manufacturers is tailored around the OECD standards of what a harmful tax regime is or not, and in terms of



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the OECD standards we were made to believe that we are complying with that. The EU changed those standards and they feel that if, especially the EPZ scheme is a harmful tax regime. We take issue with that and I am engaging them now to explain where we are coming from and what our scheme is about. In an effort to explain ourselves we arranged a meeting with our tax experts in Brussels with the EU through our Embassy there. Ambassador Mbuende led the delegation. They had an engagement for three days, an engagement to explain where the EU is coming from, we explained our point so it is important that that engagement is happening and the objective of that engagement is to get Namibia delisted as quickly as possible, because there are obviously some erroneous assumptions that underlie the classification of Namibia as a tax haven.

The way forward is that we exchange. We have now also approached the OECD to assist us in evaluating these protocols that they have and asked us to accede to. We will come back to Parliament with an answer on each of these three protocols that we are asked to accede.

So I believe that the issue is dealt with properly and I am confident that we will manage to get Namibia delisted before the end of the year that is my hope. The Council that sits, evaluates it on a monthly basis and whenever they are satisfied that the answers received by our country are now justified delisting they will do that. We were informed that will not be delisted, but we will be pushed to the grey list, and we have then time till the end of 2019 to be fully compliant to be completely delisted. That is the approach.

Now Honourable Venaani you said we are the only ones blacklisted, yes we are, but there are a number of African countries that are grey listed, so they are in a situation where they have committed to comply but they are not compliant. So we are actually in the same boat but as them, it is just an unfortunate happening that we were blacklisted and not grey listed because we are in exactly the same situation. We believe that Namibia is actually in a better position than many others because we are for sure not a tax haven.

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**RESPONSE TO NOTICE OF QUESTIONS  
HON SCHLETTWEIN**

The last point one needs to make is, of course that if you look for tax jurisdiction that are known to be tax havens, many of them are in Europe itself, and if we compare their tax regimes with ours the definition of the tax haven better fits their shoe than ours, and I think that is an issue that is to a certain extent irritating. It appears as if there is a judgement of some of some experts that the list of non-complying tax jurisdictions that were compiled by the European Union are basically smallish vulnerable economies that have very little to retaliate against that listing. All the big ones like South Korea, the United Arab Emirates and their own, Ireland, Netherlands, Isle of Man, there are many, who were not even asked to do anything in public, not listed anywhere. So I think that is where we stand with that one but we believe that it needs to be solved.

As regards to the Meatco accounts being frozen, we were given the surety that there are no sanctions against the listed countries while they engage. So I have to find out why that account was frozen whether it is in fact a direct consequence of the delisting which I doubt, but I will come back to you and give that information or to the House and give that information.

Honourable Speaker the second question on China and what we are borrowing from them and what we have committed to borrow. I may recall that the Right Honourable Deputy Prime Minister had an extensive Press Conference during which it was made very clear what we have achieved during that very important State visit, and what the scenario would be. From a financial point of view, we have not signed any new loan agreement with China. Our current exposure to China is 2.7% of the lowest and exposures that we have, but we have signed a Memorandum of Understanding with the China Import and Export Bank, through which we agreed to a process, a procedure that would be followed if we would access any financial assistance, any financial borrowing.

Well, it increases grants in facts, soft loans and commercial loans. So that is what we have agreed and I think that is proper. It is the second largest economy, it is good if we have relationships with that economy, that allows us access to their financial markets, it allows us access to cooperation's, it allows us to facilitate their investment in our economy

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HON SCHLETTWEIN**

and I think it is proper that we have a Memorandum of Understanding with that financial institution that facilitates that cooperation. That is what we have signed.

The second agreement that we have signed was a change schedule for the drawdown of a small loan that had been agreed in 2010 or so. I must really verify the date. It is a loan to facilitate and build low cost houses. The loan agreement had a time bound drawdown schedule. We had agreed with the Chinese authorities to extend that drawdown facility that that loan is an industry loan that that still is to our avail because of the great need to address low cost housing issues in our own country. So those are the two agreements that we did sign in China.

There were a number of deals if you call it like that signed by the private sector but that was done, none of them were of course committing the Government in any way.

Your last question how much to be borrowed. Every time when I table the Budget, we publish with the Budget a summary table that gives information from whom we borrow and what volume. That brings about the information on total debt, foreign and domestic. So it is a matter of the Budget what we intent in future to borrow from China. We have also informed during the Budget that in order to get the economy rowing again we envisaged some bilateral borrowing for infrastructure development some increased bilateral borrowing for infrastructure development.

We have started with the African Development Bank that is the N\$5 billion programme over five years. We said we need a similar amount to further boost infrastructure development but we have not decided from whom that would be borrowed, whether it is from the KW, from the French Development Bank or from China. So we will keep you abreast of what we are borrowing as the Budget and the Mid-Year Reviews roll on. So no confirmed decision to borrow anything from China specifically, but we have opened the door that that possibility is now available to us.

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Again I think it is proper that you have a number of options to your avail with whom you can negotiate the terms of your loan. Over and above the terms of the loan you must also negotiate the conditionality's of the loan and if it is for a specific infrastructural development projects, the more options you have the better you can compare and the better your ability to get the best deal. So I think there is only positive if one has opened the door to get access to that large market that is now available to Namibia. I hope I could answer your questions properly.

Thank you

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**HON SPEAKER:** Thank you. Honourable Venaani, a quick one?

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**HON VENAANI:** I did not know that the Minister was very diplomatic. I realise that he is trying to be very diplomatic with the purse of our country. I agree with you that Namibia is not a tax haven. In fact I am going to defend Namibia next week also at the European Union about these discussions, I agree with you, but I am very hesitant to accept Government's approach to say that by 2019 we are going to come right because, if the Meatco is accounts are already frozen it gives them liquidity problems, and if we are going to wait for the next six months to solve this story I do not think it is the right approach, that is one on the main question. The second question (*Interjection*) Yes I am very reliably informed that the reason for the freezing of those accounts is because of this and find out I will give you the benefit of doubt.

On the issue of China, I totally agree with the foreign policy of Government that China is a very important player, I agree that we need to engage them, the whole world is engaging with China, but I am against what the new Prime Minister of Malaysia has just said very fundamentally when he assumed power that China is an important trading partner of the world but a lot of deals are made in secrecy.

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HON SCHLETTWEIN**

- 1) It has been reported that we are going to borrow N\$1,000,000,000 for the road to the airport in the media.
- 2) It has been reported that you are going to improve rail infrastructure in Government Reports with N\$5,600,000,000 rail infrastructure from China, yet the Minister is saying we have just opened the possibility of a facility but yet when Government is reporting on how they are going to improve the infrastructure of this country you have even amounts, facts, to say that the airport is going to be renovated for this much, the rail is going to be improved for this much. So why are we being very diplomatic? Have we borrowed this money for the rail? Have we borrowed money for the airport upgrade? Have we borrowed the billions for the N\$1,000,000,000 airport road, yes or no?

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**HON MINISTER OF FINANCE:** Comrade Speaker, the answer is no those are the projects costs. We have not signed a single loan agreement for any of these projects with China. *(Interjection)*

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**HON SPEAKER:** I think we can leave it at that. We leave it at that. I was wondering with reference to Meatco. Meatco is part of the State in so many ways. If there are issues of concern how come they have not been able to take it up with the appropriate authority within the Government?

Honourable Venaani, I am saying if this is something that has become a major concern to Meatco, how come they are not forthcoming to talk to the appropriate authority within the Namibian Government? The fact that they have not been forthcoming means that obviously maybe the issue has nothing to do with what you implied, but we leave it at that. Honourable Kavekatora?

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**NOTICE OF QUESTIONS  
HON KAVEKOTORA**

**HON KAVEKOTORA**: Thank you very much Honourable Speaker. Listening to the discussion that has just concluded, I want to make a remark to say that there is no such as a free lunch in this world.

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**HON SPEAKER**: Are you speaking on the issue of *(incomplete)*.

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**HON KAVEKOTORA**: No just by the way *(Laughter)*.

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**HON SPEAKER**: Okay you lost me for a while.

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**QUESTION 49:**

**HON KAVEKOTORA**: Honourable Speaker, I give Notice that on Thursday, the 14<sup>th</sup> of June 2018, I shall ask the Minister of International Relations and Cooperation Honourable Netumbo Nandi-Ndaitwah the following questions.

I was reliably informed that plans are at put to repatriate yet another batch of Namibian human remains from Germany to Namibia. This time unlike before on the first such return was done at Tjavita Hospital this time the Germany Government and Namibian Embassy are using the Protestant Church as a venue for the handing over.

1. Could the Honourable Minister confirm or deny these plans? One can reasonably assume that these human remains are related to the OvaHerero and Nama Genocide and in our African culture, when death has occurred or when human remains of a deceased are to be repatriated the first instances that should be informed are the

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**NOTICE OF QUESTIONS  
HON KAVEKOTORA**

immediate relatives which in this case the Traditional leaders of the two ethnic communities. These remains are not ordinary issues or ordinary people but victims of a genocide war.

2. Have the Traditional Leaders of the two ethnic communities been informed and/or, if not yet, should they be informed and/or be involved in the repatriation of these remains as it has been done before?

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**QUESTION 50:**

On the same day Honourable Speaker, I give Notice that on the Thursday, the 14<sup>th</sup> of June 2018, I shall ask the Minister of Lands and Resettlement Honourable Uutoni Nujoma the following questions (*Interjection*).

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**HON MEMBER:** No it is Ministry of Land Reform.

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**HON KAVEKOTORA:** Land Reform yes, you keep on changing your titles like nobody's business. There are a number of OvaHerero from Botswana who expressed their willingness to return to their motherland:

- 1) Can the Honourable Minister inform this august House about the progress if any, or the latest update on the situation of the OvaHereros in Botswana who have expressed their willingness to have been identified for the return to the motherland?
- 2) Should these people be repatriated in the foreseeable future, would it not be good business if they are resettled because they went out now they are being resettled in those farms that the Ministry has

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**NOTICE OF QUESTIONS  
HON SCHLETTWEIN / HON KANDJOZE**

presumably bought or is planning to buy instead of having them to wait for de-bushing of uninhabited virgin areas, fencing off, drilling of boreholes and creating new communal areas which all should be very costly. Would the Minister have any objection to that proposal?

I so Move, Honourable Speaker.

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**HON SPEAKER:** Thank you.

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**HON MINISTER OF FINANCE:** Honourable Speaker if, I beg for your indulgence. I think there was one project mentioned by Honourable Venaani that is to be funded by a billion and that is the Airport road. I think there is some confusion, that N\$1 billion was offered as a grant from China during the visit to Namibia. I think this is important information that that is here.

Thank you.

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**HON SPEAKER:** Good. Yes Honourable Kandjoze.

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**HON MINISTER OF NATIONAL PLANNING COMMISSION:** Honourable Speaker, in relation to the same I think Honourable (*Interjection*).

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**HON VENAANI:** How much did you borrow?



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**NOTICE OF QUESTIONS  
HON KANDJOZE**

**HON MINISTER OF NATIONAL PLANNING COMMISSION:** No I cannot borrow in my personal capacity for I have no such resources but (*Interjection*).

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**HON VENAANI:** But you borrowed.

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**HON MINISTER OF NATIONAL PLANNING COMMISSION:** But we have not borrowed like the Minister has said. I think for your own convenience those are not agreements that are for certain people to read. There are three portions in that loan, not loan but grant not loan. Sorry I am speaking Otjiherero in English or Otjihimba in English (*Laughter*). So you do it often. Allow me then? There is a portion of the road from the airport road starting when the road turns off to the Airport right up to Dordabis that is the section of the road. So therefore that is a grant not a loan (*Intervention*).

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**HON VENAANI:** Do not point at me (*Laughter*).

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**HON MINISTER OF NATIONAL PLANNING COMMISSION:** Well but then I did not point with the intention to do grievous bodily harm, no but you did a dishonour for calling us dishonourable.

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**HON SPEAKER:** We leave it at that I think (*Interjection*).

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**NOTICE OF QUESTIONS  
HON VENAANI / HON NUJOMA**

**HON VENAANI:** Honourable Speaker?

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**HON SPEAKER:** Yes?

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**HON VENAANI:** Maybe on a lighter note when I talked about Honourables I know the other side gets jittery because of various reasons, but when I talk about Honourable all this side, all these Members are Honourable Members and all of us must act honourably. Let us not call each other honourable and act dishonourably. So when you give information give it honourably.

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**HON SPEAKER:** Okay I think we should leave that behind. I will call on the Honourable Utoni Nujoma.

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**HON MINISTER OF LAND REFORM:** Yes I welcome all the Honourable Members back to Parliament and including those who are illegally here, and they know themselves (*Laughter*). So Comrade Speaker, no somebody text me here I will not say the names, told me that there are illegal Members there, please tell the Speaker to get them out (*Laughter*). Comrade Speaker, I just wanted to answer Honourable Mike Kavekatora about this question on the repatriation.

I just wanted to inform you in advance that this is not the first time that we are receiving refugees in Namibia. Those who are willing to come, some of us were in exile for many years, so indicate your willingness to come. I am not in a position, I do not deal with external affairs, I do not know, but those who are willing to come they are most welcome.

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HON SCHLETTWEIN**

It is not the first time that we are dealing with people who are coming from Botswana. Many of them came and many of them went back. Some of them went back so it is not a new thing. Those who are willing to come they are most welcome. This is their country and we will try to facilitate their coming here. We will try by all means to facilitate once they are here but to ask me to deal with external affairs, I am not in that position to tell you how many are coming. They must just indicate that they are coming and the Government we will see what we can do.

Thank you Comrade Speaker.

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**HON SPEAKER:** Thank you. The question from the Honourable Kavekatora is actually a written question to be responded to in the normal way.

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**HON MINISTER OF LAND REFORM:** Yes just in (*Indistinct*) so that he knows.

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**NOTICE OF MOTIONS**

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**HON SPEAKER:** So let us move on. Notice of Motions? Honourable Minister of Finance?

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**HON MINISTER OF FINANCE:** Honourable Speaker, I give Notice that tomorrow, on the 6<sup>th</sup> of June 2018, I shall Move that this Assembly in line with Section 65:8 of the *Customs & Excise Act* agreed to the

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**NOTICE OF MOTIONS  
HON SHIFETA / HON NUJOMA**

Amendment of Government Gazette No. 6574 on Part 2(a) of Schedule 1  
*Customs & Excise Act*, 1998.

I so Move, Honourable Speaker.

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**HON SPEAKER:** Thank you. The Honourable Shifeta.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Honourable Speaker, I give Notice that tomorrow, the 6<sup>th</sup> of June 2018, I shall Move that this Assembly agrees to the ratification of the Southern African Development Community Protocol on Environmental Management for Sustainable Development.

I respectively so move Honourable Speaker.

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**HON SPEAKER:** Thank you. Next is Honourable Utoni Nujoma.

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**HON MINISTER OF LAND REFORM:** Thank you Comrade Speaker for the Floor. Comrade Speaker I give Notice that on Thursday, the 7<sup>th</sup> of June 2018, I shall move that this Assembly agrees to the ratification of the boundary treaty between the Republic of Namibia and the Republic of Botswana.

I so Move Honourable Speaker.

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**MINISTERIAL STATEMENT  
HON ESAU**

**HON SPEAKER:** Thank you. We move on. Messages from the Head of State? Ministerial Statements? Yes Honourable Bernard Esau.

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**MINISTERIAL STATEMENT**

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**ISSUANCE OF NEW FISHING RIGHTS**

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**

Thank you very much Comrade Speaker. I would also like to join the previous speakers in welcoming Honourable Members back to the session of Parliament. Having said that, Honourable Speaker, Honourable Members allow me to make a Ministerial Statement on the issuance of new Marine Fishing Rights in this Financial Year 2018/2019.

I have announced the periods of application for fishing rights and conditions to harvest some marine resources for commercial purposes in terms of the *Marine Resources Act* of 2000. This announcement is contained in **Government Notice (Gazette) No. 92 and 93** that was published on **Friday, the 24<sup>th</sup> of May 2018**, which is now a public document and that can be obtained from our Government Gazette Office at the Ministry of Justice or you can download it, it is online.

Fishing rights have been issued eight times since our independence in 1992, 1994, 1997, 1998, 1999, 2000, 2001 and in 2012. There is a total of 319 rights in our Marine Fisheries which were issued at different times as indicated. Several of these rights have expired in 2017, or are expiring in 2018 as well as 2019, hence the need to be replaced. These expiring rights are in nine fishery species namely hake, horse mackerel, monk, deep sea red crab, rock lobster, lion fish, large pelagic, mullets and seals (*Intervention*).

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**MINISTERIAL STATEMENT  
HON ESAU**

**HON MEMBER:** On moratorium?

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**MINISTER OF FISHERIES AND MARINE RESOURCES:** On moratorium. This is therefore the 9<sup>th</sup> time this activity is being undertaken. It is however, important to note that this is the first time that some of the old fishing rights have expired having attained the maximum 20 years in terms of Government policy and regulatory framework and hence are being replaced. Expiry of fishing rights and the public call that follows such expiry, allows Government to affirm the fact that our Fisheries belong to all Namibians and demonstrate that there is a time when all Namibians can apply including yourself as well and compete fairly for the fishing rights also. You as a Namibian unless you are not a Namibian, "*Hina kunyanda mekuraire mbwae*" (I am telling you, I am not joking). (*Laughter*)

All right holders whose rights have expired in 2017 or are expiring in 2018 and 2019 are attaining the maximum 20 years since date of first issue may apply afresh. They may apply afresh for new fishing rights in this Financial Year 2018, because this public call for fishing rights will not be repeated again come 2019. The 2018 applications for new fishing rights is open to all Namibians including the Opposition as well, and all Namibians especially (*Interjection*).

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**HON LIMBO:** We are Namibians as well.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Yes, very good. That is what we want to hear, that is what I want to hear. Especially the previously disadvantaged Namibians. All applicants will be treated equally whether they are applying for the first time or, the fishing rights have expired and are applying afresh for a new fishing right.

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HON ESAU**

All applicants must be a shareholding company (Pty) (Ltd), in terms of the *Companies Act* of 2004. Section 21 companies, Trusts or Closed Corporations, honest natural persons may be incorporated as shareholders in the applicant companies in the (Pty) (Ltd) companies. All shareholders in an applicant (Pty) (Ltd) company must be issued with share certificates and there must be a shareholder's agreement accompanying every application.

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**HON VENAANI:** What is in the shareholders agreement?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** I will come to the shareholders agreement if you want to say what is. It is standard. It is a template you can download it and you will know what it is all about. It is to ensure that there is corporate governance that they uphold to the kings reports.

- a) Honourable Speaker, Honourable Members, allow me to dwell a little bit on this point and explain as follows.
- b) **First:** There has been allegations that this requirement for a company a Pty (Ltd) is excluding economically disadvantaged persons from the application process. This is not true. Individual natural persons, Closed Corporations, Trusts and Section 21 companies are allowed to apply for fishing rights as shareholders in the Private Limited companies.
- c) **Secondly:** The requirement for PTY (Ltd) or companies is actually meant to protect the vulnerable persons and communities as shareholders in a right holding company. Comrade Speaker, there has been a practise in the past whereby once a public call for fishing rights is issued, some applicants approach vulnerable communities to join in

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HON ESAU**

them in their bid for a right and promise them a certain shareholding e.g. 10-20% or heaven on earth in the fishing sector. They do this because they know that due consideration is usually given to applicants who are inclusive of marginalised communities. However, once the right is awarded, they start exploiting these vulnerable communities from benefiting from the dividends, do not involve them in their Board of directors meetings, and do not call them for AGMs just to share with them the information financial and otherwise.

They only give these vulnerable persons small tokens of money as Corporate Social Responsibility (CSR) that is what they are claiming here, and not as shareholders. I think that is really not empowerment. We really want empowerment to go down, that our communities should also know the technical knowhow of management, how are fishing companies managed, they must know how processing of fish takes place, they must know as shareholders. **This practice must come to an end forthwith.**

- d) These unfair practices happen because the legal framework for cc, trust and Section 21 companies does not include the issuance of share certificates and does not have obligations to submit Annual Reports on audited financial statements. We saw that, we have seen in our legislation there is a loophole, they are not even required to call for meetings sometimes, they do not, the Members are not called, and neither AGMs are called. In brief, it is difficult to enforce corporate governance, and hence fairness to vulnerable shareholders in a cc, trust or Section 21 company. I have a long list of beneficiaries who have submitted complaints to the Ministry of Fisheries and Marine Resources on this matter. When I was at the coast I received a list as well. At this point I must also mention that we have issued letters to all cc companies to convert their companies into Pty (Ltd) companies with shareholder agreements. I know there will be a lot of outcries outside, but they have to convert for us to take control of the situation.



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HON ESAU**

- e) **Third:** I consider that applicants for fishing rights are serious entities, which brings together several natural persons willing to cost-share the process of application for Pty (Ltd) registration. They must be serious in compiling a business plan and also preparation to do a costing of this venture that they want to enter into, because in business, if you want to move into business, you cannot just say you can get a paper and go and trade this paper for whatever money, and at the end of the day you have not created jobs, you have not done anything.

**Honourable Speaker, Honourable Members;** in terms of our *Marine Resources Act*, 2000, once a person is issued with a fishing right, they are expected to be directly involved in fishing, processing and export activities - not to sell their quota to other right holders, as this defeats the purpose of empowerment, it defeats the purpose of Namibianisation in this very fisheries sector. It is difficult also to conduct export business or to negotiate with banks and other activities as a CC. This '**ability to exercise a right**' is another reason why I have put the Pty (Ltd) condition. In fact if you go through the *Marine Resources Act*, one of the criteria's that you will be evaluated on is your ability to exercise that right that will be given to you to go and fish, and if you cannot prove that then it is tough luck. We all need to work together to ensure that our economically vulnerable persons are empowered to organise themselves into legal entities, which can transact international fisheries business, if they are to avoid being exploited by experienced right holders.

**Honourable Speaker, Honourable Members,**

- f) I am open to suggestions on how we can protect vulnerable communities from exploitation by elites in fishing rights, in ways other than through Pty (Ltd). I am keen to listen to Honourable Members and stakeholders on alternatives to the Pty approach, which are legally enforceable. Nothing is set in stone, but the options must be viable and legal, because we are really getting a lot of complaints in the Ministry, and you must have read the newspapers on this matter as well. I do not know how, but we are open to discuss this matter, but we cannot

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HON ESAU**

give in fact, people the opportunity to exploit others. The exploitation of men to men must come to an end. I think that must come to an end from that angle. I have also expressly excluded natural persons who currently are shareholders in rights which are not expiring in 2019, from applying for fishing rights under this Government Notice. This measure is aimed at ensuring that persons with shares in existing rights do not get new rights, whereas we have many Namibians without shares in fishing rights. **If you have a fishing right, do not apply for a new one,** *(Intervention)*

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**HON MEMBER:** Why should we not apply?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** **Otherwise your application will automatically be disqualified.** Let the Namibians who have no fishing rights also try and get a fishing right. If you are in fishing please do not apply, give the people the opportunity to apply.

Companies which are listed in any stock exchange are not eligible to apply for fishing rights under this Government Notice, or to be shareholders in any applicant company. This measure is taken in line with our *Marine Resources Act*, 2000, which requires the Minister to determine whether or not an applicant for a fishing right, or fishing quota, is a Namibian citizen. Ownership and hence citizenship in a company listed in a stock exchange changes by the hour, hence this legal requirement cannot be met by listed companies. We all know that if you go to the NSX or the JSE, or to any other stock exchange you can buy shares there, but our law *(Interjection)* correct, you are right on that, and the law stipulates or states that, any change of ownership in a fishing company per se, must carry the blessing or approval of fisheries. There you do not have any control on ownership changes. Somebody can come and buy the whole shares of the company on stock exchange and ownership has changed, "*Opuwo*" (that's that).

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HON ESAU**

Companies which are re-applying for fishing rights are required to check if they have fulfilled conditions of their existing, or just expired rights, as this will be a key consideration in evaluation of such applicants. For sure if you have made promises that you will build a school there and your right has come to an end, take cognisance of the fact that this is the time for us. Government must check it out, it is not corruption but we have to check that we are really addressing our issues there. I am keen to protect current jobs for sure, you said you will create jobs let us see the jobs, if you did not create any jobs tough luck and we are also keen to protect investments in the sectors, but also ensure inclusivity and broad-based participation in the sector.

I am aware that there will be those who will apply for the first time without any experience in the fishing sector, and those who will apply with a lot of experience in the sector. I am determined to treat all applicants equally, to protect the jobs and investments in the sector, but also to give an opportunity to new entrants who are serious in investing to develop our Namibian fisheries.

As stated before, all Namibians are welcome to apply for fishing rights, under the conditions stated in our Government Notice 92 and 93 of 2018. I particularly encourage applications from previously disadvantaged Namibians who are women, youth, people living with disabilities, liberation war veterans and people living in economically marginalised communities.

For those applicants who may include a trust in their shareholding structure, it should be operated by trustees who are beneficiaries themselves, democratically elected by beneficiaries. I also advise applicant companies to consider setting up workers trusts operated by trustees who are workers, democratically elected by workers and account to the workers.

The procedure for application for fishing rights in 2018 is straightforward. All applicants will fill 9 forms, published as forms 1A, 1 - 8 in the Government Notice 92 and 93 of 2018, and also include a bankable

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HON ESAU**

business plan, because you must know if you go into a business what is the nature of the business. You cannot go into the fish business to sell your quotas and things like that, no. We want to see empowerment in the real sense of empowerment.

I have taken measures to ensure that all Namibians who wish to apply for rights are trained on how to apply by officials from the Ministry of Fisheries and Marine Resources at a venue in each of the 14 Regions in Namibia, on dates to be published in the newspapers and other mass media. **Anyone who wishes to apply for fishing rights in 2018 will be trained how to do so and provided with application forms right in their Region of residence.**

I have also taken measures to facilitate the application process by appointing rights application officials in some form of retaining officers. In every Regional Governors' Offices to receive applications and issue attestations to all applicants, this measure will save Namibians from travelling from distant Regions to Windhoek to make applications for fishing rights as was the case in the past. In short you do not need to travel to Windhoek to apply for a fishing right you can apply right in your Region.

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**HON VENAANI:** Which Region?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** In your region Erongo. After the application process is closed all applicants will be published in a Public Web (Internet) portal and all successful applicants will also be published as well for everyone to know.

The deadline for the applications is 31<sup>st</sup> July 2018, which allows all applicants at least two months to prepare the documents required and submit their applications in a timely manner.

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HON ESAU**

The fact that someone's application for a fishing right is unsuccessful does not simply imply that they cannot continue participating in the fishing industry or that their investments in this sector are no longer required. The Fisheries sector comprises of several levels in the value chain beginning with fishing where fishing rights are exercised, processing, logistics, supplies and many other economic activities. Many of the large investors in this sector are in fact operators they are not right holders. They are processors they are not right holders. They are suppliers and logistic companies who do not have fishing rights.

I wish to reiterate that Namibians can benefit from and participate in fishing sector in more ways in addition to the ownership of fishing rights. Namibians can participate in providing goods such as food that includes cereals, vegetables, fruits and meat, stevedoring services and other services such as logistics, warehousing as well as value addition activities that is required in this very fishing industry which are collectively valued at N\$3,000,000,000 in addition to the N\$10,000,000,000 forex earnings in our fisheries sector.

I also wish to state at this point that this very sector through its contribution to the GDP is also for sure contributing to fiscus and the fiscus contribution is normally distributed for developmental programmes etcetera and we all benefit in that fashion from this very sector.

I wish to state that owning a fishing right does not imply that a company or a person will be automatically allocated a fishing quota annually, light of the SCORECARD on periodic evaluation of performance of fishing right holders, the amount of fishing quota allocations to each right holder shall depend on their performance against the eight criteria's outlined in the SCORECARD. I will outline the SCORECARD conditions to our august House at a later stage.

In summary, I intend to ensure that the 2018 applications for fishing rights is fair, is transparent and is aiming at protecting jobs and investments and allowing all Namibians a fair chance to participate in developing our fisheries sector for the benefit of our present and future generations.

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ON MINISTERIAL STATEMENT  
HON VENAANI**

**Honourable Speaker, Honourable Members,** I so submit.

Thank you for your attention.

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**HON SPEAKER:** Thank you very much. The concluding questions, Honourable Venaani?

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**QUESTIONS AND COMMENTS ON MINISTERIAL STATEMENT**

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**HON VENAANI:** Honourable Speaker, this is a very important topical issue to be addressed just through a Ministerial Statement, why? There are a lot of fundamental issues that are not very clear and I would like to dissect them as they are coming briefly.

One - is the fact that we are talking about the inclusion of marginalised people into the mainstream economy or into the fishing sector. Now the minute when you talk about marginalisation we are talking about young people who cannot pay for their school fees, university fees. The youth that must also partake. How does the youth get it right to register a Private Limited Company that roughly costs between N\$18,000,00 to N\$25,000,00 depending on the auditors that you are approaching to create this company for example, one?

Two - there is also this culture that has entrenched itself in Namibia and that is the culture that even those that are black millionaires would still continue calling themselves previously disadvantaged. The perpetual you cannot be perpetually disadvantaged. (*Interjection*) You call yourselves, people like Nekundi, cannot call themselves previous disadvantaged if they are multi-millionaires. (*Interjection*) He is not. You are not.

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HON VENAANI**

You were previously disadvantaged until you sorted yourself out.  
(Intervention) I am not referring to you as a person I am just talking to you as an example.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** For example.

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**HON VENAANI:** Yes. So I am trying to say that when we are speaking of one thing to try to help the poor, the marginalised of our society and then we are putting a standard that we you know clearly that, if you are talking about a marginalised society it cannot match a Pty (Ltd) for a variety of reasons. So how do you make sure that these people will continue to benefit. What you would have is what Tjipangandjara wakavendjira contemporary of Shakespeare in Otjiherero would say (*Otjiherero*) (a one eyed person in the land of the blind.) This is what we are going to perpetuate. Those that are having fishing rights, that are having jobs to protect, that are having vessels would now start in thinking, okay Honourable Asser Mbai come on board, you and you come on board and these people would continue to be exploited. When you speak of wanting to include the marginalised the Minister should speak to the Minister of Trade and Industry.

In Trade there is something that you call you can harmonise Closed Corporation (CC) rights to say that all CCs that are applying for the fishing sector can have different criteria like providing audited statements those things that you can include in making sure that you protect the marginalised, but to tell me today that a San Community in Tsumkwe would get it right to apply for a Pty (Ltd) in this country, “*monyanda uriri*” (you are playing), it will not happen, not even in the next two months. So I am saying that we need to seriously relook at this in this matter, open it for discussions that Parliament really discusses an

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HON MUHARUKUA**

inclusion of our marginalised society in broad terms, address all aspects before we start saying people should start applying. By saying that people should start applying in the next two months you are giving those one eyed in the land of the blind to take the lead, and what is then being tried to be prevented would reappear again. So I am saying to say that we would continue, we are leading from this front to see that.

There is a need, in conclusion there is a need for us to discuss the criteria of the fishing rights. As they are standing they are not going to benefit those that are marginalised in our society. *(Intervention)*

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**HON SPEAKER:** *(Speaker talking on the phone).* Honourable Venaani. I am so sorry, as you were just about to conclude I got a call which I could not refuse to respond to, so it was not a discourtesy to you Honourable Member but I heard your contribution. What I would propose because I do not want us to continue debating on this. What I am trying to say is the Minister offered to come back with a detailed presentation so do you want to respond?

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**HON MUHARUKUA:** Honourable Minister thank you for the information that you imparted to the nation. There are two clarities that I have. One is a concern and the other is clarity.

The concern is the following. I understand that amongst the criteria is the need for a person to show the ability to conduct the business. Now just at the top of my head one of the things that if you are to fish, unless obviously you are going like Kandjoze to fish with a fishing line, you have to have a fishing vessel. Now broadly speaking, I for one do not know a single person who owns a vessel.



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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON MUHARUKUA**

**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**

From Opuwo.

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**HON MUHARUKUA:** Yes in fact there is no one from Opuwo that owns a vessel maybe Uncle Mike I do not know (*Laughter*). So that on its own in my respectful view Honourable Minister, why should it not be thought it is broadly discouraging to the very groups that we want to bring to the fore in this industry. I will take an example of what happens with the Ministry of Land Reform. When the Ministry of Land Reform resettles someone, they have an arrangement with the Ministry of Finance through Agri Bank where the Board sits, and there is a specific allocation of I think it is a post resettlement loan. Currently it is N\$200,000 before it was or it is thought to be going to N\$500,000, but that is to ensure that these people that are resettled are able to stock their farms and are able to farm productively.

Perhaps it would be prudent for the Ministry to have a systematic approach as to how to help the individuals that are applying to start with, maybe through the DBN for the DBN to be able to give that undertaking say for instance to 20 companies and say that, if you are 20 companies that applied and do not have a vessel, we undertake to perhaps give you a loan to be able for you in a joint venture with one another using your rights or your quotas that you will get after that to buy a vessel. That, in my view will take away this concern that we have or a legitimate concern where our people gets the rights, the quotas and then after that look for a foreigner and sell this through or allow this person to fish perhaps exploit the quota or the right. Maybe that approach must be looked at.

The other concern, or the question is the following, marginalised, perhaps quite similar to what the Honourable Venaani has indicated. You see if you look at the Constituency of Epupa, it is classified as the poorest constituency in the country. Now I am from that constituency, does that mean I qualify as a marginalised person because I am from that poor

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community? We have this term that we use, marginalised but we do not really define it. Sometimes we say any San person is marginalised, are we classifying the Honourable Royal !Ui/o/oo as a marginalised person as opposed to, say for instance, anyone else who is a have not. Perhaps we must clarify what we mean by these terms so that these terms are not used to prejudice others and unduly advantage others that should not get that preferential treatment when they are already empowered.

Honourable Speaker, those were the two things that I wanted.

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**HON SPEAKER:** Thank you very much. I think we will not do justice to the topic. Those comments obviously the Minister will take note of that. We might have to find an occasion to deal with that. Yes please, Honourable Madala Nauyoma.

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**HON NAUYOMA:** Thank you Honourable Speaker, I do not want to repeat what my colleagues have said but I have got some issues that I want to bring to the attention of the Honourable Minister.

As we speak we hear already people running around collecting names of the so called marginalised to bring on board. You see the trend already. (Interjection) No, we have evidence on some of the issues that is one.

Two, I do not know how old the Pty (Ltd) Company will be because as matters stand presently in Namibia very soon we will hear some briefcase Pty (Ltd) Companies established overnight to get access to these resources. Do we have maybe companies that are registered ten years ago, or two years ago or only even the companies that are registered today as a Pty (Ltd) to be considered on these ranges because if that is the case I still subscribe to what the Honourable Venaani is talking about to say no those with one eye will continue to be kings in the land of the blind because we

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know that most of our communities cannot afford to put up a Pty Company. *(Interjection)* we are talking about serious issues people are concerned out there about these things.

Another issues is how is the fish stocks or we are just talking about these things Honourable Minister and the *(Interjection)*.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
There are no quotas.

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**HON NAUYOMA:** There are no quotas these are previously, are we *(Laughter)* those are the only concerns Honourable Minister that I have.

Thank you Speaker.

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**HON SPEAKER:** Thank you very much. We leave it at that I think the Minister is more than willing to come back with a detailed presentation. We will have an opportunity. *(Interjection)*

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**HON LIMBO:** On behalf of the Women?

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**HON SPEAKER:** You want to respond now?

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**HON LIMBO**: Yes, Honourable Speaker.

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**HON SPEAKER**: Okay let me take one more and then the Minister can respond.

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**HON LIMBO**: Thank you Honourable Speaker. I just want to speak on behalf of the women (*Interjections*). Yes because, yes please listen to what I want to say. I know the majority of the people who are (*Interjections*). I am not Mike I am Agnes. I just want to say the majority of people who are having the fish rights now or those who have expired I bet they are men, and I know they have been trying to bring in few women and some of the women who were brought in were exploited because they have been going into rural areas picking names, just to be seen that I have a group of women, I have a disabled person, I have a San person, but these people have not benefitted as compared to our male counterparts. So Honourable Minister I want to appeal to you, I think what the colleagues are saying that all of us cannot forever be called disadvantaged.

I am one of the people who came with colleagues from exile and all of us were disadvantaged, and today the majority some of them men more especially, are no more classified as disadvantaged. They are more advantaged (*Interjection*) yes than us, some of the women who came with them because they own the fish quotas, they own diamond quotas whatever you call them, the farms and everything. So I think this time this is going to a test to see whether what we are saying is correct.

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**HON SPEAKER**: On a Point or Order. Honourable Hinda, yes.

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION:** I need a bit of clarity was this not a Ministerial Statement and it was said that the Minister will come back for Debate next time? I think I want to understand if it is a Ministerial Statement this discussion certainly will have its right time to be taken up.

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**HON SPEAKER:** Absolutely, thank you very much. Honourable Limbo, can you conclude?

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**HON LIMBO:** Thank you so much Honourable Speaker. You know this is why we do not vote one another, because I am trying to speak on behalf of, me as a woman and another woman is trying to disturb. My sister, what is it, ha? What is it? *(Laughter)*

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**HON SPEAKER:** Thank you very much. I think for those of you who did not have the benefit of attending a very exciting seminar this morning addressed by the former President of Liberia where all women gathered there, and that is why the Honourable Limbo is referring to the solidarity of women. Is it not? Okay but the solidarity is always there and it will continue to be there. Honourable Minister please?

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**RESPONSE TO MINISTERIAL STATEMENT**

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
Thank you very much Comrade Speaker for the Floor.

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HON ESAU**

I would like to thank the Comrades as well, I mean the Honourable Members who took the Floor to register some concerns here and there and support as well. I want in fact to refer the House to the Act, to the *Marine Resources Act*, 2000 (Act. 27 of 2000). Let us call it Clause yes 33 on page 18. You go to Sub 4 (a) to (l) that will inform you. The issue of ability is under 4(d):

*“the ability of the applicant to exercise the right in a satisfactory manner.”*

I think we cannot really try to say we must now work outside the law. This law we administer and we have gazette it in fact. The Gazette is in line with the law. In terms of the ability Government to give there are institutions, DBN is there. You are correct you can talk to them if you are really serious about business. Go and talk to them for collaterals. You talk to the financial institutions. You talk to the industry as well. Talk to those who have to share, and I want also to make an appeal to the industry to be in solidarity to the new people, because if they do not have women let them include women in the ownership. If they do not have War Veterans let them include those and apply as a collective. We know that we are one, why can we not do it collectively. I know there are lots of Comrades here also in the sector not only from this side, that side as well, *(Interjections)* oh yes I do not want to disclose this matter. That side Comrades, they are there. They are there.

Having said that, in terms of the age of companies Comrades you can register a company today, get it registered today you can apply because that company is just as good as a company of ten years. It can be one day old, but you know the company must have its documents. It must prove it. We will cross check it with Trade and Industry yes we have to check for it the company is registration, it must be in good standing. It is true people are running around now to compile some, what is it, people must join my company, we are called, can you give us names of people whom I said no.

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In terms of fish stocks they are health. I have stated it here. Every year we carry out surveys so the surveys are informing us that our stocks are health with the exception of pilchards and the exception of orange roughy, those two. That is why they are not partly captured in this very notice 90.

Inclusivity, marginalised communities, the cost of registration of Pyt (Ltd) Companies, Comrade Leader of the Official Opposition PDM, PDM neh, or is it DTA? *(Interjections)* Oh, okay so it is so. Those ones have been captured very well in the gazette. We want to see that we are all inclusive and hence the move towards Pty (Ltd). I know that is expensive but some businesses are very expensive. You cannot go into banking if you do not have money. You can still talk of marginalised people because, *(Interjections)* well, Comrade we can speak of marginalised communities, disadvantaged people because this thing is generational.

My parents were not rich, your parents were not rich maybe cows, cattle and what and what but it was not rich. But we are always open as I have said to discuss one to one on these matters we are available for discussions. One to one as I have said we are available to discuss. I am always *(Interjections)* open unless if you want to amend the law here. *(Intervention)*.

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**HON SPEAKER:** Thank you very much. The Minister did offer to come back with SCORECARDS and further details. There will be another opportunity for now let us move on.

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**HON SPEAKER:** First, Notice of a Motion is the one of the Honourable Muharukua. Does the Honourable Member Move the Motion?

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**CONSTITUTIONALITY OF THE REDLINE  
HON MUHARUKUA**

**HON MUHARUKUA**: Honourable Speaker, perhaps before I give my answer to the question let me perhaps put a caveat and a motivation to the answer. Yes the question is, do I Move the Motion?

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**HON SPEAKER**: Okay.

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**HON MUHARUKUA**: I had the privilege to be invited by the Honourable Minister to his Offices knowing how close the issue is to my heart. We had I think about an hour and a half consultation with the Chief Veterinarian and have duly really enlightened me as to how far the process is in addressing the concerns that the Motion thus addresses. The points of the Motion and any other contribution that the PDM made is to ensure that what we do here works for our populous, and I believe it is in good faith that the Minister has taken that approach and we have made an undertaking with him that we shall not Move the Motion pending the request that I made to himself and also the people of the Ruling Party, that his technocrats will come to Parliament, address Members of Parliament on what he had informed me and after that we will charter a way forward into as to whether the Motion will stand as it is or shall be Amended or whether there is no need to move the Motion.

As a result of that Honourable Speaker, I shall not Move the Motion and I shall duly withdraw the Motion until such consultation has been done.

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**HON SPEAKER**: Thank you very much, that is the spirit, when in doubt consult. So for now this Motion is off.

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**HON MUHARUKUA**: Yes.



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**HON SPEAKER:** Until further notice. Well done and thank you.

The second Notice of a Motion is the one of the Honourable Muharukua.

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**HON MUHARUKUA:** Thank you Honourable Speaker. Honourable Speaker, thank you for the opportunity.

Honourable Members, Honourable Speaker at the outset it is proven to state that it is not the object of this Motion to be accusatorial (*Intervention*).

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**HON SPEAKER:** No I think we are missing a point. I am basically just asking, do you Move the Motion?

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**HON MUHARUKUA:** Yes I truly Move the Motion, Honourable Speaker.

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**HON SPEAKER:** Okay who seconds? Any objection? Agreed to. The Honourable Member does have the Floor now.

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**LEVEL OF CORRUPTION IN NAMIBIA, ITS IMPLACT ON OUR  
ECONOMY AND THE EFFECTIVENESS OF THE CURRENT  
EFFORTS TO DEAL WITH CORRUPTION**

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**HON MUHARUKUA:** Yes thank you Honourable Speaker. Once again at the outset it is prudent to state that the object of this Motion is not to be accusatorial antagonistic or to fight corruption in this Parliament as if it were to create the impression that this Chamber is the incubation centre of corruption, and the den of the corruptible, but it is the absolute object of the Motion for Namibian leadership to harness political will and collective resources to root out corruption.

Now the question is what is this thing that started rearing its head becoming bigger and bigger like a snowball in motion. This beast that has entrenched its roots deep into almost every parastatal, public procurement contracts and seemingly at most levels of our political leadership. As far as this Motion is concerned Honourable Speaker, Honourable Members, my approach shall never be to delve into specific allegation of corruption but rather it shall be to address the perception of the public out there how leaders are addressing the question of corruption.

Of course one or some would argue that perception is irrelevant, but rather what is actually happening on the ground. I would beg to differ with such view because people must see their leaders not only to think about the next election or their own values but rather that leaders are thinking about the next generation. Leaders will silence the voice against corruption, create the impression that they are amongst the exclusive few that clings to corruption and admire their wealth corruptly and deceitfully acquired, it is worth noting at this point that they would be on the wrong side of history.

Patriotic leaders rather must always be ready to defend their country from corruption. This will require high level of self-worth, dignity and moral fortitude from each and every one of us here. It should be a struggle for which each one of us should be prepared to starve, to be politically alienated and to be persecuted. Frank Serpico once said:

*"The fight for justice against corruption is never easy. It has never been, and never will be. It exacts a toll on ourselves, our families, our friends and especially our children. In the end I believe as in my case, the price*

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*we pay is well worth holding on to our dignity.”*

Honourable Speaker, Honourable Members, of course there are good aspects about the fight against corruption and Government keeps citing the favourable statistics whilst ignoring the not so favourable. Yes we have a robust Anti-Corruption Legislation. We have the Anti-Corruption Commission (ACC), we have cases being prosecuted and so forth. Lately we have heard of letters written to Ministers to answer on allegations from the highest Offices. Lately, (*Interjections*) Honourable Prime Minister should I put the paper down and start talking to?

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**HON VENAANI:** We can start talking.

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**HON SPEAKER:** Is that a Point of Order?

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**RT HON DR PRIME MINISTER:** It is a Point of Order, Honourable Speaker just to say that, I find it to be somehow, how do I say it, inappropriate that certain people are singled out to be called out the moment you, as much as utter a word when another person is on the Floor. Interjections are allowed in this House, and there are Honourable Members who have a habit of trying to call others out every time they Move and Honourable Muharukua is one of them who calls out the Prime Minister all the time.

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**HON MUHARUKUA:** Okay I think I do not know whether I have mentioned the Prime Minister’s name, or it is revenge, okay. I do apologise for the past times. like I said Honourable Prime Minister it is

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not my intention to call out anyone's name in this motivation and neither to delve into any specific allegations on corruption. (*Interjection*)

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**HON VENAANI**: Well we will call them out very soon.

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**HON MUHARUKUA**: Others can do that but I would not do that. Honourable Members I ended where I was saying, and lately yes, we have heard of letters being written to Ministers of Cabinet from the highest Office in the land. We do hear that we have Ministers that will appear in Court, rumour as it is. (*Interjection*)

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**HON VENAANI**: Call them out.

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**HON MUHARUKUA**: All these are good efforts to combat corruption, and conversation must be heard to improve these efforts and to improve on the negative (*Intervention*).

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**HON DEPUTY SPEAKER**: Point of Order.

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**HON SPEAKER**: Yes on a point of order the Deputy Speaker.

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**HON VENAANI:** Why are you protecting people?

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**HON DEPUTY SPEAKER:** We want the Honourable Member to withdraw that some Members are to appear before the Court. The whole thing is not (*Indistinct*), he must withdraw it. He must withdraw when you say (*Interjection*).

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**HON VENAANI:** Did you listen to what he said? (*Laughter*)

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**HON DEPUTY SPEAKER:** No he must not mention the case which is before the Court whether that the case is (*Interjections*)

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**HON VENAANI:** There are many cases, which one did he mention?

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**HON DEPUTY SPEAKER:** He did not, he must withdraw it.

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**HON MUHARUKUA:** Honourable Speaker, I will withdraw the statement that it is a step in a good direction, paraphrasing and we are hearing of rumours of things that Cabinet Ministers will appear in Court or perhaps already have. I withdraw that if that (*Indistinct*).

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**HON SPEAKER:** Thank you very much well done, proceed.

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**HON MUHARUKUA**: But I shall get back to it. Where was I? Yes, All this as I said all these are good efforts and conversation must be had to improve on the steps taken thus far and to improve those negative connotations that Government readily stays away from.

As I indicated earlier Honourable Speaker, Honourable Members I intend to look at how the public views the steps that have been taken thus far in combating corruption. We have a robust legislation that creates a body called the Anti-Corruption Commission. The questions perhaps that lingers in answering the public perception of these bodies are the following:

- Does the Anti-Corruption Commission target the elite with gloved hands and bigger against the ordinary man?
- Is the Anti-Corruption Commission really an independent body or is it a body that is so susceptible to political meddling, that it only really wants to do its work when it is politically expedient for some and not others?
- What does our public perceive the Anti-Corruption Commission to be?
- Does the Anti-Corruption Commission treat high profile cases with a requisite attention that it needs, or the same attention as those that are not so high profile? (*Intervention*).

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**HON VENAANI**: If you in SWAPO you are (Indistinct).

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**HON MUHARUKUA**: The crux of these questions of the perception of the Anti-Corruption is the question as to whether the public have faith in the Anti-Corruption Commission in its present state and with its current

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record? Could it perhaps be time that this august House must discuss possible term limits for the Director, General I believe now of the Anti-Corruption commission. That, such person serves a period perhaps of no longer than two terms of four or five years. Lord Atkins once said not something that I believe or that I succumb to completely I do have reservations, he once said that:

*“Power tends to corrupt, and absolute power tends to corrupt absolutely”.*

When we have these people in these high offices perpetually, it gives them in some instances this sense of absolute control over the given tasks that they are given, and a sense of not being answerable to anyone and therefore I do as I please not as what is right. What is the public’s perception of the Anti-Corruption Commission? Does it do as it pleases or does it do what is right?

It is also trite that the public looks at their leaders as individuals. Honourable Prime Minister, I am not going to accuse anyone. There is no *(Laughter)*, just relax. Relax, you started it. Yes the public looks at leaders as individuals and really the reality of the matter is, those who fight corruption should be clean themselves. Funny enough the person who said this or ironically is President Vladimir Putin, stating that those who fight corruption must be clean themselves. I was surprised but nonetheless he said that. It is important. The question is the public is perception of their political leaders, if we go out today and ask an ordinary person on the street the question, are our politicians corrupt or not? Are our leaders corrupt or not? What is the question we are going to get?

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**HON MEMBERS:** The answer.

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**HON MUHARUKUA:** Sorry, the answer.

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**HON VENAANI:** At least they are listening.

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**HON MUHARUKUA:** At least you are listening yes. What is the answer we are going to get? Perhaps it would be based on fictitious information, presumptions, perhaps rumours, but perhaps that that perception is nonetheless important.

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**HON SPEAKER:** On a Point of Order?

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**HON VENAANI:** What is the perception of the Point of Order?

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**HON MINISTER OF LAND REFORM:** Is it proper Comrade Speaker for a Member of Parliament to attack a Head of State of another country using the platform of this Parliament? You said Vladimir Putin (*Intervention*).

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**HON VENAANI:** How did he attack him?

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**HON MINISTER OF LAND REFORM:** Ha, it is you who said, his own leader.

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**HON VENAANI:** Who said that?

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**HON MINISTER OF LAND REFORM:** You, you said it here.

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**HON VENAANI:** I did not even take the Floor how could I say that?

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**HON MINISTER OF LAND REFORM:** We are hearing you here. Go and look into the record you will see.

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**HON VENAANI:** You are a pensioner sit down (*Intervention*).

---

**HON MINISTER OF LAND REFORM:** You are not a Judge and a Jury to accuse other Heads of States, not Jury Jooste.

---

**HON VENAANI:** You are here (*Indistinct*) saying this. Puppet and what and what?

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**HON MINISTER OF LAND REFORM:** Which puppet? Which Head of State? Those who were condemned (*Interjection*)

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**HON VENAANI:** Honourable Speaker, I (*Indistinct*)

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**HON SPEAKER:** Yes

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**HON MINISTER OF LAND REFORM:** by international community are criminals that are what I condemn here

\_\_\_\_\_

**HON SPEAKER:** Yes, let us have order.

\_\_\_\_\_

**HON MINISTER OF LAND REFORM:** Because the United Nations has made it clear that the agents of apartheid and all of them were supporting a criminal system. It is not me it is the United Nations. (*Interjection*)

\_\_\_\_\_

**HON VENAANI:** I am talking about (*Intervention*).

\_\_\_\_\_

**HON MINISTER OF LAND REFORM:** No that is what I am telling you.

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**HON SPEAKER:** Let us not have a dialogue.

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**HON VENAANI:** You are becoming (*Indistinct*) and you do not listen (*Intervention*).

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**HON SPEAKER:** Let us not have a dialogue. Can you please continue, this is your motivation?

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**HON MUHARUKUA:** Yes Honourable Speaker.

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**HON SPEAKER:** Okay are you still having a long way to go?

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**HON MUHARUKUA:** Yes I have just started.

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**HON SPEAKER:** Okay continue.

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**HON MUHARUKUA:** Honourable Speaker, this is supposedly a question to me, I do not see the question any time (*Intervention*).

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**HON SPEAKER:** Can you continue please let us have order.  
*(Interjections)*

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**HON VENAANI:** Who is the Head of State I attacked? *(Interjections)*

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**HON VENAANI:** No.

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**HON MUHARUKUA:** Thank you.

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**HON SPEAKER:** Can you continue please?

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**HON MEMBER:** You are attacking Trump today you *(intervention)*.

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**HON SPEAKER:** No, let us have order please we cannot continue like this.

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**HON MUHARUKUA:** For the record Honourable Speaker, I did not attack President Vladimir Putin, I quoted what he said. I was quoting *(Intervention)*.

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**HON SPEAKER:** Okay let us concentrate on your motivation now, finish. Finish now please, continue.

---

**HON MUHARUKWA:** Yes I stopped at the following, if we were to go out and ask hypothetically five members of the public out there randomly the question, “What do you think our politicians are? Are they corrupt or corruptible? What do you think of our leaders in Government? Are they corrupt or corruptible, yes or no what answer would we get?” I would not want to pre-empt that answer, but the reality of the matter is this, that answer might be based on rumours, might be based on fictitious information, might be based on anything but still, it is a perception that is out there that for leaders who should not be thinking about the next election only and our values, and who wants the people to know that we are thinking of the next generation, we should be concerned with what that perception is and we should, leaders and perhaps more so leaders in Government should be able to go a far distance in addressing that perception.

Indeed things are happening. We have declared assets. I have, the little that I have. Others have, whatever they have, little we have it is something, but the cure to corruption Honourable Chief Whip of the Ruling Party is transparency. If you are transparent you do away with that perception. Then comes a question, if we are to deal with that perception is it enough to say that I have a car, yes say I have a private aeroplane, Honourable Kandjoze just became a Member of Parliament two years ago and then all of a sudden, I am using him as an example. All of a sudden he buys an aeroplane as a Minister of Mines and Energy (*Intervention*).

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**HON MINISTER OF NATIONAL PLANNING COMMISSION:**  
What about the Opposition Leader?

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**HON MUHARUKUA:** The question, yes even say for instance the Opposition Leader whoever (*intervention*).

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**HON MEMBER:** The question?

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**HON MUHARUKUA:** The question is this and yes then stop interjecting.

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**HON VENAANI:** Why are the people jittery?

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**HON MUHARUKUA:** You are very jittery calm down.

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**HON VENAANI:** It is very good today.

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**HON MUHARUKUA:** Unless you wanted to put this down and start speaking, yes. (*Interjection*) No you cannot tell me how to Debate please.

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**HON VENAANI:** Why are you jittery?

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**HON MUHARUKUA:** Like really, yes. You go ahead, Honourable Speaker am I protected?

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**HON SPEAKER:** You see it is very difficult really for us to maintain order. No let me say, let me say. Let us have some order (*Interjection*).

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**HON VENAANI:** Yes talk to that side. (*Intervention*).

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**HON SPEAKER:** Continue your intervention because you are now basically, ah, can you stick to what you want to say rather than posing questions?

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**HON MUHARUKUA:** No, Honourable Speaker, no wait. To start with I do not take very kind to being taught how to speak. If there is one thing I can do better, I cannot fight physically but I can speak, and yes what I want to say is exactly what I am going to say. If I do not say this in the manner that I say it now, I will have to delve into what I said I would not want to delve in, and the reason for that is that I do not want the House to be raised into anarchy. So it is rather this approach or I take another piece of paper on a different approach and I prefer this one. So please Honourable Speaker (*Intervention*).

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**HON SPEAKER:** Can I appeal to you now, continue please?

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**HON MUHARUKUA**: Yes thank you very much.

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**HON SPEAKER**: We are really patiently listening.

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**HON MUHARUKUA**: No you do not need to be patient you must just listen. The reality of the matter is this, we have declared assets. Leaders have declared assets. Is it enough that some persons or leaders (*Otjiherero*). (Interjections) Is it enough that we declare that we have these assets perhaps to do away with this perception it is prudent for us to go ahead and say I have these assets. Yes I have held public office for 20 years, and I am justified to have these assets because I have acquired them in this way and that way, because some people hold offices and have assets that you can never imagine they would acquire through their public Office monthly salaries, and that speaks to the fact that there are things that are happening that are not in the open.

For us to prove that there is nothing that is happening in terms of us as leaders. We should bring to the fore as to how we acquired these things (*intervention*).

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**HON MEMBER**: That there are brown envelopes?

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**HON MUHARUKUA**: Yes that there are no brown envelopes. I know (*Interjections*). Yes. Some of these things yes, if you are to deal with perception we have and we should be able to justify our assets. If you have a problem with that then you are playing right into the hands of that perception, including perception by myself. The President has proposed



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lifestyle audits (*Interjection*).

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND  
IMMIGRATION:** What exactly?

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**HON MUHARUKUA:** I have said I have watered down my approach completely because I do not want to antagonise. The President has proposed lifestyle audits. We are three years into the Harambee term. It has not seen the light of the day the lifestyle audits, or the results of that audit (*Interjection*) Please Maureen you can never tell me how to debate, please not you like really.

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND  
IMMIGRATION:** I am asking you.

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**HON MUHARUKUA:** Then ask a formal question. Yes the reality of the matter is thisM and this was the motivation by the President when he brought forth the idea that we will have to do lifestyle audits, is that that very term that I have used earlier. The fact that some people possess what they could never reasonably buy with their salary, or the possessions that are sitting or that are out in the open yet they hold public Offices. As leaders that perception must be addressed, then we must justify it because we are holding Offices. (*Interjection*)

Honourable Speaker, Honourable Members, the final aspect in this regard is the impact that these activities would have on our populous, on our society, on the current financial woes, and in this regard I would speak to

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an aspect that I have tried on numerous occasions to address to the Minister of Finance. It is a question of as to whether his Ministry or the Minister of Finance has conducted a thorough study of the level of entrenchment of corruption in our systems, whether we as a country, had a study or an assessment as to how much corruption actually costs the populous out there, or how much potentially it has cost us because not all cases are reported.

These are formal questions that I have put to the Minister. These questions are not answered but the fact is we do have the evil. The evil does affect our society. The question is, how much? *(Intervention)*

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**HON SPEAKER:** On a Point of Order Minister of Finance or are you done?

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**HON MUHARUKUA:** No, not yet.

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**HON MINISTER OF FINANCE:** Comrade Speaker, I am sorry to interrupt the Honourable, but I do think that it is a little bit of a misconception if the Honourable insinuates that a question was not answered where it actually lapsed.

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**HON SPEAKER:** The questions referred to are the questions you put forward, the question came from you

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**HON MUHARUKUA:** Yes.

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**HON SPEAKER:** And were not responded to, am I right?

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**HON MUHARUKUA:** Honourable Speaker, yes they were not responded to, but the Honourable Minister has just given light that they have lapsed.

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**HON SPEAKER:** But you knew that is it not?

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**HON MUHARUKUA:** No.

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**HON SPEAKER:** Okay.

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**HON MUHARUKUA:** In fact, wait. In fact I do not want to delve into an accusation of back and forth, but the reality of the matter is, these questions have remained for a considerable length of time without answering them until they lapsed as the Minister said. Honourable Minister nonetheless the questions have lapsed, but nonetheless the questions that were put that were not answered until they lapsed were actually the basis of this very Motion. (*Intervention*)

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**HON SPEAKER:** But I think we must draw a distinction. Those questions were not responded to (*Interjections*) because for the record I think it is important that the questions lapsed because they were not responded to and therefore lapsed for the reasons that we all know. It is not the first questions in the history of this Parliament that were not responded to for the reasons that were explained. So we leave that aside, please continue.

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**HON MUHARUKUA:** Yes Honourable Speaker, no I have. Yes, (*Interjection*) yes, we have not or the questions are rather perhaps now through this Motion maybe the Minister would have that opportunity. I do beg the Minister's pardon we will have an opportunity to respond to that. The question of as to whether the Ministry of Finance have actually gone to the extent of assessing the cause of corruption on society because I am very cognisant of the fact that the President of the Republic, in fact all his speeches that I have listened to from him, he has made it a point I assume to make corruption a topic.

The Minister of Finance has similarly in all the Budget motivations that I have listened to him, he has made corruption a topic. Clearly this is a topic that should and in my presumption is high up on the national agenda, and therefore reasonably speaking there should be some sort of assessment as to in the past 20 years, corruption has costed the nation this much (*Interjection*)

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**HON MEMBER:** is costing.

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**HON MUHARUKUA:** Is costing the nation this much and therefore this

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is what we are going to do to ensure that that does not continue to prejudice us. In fact he can go as far as saying this President's term this is how much it potentially cost us, this one is term and there are various approaches that you can take. These are the things that I do not want to go to. *(Interjection)* Honourable Speaker, I am really trying to be nice but I am being pushed continuously.

Yes Honourable Speaker. In conclusion I want to remind us as leaders including the Chief Whip of the Ruling Party and Deputy Speaker that, we must all remember that those who proliferate corruption are also acting against their own interests, and not only against that of society. We must join hands. We must gain the moral fortitude to be able to stand together, clean our hands for those who do not have clean hands if at all, and forge ahead to ensure that we build an equitable Namibia where things are fair for everyone and where the resources of the nation are shared equitably amongst everyone.

Thank you Honourable.

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**HON SPEAKER:** Thank you. Honourable Muharukua before we settle down, I want to verify something for the sake of accuracy. No let me help you.

The questions you raised were done at the beginning of the year during the course of February/April, the questions that we are talking about are part of the beginning of the year. Just confirm for me whether it is yes or no?

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**HON MUHARUKUA:** Honourable Speaker these questions *(Interjection)*. these question stand. This questions span, this questions span, in fact, I asked the questions the first time.

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**HON SPEAKER:** When?

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**HON MUHARUKUA:** Oh it is *(Intervention)*.

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**HON SPEAKER:** No, but just the month?

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**HON MUHARUKUA:** Well I *(Intervention)*

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**HON SPEAKER:** Was it April?

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**HON MUHARUKUA:** I put this question first time it lapsed.

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**HON MEMBER:** When.

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**HON MUHARUKUA:** I put it again. “*Muatje zako*”

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**HON VENAANI:** Well I actually remember *(Intervention)*.

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**HON MUHARUKUA:** Because like really, the point is the questions were asked. (*Interjection*) The point is the questions were not answered until it so lapsed. Honourable Speaker, I forgot one thing, the object of the Motion really Honourable (*Intervention*).

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**HON SPEAKER:** No I am not worried about the Motion, I am trying to help you (*Interjection*)

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**HON MUHARUKUA:** Yes.

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**HON SPEAKER:** Because there is a perception. Order! There is a perception that the questions that were asked during our time when we were dealing with the Budget and so on have lapsed. I am trying to reassure you those questions have not lapsed, they will still be dealt with this coming Thursday. I just want to say. If they were put during the course of the beginning of the year up to February/April those questions are still on our Order Paper, and they will be dealt with this coming Thursday.

**HON VENAANI:** That is a very strange assurance.

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**HON SPEAKER:** But if those questions we are talking about (*Interjection*) were asked last year then definitely those questions have lapsed.

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**HON MUHARUKUA:** Honourable Speaker, the question has lapsed last year. I put it again. In fact the mere fact that the Honourable Minister is following that particular question, does tell you something.

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**HON VENAANI:** Very good.

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**HON SPEAKER:** Well if you have put the question again this year then they have not lapsed they should be on our Order Paper.

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**HON MUHARUKWA:** Yes and then still they are not answered that is what I wanted to say.

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**HON SPEAKER:** No they will be responded to. What I am trying to say I am not questioning your Motion, I am simply saying as long as they are on the Order Paper they will be responded to, that is the response I am trying to give you. Anyway, yes Honourable Minister.

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**HON MINISTER OF FINANCE:** On a Point of Order?

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**HON SPEAKER:** Yes.

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**HON MINISTER OF FINANCE:** Honourable Speaker, if I read the



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Rules correct we must distinguish between giving Notice of a question and putting the question. The question only remains unanswered if it has been put.

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**HON SPEAKER:** Yes, yes.

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**HON MINISTER OF FINANCE:** Right, this question was never put.

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**HON SPEAKER:** Oh, this particular question?

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**HON MINISTER OF FINANCE:** Yes, we got the Notice that it is asked but it was never put. So I think that is the distinction that we have to take.

Thank you.

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**HON SPEAKER:** Absolutely. Are they on the Order Paper?

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**HON MUHARUKA:** This paper that I have here says 26.09.2017  
(*Intervention*).

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**HON SPEAKER:** No then (*Intervention*).

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**HON MUHARUKUA:** No, wait, this is how far these question dates.

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**HON SPEAKER:** Yes.

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**HON MUHARUKUA:** The questions lapsed.

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**HON SPEAKER:** Yes.

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**HON MUHARUKUA:** I put the question again.

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**HON SPEAKER:** This year?

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**HON MUHARUKUA:** Yes. So one, the Minister is right in saying the question lapsed, it did lapse back then. He is following the question that is good, and two, perhaps it lapsed intentionally..  
I really did not want to go that far. I did not even want to delve into this discussion, but maybe it was deliberately then that is how he knows, and then I put the question again. I would be then be accurate in saying that that question remains unanswered. That is the term I used, I said the question remains unanswered whether wilfully or still by operation of the time, I do not know but it is unanswered.

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**HON SPEAKER:** No, no it could not be wilfully because for the reason that I explained

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**HON MUHARUKUA:** Obviously not answered.

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**HON SPEAKER:** If the question is on the Order Paper it will be dealt with. If the question is no longer, if it has lapsed it is lapsed. *(Interjection)* Anyway let us make progress.

Any further discussions? Any further discussions on this? Yes Prime Minister.

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**RT HON PRIME MINISTER:** Honourable Speaker I would like to *(Indistinct)* discussion on the Motion until next week Thursday.

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**HON SPEAKER:** Yes, so decided. We pick it up next Thursday.

A Third Notice of a Motion is the one of the Honourable Mbai. *(Interjection)* Yes, did the Honourable Member agree that we will take a break and continue tomorrow in the light of this important event. Honourable Mbai do you agree?

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**HON MBAI:** Yes Honourable Speaker.

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**ADJOURNMENT**  
**RT HON DR KUUGONGELWA-AMADHILA**

**HON SPEAKER:** Thank you very much. That support and cooperation is much appreciated. For that reason may I request the Right Honourable Prime Minister to adjourn the House?

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**RT HON PRIME MINISTER:** I Move that the House adjourns until tomorrow 14:30.

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**HON SPEAKER:** Thank you. The House stands adjourned until tomorrow the usual time.

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**HOUSE ADJOURNS AT 17:10 UNTIL 2018.06.06. AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
06 JUNE 2018**

**ANNOUNCEMENTS BY THE SPEAKER IN TERMS OF RULE  
20(A) OF THE STANDING RULES AND ORDERS:**

(i) The Speaker brought to the attention of the Members that the First Session of this Assembly shall come to an end on 12 July 2018. As of today, there are now only eleven (11) sitting days left before the termination of this Session.

The Speaker called on the Members to take into account that, in terms of Rule 24(b) of the Standing Rules and Orders; that “all business undisposed of at the last sitting day of a Session shall lapse, but can again be introduced” during the Second Session which is going to commence on Tuesday, 11 September 2018.

(ii) Furthermore, the Speaker paid tribute to Meekulu Aguste Mukwahepo ya Immanuel, the first female to enlist as a combatant of the liberation struggle; and requested the House to observe a Minute of Silence in honour of her contribution to the struggle for the liberation of Namibia.

**3. NOTICES OF QUESTIONS:**

(i) Ms. Dienda (PDM) to ask the Minister of Home Affairs and Immigration (No. 51).

(ii) Ms. Dienda (PDM) to ask the Minister of Education, Arts and Culture (No. 52).

**4. FIRST NOTICE OF A MOTION:**

The Minister of Finance moved, seconded by the Minister of Defence:  
That this Assembly –

In line with Section 65(8) of the Customs and Excise Act;

*Agrees* to the Amendment of Government Gazette No. 6574, Part 2A of Schedule No. 1: Customs and Excise Act, 1998.

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Question put: That the Amendment be adopted.  
Agreed to.

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(INFORMATION NOT RECORDED FOR FILE 1. RECORDING  
STARTS ON FILE 2)

When an investor is investing but hardly you will hear anyone asking for a social impact assessment of that decision whether it is an investment or whether it is a development of some sort, it is really necessary in my view for us to start thinking in that direction because an afterthought when impact negatively have already taken place, it becomes very difficult and for a world that is very much materialistic that assessment in my view is very much important and if you take that as a template and measure the various development aspect investments taking place worldwide, this aspect is missing even if we say we are pro-poor, pro-environment, pro what, pro what, pro what but the mechanisms for us to do that sometimes is missing.

I go to number 6 and there is this very, very important definition of natural resource accounting refers to an accounting system that details or deals with stocks and stocks changes of natural assets comprising of bio produced or wild sub-soil assets, proved reserves, water and land with their aquatic and terrestrial eco systems and for scholars and those that are following development in the international arena I think it is no secret that we are facing a revolution that is coming in the financial sector. People are now thinking of a universal currency that is going to be packed to the system or to the resources that a country has and if you over exploit your resources leaving nothing, how is that going to be impacting.

All these things of the dollars and all the other things, I am sure you are following these kind of debates that is going on worldwide. If you develop and you exhaust your resources developing exploiting them as if

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there is no tomorrow, what are you going to pack your national or your currency to and this probably somewhere one day was saying we watch too much cartoons or something but probably we read certain things that other people do not read and if we are not thinking in this kind of terms we would be blamed by future generations I can tell you and it is only fair to be ahead of your time even if you can be condemned but it has always been like that.

Who is that other Philosopher who was banned but because he said the earth was moving, what was his last word 'peresomove'. You can ban me but it moves. Who now disputes that the world moves but at times when you speak about things that you are ahead of your time, you get condemned and you get crucified. This kind of protocol is really necessary for us to start thinking creatively and for us to be able those decision makers to understand these things. It calls for capacities. It calls for states actually to place people and their needs at the forefront of its concern and re-sells the people's physical, psychological, developmental, structure and social interests equitably.

These are things that they are calling us upon to work on to resend our systems in terms of thinking along these terms because I will come when we will have really to develop our resources leaving necessary reserve for the future generation to be able to sustain themselves and not to repeat the mistakes of those countries that have been able to exploit and even if they have their lions and their points and all their emblems they have no lions to show at all. All that is history so it is really necessary for us to be able to call even the investors. When they are making, you have your check list or you are able to say how is this going to impact upon this? How is this going to impact upon the community? How are you going to reserve this for future general and all that? That is why social accounting or natural resources accounting is very much necessary and the mechanisms have to be put in place for us to be able to develop in this direction in a sustainable manner. With these words I support the protocol

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and I call for the adoption of the measures to be effected. Thank you very much.

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**HON SPEAKER:** Thank you, Honourable Steve Bezuidenhout.

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**HON BEZUIDENHOUT:** Thank you Honourable Speaker. Yes, we are supporting this protocol because our constitution compels us to look after our own environment and our own animals and our own. The point I want to raise to the Minister not for him to answer but just think about that. I think we need to put into action a clean-up policy, a clean-up campaign, a clean-up idea with the clean-up not once a year when the President calls for a clean-up but every day or every week or every month because our nation is really taken steps backwards when it comes to cleaning. Plastics is another problem. What does our future look with our future idea of plastics because the plastics ends up in our oceans and our animals eat these things and then the animals die from eating plastics?

Last week there was these big animals in the sea swallow 80 plastics were found in his tummy and then so these things are very, very dangerous but we should not wait until it is too late. We should actually start proactively burning things, making alternatives. I just want you to start thinking of those types of things. Thank you very much. I think we should support this protocol.

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**HON SPEAKER:** Thank you, Honourable Murorua.

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**HON MURORUA:** Thank you very much Honourable Speaker. I would like to thank the Honourable Minister for introducing this Motion on this



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protocol and we are also in full support of this protocol but I think Honourable Minister, Honourable Members when we are talking about sustainable development on the environment, it is high time that we need to think out of the box and I was just thinking. It is for no reason that some countries are requesting from their citizens that the couple should only have two or one kids. It is not for economical or financial or reasons or the income of that couple that these decisions are being taken. It is my humble belief that it is also for developmental purposes now which has an impact on the environment.

The biggest issue that I would like to raise is it is fine. We are ratifying this protocol and I also agree with the ratification of it but what is it that we are going to do as a nation on over-stocking of livestock on our farms? We can claim that it is the problem with the farmer but it is an environmental problem. What does the Ministry of Environment do on this because it is not only the farmer's problem? We are hearing about the Mine restitutes that are contaminating underground water tables. What is it that the Ministry of Environment is doing on this to rectify or reverse the situation?

What is it Honourable Minister that your Ministry itself is doing on the control of game in parks as well as outside the parks that are free roaming because if their numbers are growing uncontrolled, then definitely it will have an impact on the environment? Yes, I know you will tell me that you are culling. You will also tell me that you are translocating to other areas that is happening but what impact does it have on the other areas to where these animals are being translocated and when we are talking about this, do we weigh the impact of the translocation of these animals against what impact it is having on the livelihoods of the very people towards whom we have the first responsibility, the very people whom we claim that their future generation, our future generations would not in future blame us for not addressing these issues?

What is it that we are doing? So while we are ratifying this, it is important

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Honourable Minister that we have to bring about mechanisms of how we control and manage these things that are having a negative impact on our environment. It is not only that we should adhere to the calls of the international bodies that are there. I thank you.

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**HON SPEAKER:** Thank you very much. Next on my list is HonourableSchletwein.

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**HON MINISTER OF FINANCE:** Thank you Honourable Speaker. I take the floor to support this protocol on Environment Management for Sustainable Development. Honourable Speaker I do believe that it is a very important step that we take in realization that the environment in which we live is not limited to political borders. It is actually an environment that is naturally hidden without borders and therefore a cooperative stance by SADC would enable us much better to manage that environment together instead of in isolation and with its own principles. I think that the overriding principle why one needs cooperation in environmental management.

Honourable Speaker I also believe it is important we are speaking about the environment in a number of capacities. On the one hand the environment is nothing else but the home in which we live and if we destroy that home, if we disrupt that environment, we will live in a worse off place, in a less healthy place, a less sound place but we also utilize the resources that that environment has to offer and I believe that is where the problem is its consumption patterns that put stress on the environment whether it is plastic bags, whether it is overgrazing, whether it is agricultural practices, whether it is fishing, it is the consumption levels, mining, you can name anything. It boils down to consumption levels of human beings that are putting stress on the environment and reducing the productive capacity of the environment. If consumption patterns in one specific locality are happening, then the environment is reacting and the

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impact is unfolding far beyond the locality where the impact is the most severe. The marine environment is one example. If you over fish a specific species in one locality, you will cause impact somewhere else in the food chain and again, that is the reason why one has to cooperate as all consumers and beneficiaries of that environment to create that ability to manage the environment and I think the effect of this cooperation is not to answer the question whether we should protect for the sake of protection or whether we should stick to the status quo of the environment.

The answer is how can we make best use of the environment so that we are benefiting from it and the protocol is very, very clear under its principles Article 3 where it says that ‘in implementing this protocol, the state party shall be guided and given effect to environmental management to that:

- (a) Places people and their needs at the forefront of the concern and serves the people’s physical, psychological, the bundle of cultural and social interest equitably’.

So this protocol is embracing the human elements and the desire to manage the environment so that we benefit most without harming it and that is the second part. It is managed with human interest at the forefront but it recognizes that it is integrated and acknowledging that all elements of the environment are linked and inter-related so you cannot only have the human interest at forefront without taking into cognizance what the impact will cause in the environment and what it does.

Honourable Speaker I think we can discuss human wildlife conflicts but every time we discuss it, I get the feeling that we are having nothing else in mind but compensation. That is actually what we want to discuss not an environment issue. It is compensation for what happens and if you think about it, I think we have to be clear what we need. Honourable Venaani says if an elephant crashes your car the state must compensate you. If another car crashes your car, you are insured and you

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are well looked after so why do you not insure your car?

Honourable Attorney General a full cast to insurance does not discriminate who causes the damage of your car but I have a principle question why is it that we always say the state must compensate where there are tools and tool box where you can look after yourself? Insure your car. Well, then insure the elephant fine but I think it is the fundamental principle that I am trying to establish here. We are creating (interrupted).

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**HON SPEAKER:** Point of order.

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**HON VENAANI:** Honourable Minister why is this among generalization if a farmer is losing a poor farmer who has only 40 goats to live from taking children to school, all his goats are eaten by lions, who should compensate that farmer? So you can talk about those that have cast and insure it but those that are poor. I am talking about conditions of poor Namibians at the bottom end of the economic trajectory of our country that are there and they are being punished by these animals and how do they make ends meet?

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**HON SPEAKER:** Alright we move away from the car to goats.

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**HON MINISTER OF FINANCE:** Well, our policies for sure should be always directed to a system of vulnerable and protect those vulnerable the poor in this case but I can also ask the question if the lion kills the goat your notion is the State must compensate, right. Who owes the bacteria

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that creates disease in goats and who is to compensate the farmer if his whole kraal dies of disease? It is the same who owes the mosquito who creates disease? Who owns the State and it is the State that must compensate in all cases so you have lost the ability in total to look after yourself.

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**HON SPEAKER:** Is that on a point of, no, no, but hang on. Your mic is not on, please, please.

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**HON VENAANI:** Point of information this is very serious and now it becomes a very serious debate. The decision to own lions is a Government decision. The Government decides that in Etosha we want to have 2 000 lions. Now if those lions that you want to have there and you do not maintain your fence and they start causing problems to my animals, surely the person that is owning or NWR state entity, NWR must make sure that if I want to farm with crocodiles even in law if I want to farm with crocodile, I want to have a Restaurant a delicacy for crocodile meat, I cannot leave these crocodiles to go and roam, to go to my neighbours and go eat their children and say that the State should compensate them because it is the same as mosquito.

Every person who wants to run a certain business enterprise must also take care of the responsibility. NWR in the Otjozondjupa Mountain, the Waterberg Mountain they took a principle decision to have buffalos there. Now they have an over-stock of buffaloes. When those buffaloes leave their park it is causing a loss of N\$15 Million a month on that constituency for example. So somebody must take responsibility. You cannot want to farm with lions and not protect the lions.

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**HON SPEAKER:** Alright, Honourable Minister please continue.

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**HON MINISTER OF FINANCE:** Thank you Honourable Speaker. The point I want to make is that there are differentiated approaches needed here. Firstly, not all elephants in Namibia are coming from the park. They are free ranging elephants and you should know. Not all crocodiles are from the crocodile farm that is owned by the State. Some of them are free ranging and you will live in that environment where they are. They are some lions that are even free ranging. Not all come from the Etosha Park. I think we have to (interrupted).

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**HON SPEAKER:** Please let us continue. Are you speaking on a point of order? You wait for mic, yes.

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**HON MURORUA:** Not all lions are coming from a Government Park. Not all elephants are also not coming from a Government Park but these animals are specially protected by Government so therefore Government has to take responsibility. That is all that we are saying and the issue is mainly for us the control that is being done by Government. It is not only that elephants are damaging gardens but the fact that you might be paid for the crop but who pays you for the repair of the fence. Who pays you if your animals go astray and you have to pay other people to go and look for them?

You have to fill a vehicle to get those animals back. You want to control your animals because you want your Haifa's alone, you put a specific bull there and then all of a sudden your fences are broken. The market is looking for specific things and those are the ones that the farmers want to

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produce but if the animals or the game is breaking the fences, then definitely the person who is responsible for these things has to give an answer or else allow the farmers to help themselves?

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**HON SPEAKER:** I think you made your point. Please Honourable Minister actually we interrupted you. Please continue.

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**HON MINISTER OF FINANCE:** Honourable Speaker I do understand the immediate bottle. My principle point remains that it looks as if there is only one answer and that is the State compensates for each and everything. An analogy the roads are also belonging to the State but accidents on that roads that cause damage are not compensates by the State. There is another way how that risk is mitigated. It is MVA fund, it is Insurance, it is whatever. So I think the point I want to get across even in agriculture there are possibilities that we create a system that mitigates that risk in different ways other than only asking for State compensation. There are insurance mechanisms. In agriculture there are crop loss insurances. I am not saying insurance is the way but I am sure there are other ways that needs to be discussed when we try to solve the problem.

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**HON SPEAKER:** Yes, Honourable Minister there is a point of order, Honourable Nambahu.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL  
RELATION AND EMPLOYMENT CREATION:** I really regret to interrupt my senior Comrade there but it is just a question. There is now

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interesting debate taking place. I used to rely on something called false amayoyo but now I lost some goats to lightning so I am now going to seek assistance here to find out who is responsible for my and where can I go and look for this kind of?

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**HON SPEAKER:** Interesting observation but I think this is now what the Honourable Minister was raising but maybe at least you may continue.

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**HON MINISTER OF FINANCE:** Well, I think my friend raised a point that illustrates my point. You know is you lose goats to lightning that is a risk you live with. It is not necessarily generating an obligation of the State to compensate you for that. I think it is that very principle that we have to look at. I am saying it because the state (interrupted).

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**HON MURORUA:** Please with your permission on the aspect of bumping into game a kudu or whatever I understand your point but it is not only that people are bumping into game. If they bump a cow, then the police and everybody seeks for the owner. Why then seek for the owner? Why not seek for the State? If it is a cow they want to know whose ear tag is it and even if that car is insured, the insurance company is trying to claim from the owner of the livestock that is on the road reserve but it might be that the fence has been broken by elephants. Now the farmer is not farming with elephants. Who then should pay for it?

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**HON SPEAKER:** This is a very interesting debate and I want the Minister to continue. On this time no interruption you need to continue.

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**HON MINISTER OF FINANCE:** I hear what the Honourable is saying. My understanding is that antelope the game not special protected, the game is actually the property of the land owner and not the State game so that is my understanding but on a lighter note probably it is the reason because when you bump a kudu the first you think is how to load and drive it to (incomplete).

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**HON SPEAKER:** Honourable Shixwameni.

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**HON SHIXWAMENI:** I somehow agree with the Minister of Finance on his trying to argue out the State's responsibility in terms of compensation but at the same time in our constitution Article 100 sovereign ownership of natural resources. I would like to be guided by lawyers in this Chamber because it reads 'land, water and natural resources below and above the surface of the land and the continental shelf which includes actually elephants, lions they all belong to the State'. So we must find a way out of this. The State is a functionality that can be identified.

It has a Government and that Government because I understand what the Minister is trying to argue because he is in control of the purse of the State but the fact of the matter is that we should be able to. It says legally enforceable, shelter and within the peritorial waters and exclusive economic zone of Namibia shall belong to the State if they are not otherwise lawfully owned so the private ownership is there but then those ones that are free roaming surely belongs to the State and the State cannot run away from its responsibility to make sure that they are protected. Just as you protect them, you should be able to take responsibility when they do damage but I would like the lawyers actually in the Chamber to advice as to what the correct interpretation of this particular Article is but I must also saying whilst I am standing that the statement made by the Ministry

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of Environment and Tourism regarding crocodile attacks on human beings that is very irresponsible and I think the Ministry should really seriously reconsider the statement that was made that no one shall be compensated who is attacked by crocodiles. I rest my case. Thank you.

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**HON SPEAKER:** Thank you. I think let me allow the Honourable Member to continue because there have been too many interruptions.

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**HON MINISTER OF FINANCE:** Thank you Honourable Speaker. I want to conclude by concluding also my argument and that is if we continue to offload all the obligations for compensation to the State, we must realize that the State is also limited in its ability to compensate or to pay for everything. So I think we have to be smarter in seeking better solutions where we mitigate the risk instead of offloading the direct financial responsibility to the State. That is the principle of the argument and that is part of how we manage the environment, how we manage the utilization of resources within the environment and how we manage and deal with resources rigidly. This protocol assist us in creating management systems that are standardized and equal over the region instead of moving in silos and being unaware and unable to mitigate or manage environmental matters that come across our political borders. I think with this submission I rest my case and support the protocol. Thank you.

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**HON SPEAKER:** Thank you very much, Honourable Dr Kawana.

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**HON ATTORNEY GENERAL:** Thank you very much Honourable

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Speaker. I rise to support my nephew and commend him for tabling this very important protocol. It is a protocol that generates interest from the State level, regional level, local level, community level. Environmental impact affects everybody including members of this honourable House and I agree indeed with the Honourable Minister of Finance who said multilateral approach in a globalized world is the way to go and that is why some of us we become very disappointed when we see some of the powerful countries pulling out from the consensus of the international community when it comes to environment protection.

For diplomatic reasons I do not want to mention a country so I think really Namibia is a product of international solidarity as we always say and we must play our part especially within our region SADC. Now Honourable Minister I would also like to advice as follows. First SADC as a region must work hard to fundraise with a view to mitigating the effect of environmental damage because as a collective our voice would be heard more either from the environmental fund or any other international institution. When we go there as a group it is much better than to go there for fundraising as individuals.

Secondly as per the provisions of Article 3 of this protocol community involvement is also very important and I think should we succeed really to get funding from some of these international funds aimed at environmental protection, we need also to empower our communities. We need to make sure our communities take part in environmental protection. Indeed Honourable Speaker I am very happy at the same time I do not know because that program it appears it has stalled now. There was a program under the Ministry of Agriculture, Water and Forestry whereby communities come together, plant trees, I think it was Honourable Venaani who was giving the example of Ruanda.

Plant trees is a community project which is cash for work aimed at benefiting the community and I know like in my area there, the community planted a number of trees and those trees are growing very

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well and that is part of environmental what we call sustainability and I think Comrade Minister when you fundraise, do not forget some of these community based projects so that the community can also take ownership. Otherwise, I support the protocol. I thank you.

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**HON SPEAKER:** Thank you very much. Honourable Mwaningange you have the floor.

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**HON DEPUTY MINISTER OF DEFENCE:** Thank you very much Comrade Speaker, Honourable Members. I would like also to contribute with this protocol which is very, very important documents because the earlier the protocol comes to force, the better the world and our people will be saved from the savage of the climatic negativity. However, I would like to come home and the local level to find or to give some concerns on the general undertaking of the empathy of the document. In fact we talk of land management and environmental protection and the document is indicated. There is a trend currently taking place in our communities which is really very harming the environment on land degradation. That is the sand mining for purposes of construction of our various infrastructures either roads, buildings. The purpose is good but the way it is being done is very negative and dangerous indeed. I would like to appreciate and commend on the road construction. They have now developed their positive approach. Whenever they are collecting sand and creating some borrow pits, big borrow pits where they extract sand for construction after completing the roads, you find that they are back filling it including the trees and other shrubs and logs they have uprooted.

They do put it back. Even the community are complaining that there is firewood but they are saying back filling the borrow pits and putting those trees back, it gains, it gives the sand to regain the strength in the process

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but on the community side there is a tendency of new business developing whereby people are collecting sand and hiping it somewhere for selling. Even that particular person is not building any infrastructure, they go and get permission from traditional leaders and dig the sand and hip it in tones and for many months they are selling now in cubic in their trucks to other members of the community. Perhaps they feel it is a good business but it is very dangerous for the environment so what I am trying to advice is that they must be law or reinforce that law. The law is already there but the law must be reinforced so that so as one who is collecting the sand for purpose of construction, it must be limited not to hip it there for extra selling it. This is one of the activities we are seeing taking place in the communities. Otherwise, I would like to support this protocol in entirety as a whole and I said earlier, the better to be ratified by all member states. With this Honourable Speaker, I support the protocol and I thank you.

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**HON SPEAKER:** Thank you. Next is Honourable Maureen Hinda please.

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION:** Thank you very much Honourable Speaker. From the onset I wish to express my support to this protocol. My particular support is motivated by the fact that it emphasize the cross sectoral nature of environmental management and sustainable development. It also highlights the cross sectoral Committees or management structures to deal with the issues and I would appreciate if the Minister could appraise me or the House in terms of existing structures whether we have at the moment that approach of cross sectoral management or outlook on this matter.

I also want to look at especially on Article 4 that highlights some objectives and in the interest of time, I would not read them but the

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objectives 1(c) and (d) and then I look at the aspect of rehabilitation and remediation of degraded and polluted environment and I want to be informed if that includes the impact of Mining and if probably this will enable us to understand the impact of over Mining on environment because I think so far I have heard about overgrazing and overfishing and over all types of resources but when it comes to Mining would over Mining be a factor that affects environment and its sustainability and what impact it could have on the overall ecology system. I also want to understand that this would bring our attention to more preventative measures in terms of soil erosion for example. I know that when I was growing up I used to observe some specific interventions along as an example along roads to minimize soil erosion and I have noted especially on your way from Heroes Acre that that rocks along the road seems to be eroding fast and whether or if these types of protocols could probably draw our attention back to if we are not doing.

If we are doing I would like to get that reassurance to look at issues like that that will minimize erosion and also because it is cross cutting this overgrazing for example and especially in the communal areas where communities are complaining about lack of land and that would also be understood under such provisions that the sustainability of land management or environmental management would be affected and such cross cutting management structures would deal with that so Honourable Speaker I am actually departing from a point of needing reassurance that this will result into improvement in management of those areas and lastly, I wanted to draw attention or to understand that I am aware of a structure that is I think regional structure under the Ministry of Agriculture that looks at climate change issues.

It appears that this would be overlapping. Would that be incorporated or how would it operate so that we avoid duplication and if maybe the Minister is not so much aware of it, then the Agriculture Minister could probably give more information about it because in my understanding the way it operates or the way it plan to operates because it is a regional

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structure that would have its Headquarters in Namibia that looks at the climate change and it appears that these two things talks to each other so maybe if we just ensure that they would not be duplication. With thatHonourable Speaker, I have my big support and hope that we will use this type of protocols also as tools to educate ourselves and the broader community around this subject. Thank you.

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**HON SPEAKER:** Thank you, Honourable Jan Van Wyk.

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**HON VAN WYK:** Thank you Honourable Speaker. I also rise to support the ratification of this protocol. I maybe just have one concern or question and that is on financial provisions Article 28. It talks about the environment sector may accept gifts, grants and legacies and donations from any source. It continues to say that so long that source conforms with the procedures and rules of SADC and my question is just how do we really make sure that this money that comes from any source is legal. The procedures are there but who will take care of that making sure that this is not money coming from blood diamonds, from drugs curtails. Then I just want to also support the sand Mining issue was raised and I can also confirm that on Saturday I was shocked when I visited GroetAub that river is not a deep river or was not a very deep river but the sand mining that started about four years ago has actually made that river very deep. I think there is a prescribed limit for Mining going down up to 300. I think those holes are much deeper than that. We had a case in Rehoboth just when you pass the Onab Bridger on your left hand there is also a very deep hole and someone drowned in that and that people are mining these big companies selling the sand and they fail to rehabilitate these areas. I think the responsible or relevant authority should really look into this and make sure that sand mining is sort of regulated. Local authorities of course need to take also action but right now it seems that nothing is happening.

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Okahandja River is the same. I understand now that the same sand mining is done by some foreigners Chinese and the communities in these areas are not benefiting. Thank you.

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**HON SPEAKER:** Thank you very much. Next is Honourable Eunice Iipinge.

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**HON IIPINGE:** Thank you very much Honourable Speaker. I too rise to support the protocol under discussion. I would like to thank the Minister for presenting this protocol to the House for ratification. I am more pleased to see Article 20 on gender equality and the inclusive there talking about the state parties to undertake gender analysis and mainstreaming gender and environmental management and climate change and sustainable development policies, programs, projects and budget. That makes me very happy to see the budget mentioned because we always see that when we talk about gender, we put statement but we do not allocate resources to implementation of those activities but I am quite happy to see the budget mentioned here and also the issue of education capacity building and education and the use of women skills and knowledge in this area.

However, I have little bit of concern. This is just a concern on the part 5 Article 22 institutional framework. Here my concern is whether the protocol will be implemented in the line of gender main balance at this moment. I do not know how many female Ministers of environment in the region. I have not done that analysis. I assume based on the experience that this level will not be gender balanced but I hope since our states have committed to this that they should not only commit themselves on policies, programs, activities on the ground and use the women skills and knowledge on the projects but also at the implementation level. Having



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said that, I support the protocol. Thank you.

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**HON SPEAKER:** Thank you very much. Quite a long list as you noted, quite a number of Members of Parliament who participated in the discussion but just a small little thing. Really out of obvious interest to the House I hope when the Minister is going to respond to all the questions, I hope you could also include a reference as to enlighten the House as to how many countries within the SADC region have actually ratified this particular protocol. I think it would be of interest. If you do not have the information for now, you could share that with us at a later stage. Having exhausted the list, may I now does the Honourable Minister wish to reply?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes, Honourable Speaker.

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**HON SPEAKER:** You have the Floor.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Honourable Speaker. Honourable Speaker on your last question that you asked me to respond to as to how many countries have deposited their instruments for ratification, I think that I can check with the SADC Secretariat because they are the only ones who receive this depository. That is the Executive Secretary and also maybe to answer the question of gender concern by Honourable Ipinge and I thank you for the support. That also depends as to how many Ministers gender wise from this country to another because this is done on domestically arrangements,

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domestic base arrangement a person elected or appointed in that country whatever the system does but I think probably it can be easy technical Committee on environment.

Maybe you can look at that but then the Ministerial meetings will definitely look at that because this protocol talks to gender mainstreaming and analysis though that would be probably analyzed in the meeting of Ministers and our senior officials that also depends because we do not know how many Permanent Secretaries in different countries but that on technical level would be able to see to it that there is gender equality there.

*Honourable Van Wyk*, thank you for the support on Article 28 – how to ensure that source of money is legal. Of course, there are some systems in multinational institutions that are inter-governmental we know how to check. We cannot just receive any money from anonymous person therefore that will be taken into account and thank you for your concern on a sandy mining I will respond to that when I come to much of the points that have been raised on this matter.

*Honourable Hinda*, thank you for your support, yes Article 4 what are the impacts on mining on our eco system? Both mining, these are listed activities but I want to say that every little activity according to our Environmental Management Act, Act No.7 of 2007 which came into force in 2012, every listed activity is supposed to have environmental clearing certificate. It must be cleared by an Environmental Commissioner. If that mining including sandy mining what is happening now both in sandy mining, gravel mining and mineral mining is supposed to be because you are extracting resources so definitely it is supposed to be cleared by the Environmental Commissioner except mining activities in minerals, sandy mining people playing (indistinct) border and even we have a problem especially in the communal lands with Traditional Authorities also saying we did not know because they are getting money.

Sometimes we behave as if there is no tomorrow when it comes to mining.

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We sacrifice the future for the immediate benefit, the benefits of today. If you go around the country you will see how land has been degraded because of sandy mining. Along the rivers because people are selling sand and it become lucrative business now. It is about how much per tonne these tipper, it is about N\$800 some are N\$900 now it becomes lucrative people just bought tipper lorries, trucks to sell sand and now they regard environmental impact. When we say, we closed some of them. When we see that we close them what we need to do now and that is what I have seen, I have picked up in our legislation and that is the principle act that is the Environmental Management Act. We need to do some amendments there because even the penalties is less and sometimes people do not feel it and the way of bringing these people to court and so on even if you ask person he will issue a compliance order. Sometimes people ignore. You find somebody who constructed something illegally and now you want to say now it cost me N\$20,000,000 now you think you can demolish my building but the penalty the maximum is just N\$500. Now you know you cannot say demolish it, it has cost that person N\$20,000,000 but if you can upper that so that even if you leave that building there that person feels and the others it works it will serve as a precedent that others will not do that.

People do deliberate things and then they go away with it so we are going to seek for amendments and we bring it here but sand mining, gravel mining these activities are causing serious impacts on environment. When we give them claim certificates and we have done that now, last year we had also because it is a requirement in the Environmental Management Act that we select, we identify certain organs of State because the Environmental Management Act obligates all organs of State except when you talk about organs of State in our law and many other laws in the country of course we cannot ask the court to comply the court will take the courts because they regulate the affairs with the High Court rules and Supreme Court Act and High Court Act and the others. So they are not obligated to act accordingly but all other organs of State are obligated. That includes the Offices, Ministries, Agencies, Institutions that are

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created by law, the Act of Parliament including Traditional Authorities, Local Authorities and many others, they are all obligated to make sure that they enforce the Environmental Management Act and this is now what we are trying to do to ensure that all our organs of State follow suit because if you do not do that other countries that have let it go today they have degraded their environment, they have lost it.

They have lost it. We must be able to say we are fortunate that our landscape, we still have a beautiful landscape and we must take care of it. Those who are given clearance certificates there are management plans how to rehabilitate, every barrel pit must be rehabilitated. If the community want to have that pit remained as an artificial dam then it must be properly rehabilitated in such a way that it is not going to cause problems. Also you cannot extract any material anywhere because sometimes it can damage the essential ecological processes and you can be told instead of extracting sand here or gravel here you can do that area because this one is protected. There are some maybe in some areas you find that there are very endemic species whether they are trees or even there are some protected heritage material or there are endemic for instance animals, birds, wild animals for instance. That if you destroy, if you make noise there this animal would go. I give an example for instance we have an area where we have Damara Ten-Ten and that bird is very endemic in Namibia you will not find it anywhere and there are some other species that you will not find anymore.

Now if you give any area that area to be disturbed that means that that species is Completely wiped out from this planet and there was somewhere else but today they are only found in Namibia. So now we must be careful whatever we do has got impact and I have to say that in the ecosystem every element is irreplaceable. That means every element in the ecosystem is very essential. The more if you decide and it is normally human activities that we create conditions for our own self destruction without knowing what you are doing. I give an example, today we are crying about army worms in Africa, why army worms today? It is because

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somewhere somehow we cause imbalances of nature and it is very simple, those who have been living in the farms you see during that rain season you see those birds, those black mingling some are black and some are (incomplete). Normally you see them in the fields. They are no longer there. Those are the birds that balance these army worms eating up the eggs of the butterflies. You see butterflies that time before December/January just immediately after rain that is the time because of the circle of army worms that is the time balance needs to take place.

Now with our short guns we have killed them and now we are trying 'army worms' and now army worms we have today in Africa are resistant to any pesticide because we have been using the same pesticide and it comes to also the question Comrade Venaani talked about, research. Now we are there. That is why these two years we have a problem with army worms in this country and we lost. Agriculture can testify that we lost how much billions and because if we still had those birds we could not have these army worms at this level. I have tested it in my field I have seen that we have a problem with army worms what I did is I got chickens and put them in the pen during that time chickens and guinea fowls I released them from the pens and they did their work and I have no problems with army worms. I have no problems. They are more than 500 and so I allow them there.

Some solutions we can apply natural solutions instead of pesticide. The problem now with pesticide is that we are also killing other species like bees. You know why bees are, the specie especially in those countries that are using more pesticides there are no bees. In some countries now what they are doing is they are doing artificial pollination because we have killed bees. Now chemicals will just destroy more instead of now allowing nature to do its course because there is nothing in nature there is no vacuum. We are the ones, as human beings who create that vacuum.

Overgrazing same thing I can tell you that is you go in communal lands those powerful people have fenced off communal land while the

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Communal Land Reform Act does not allow fencing communal land. But even now we have some cases where people are camping and the Government has to go to court to force people. You came there illegally you did not have even authorization from (interruptions). Ha? Did you fence as well?

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**HON VENAANI:** You do not talk of fencing that has been done years ago (intervention).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No, I know that I am not talking about that. I am not talking about fencing that has been done. This law is not retrospective. I am talking about now even when I was in the field now, now, last month people are fencing off that is why now we are talking about those who are powerful (interruptions).

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**HON VENAANI:** (Not on microphone).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No and these people some of them, no can you just listen. Did you also fence one? Listen there are hectares that are allowed to be fenced off.

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**HON VENAANI:** (Not on microphone).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No the law stipulates that I am talking about a farm. Can you just listen? Let me clarify it, I am talking about a farm. You know you have somebody in communal lands fenced off 2,000 hectares.

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**HON VENAANI:** That is very little.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Very little? I am talking about without permission. You can do that if you have permission and you know how to follow the procedures. You ask for permission and the Minister can grant that permission. The Minister responsible for Land Reform (intervention).

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**HON VENAANI:** What is the nature of (not on microphone).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Ha? No you can do that once you get permission. I am not concerned about individuals (intervention).

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**HON SPEAKER:** Please no dialogue. No dialogue please.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Let us taste  
(intervention).

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**HON MUHARUKUA:** (Not on microphone).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I know  
you are there. I know you fenced off one.

\_\_\_\_\_

**HON MUHARUKWA:** (Not on microphone).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Who?

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**HON SPEAKER:** No, no dialogue please do not respond to that. Just  
concentrate on your reply.

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**HON MINISTER OF ENVIRONMENT ANDN TOURISM:** Comrade  
Speaker, I know that my learned colleague like that thing he is avoiding  
(intervention).

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**HON SPEAKER:** We want to move on to the next item.



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**HON MINISTER OF ENVIRONMENT AND TOURISM:** He is avoiding me I know where his land is where he fenced off. I do not want to touch on that one.

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**HON MUHARUKWA:** Do you want to go and fence (indistinct).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Now let us understand this. When we say, like for instance we have been saying let the communal land, because this is a communal land, it is communal it belongs to everybody who is there. Now people go and graze somewhere outside Namibia even Angola and so on and you find many animals are there because there is no land here and the land that is there in the communal land is completely degraded, overgrazed completely and it will take us the cost to store that degraded land, it will be much.

The overlapping story that one that is why environmental matters are cross cutting. We have Committees, the Minister of Environment is a focal point here in Namibia but we have also other Committees that we have many other Ministries, Institutions, Agencies and Offices are serving those Committees so those things are taken care of.

***Honourable Kawana,*** thank you very much I think that advice is taken very seriously on the mitigation factor.

***Honourable Mwaningange,*** thank you for your support again I have talked about the danger of sand mining and also extraction of any material and enforceability of this, yes this can be enforced I have just said that all organs of State are required, in fact they must, they must there is no option. They must enforce the Environmental Management Act, so at all levels.

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HON SHIFETA**

**HON MEMBER:** It is okay.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No it is not okay there were many concerns here. Here I have it. I have the floor now. You had it from 4 up to 5. Now *Honourable Venaani*, thank you very much for your support. It is true the rain pattern that one we see now the evidence of the climate change, the impacts and effects of climate change it is true. I have seen and I have gone to many areas in regions and I have been doing that on annual basis and you could see. Regions that have been more impacted by climate change are Kunene and //Karas that is why we raised funds for these two regions last year and we got the money this year now. No it not yours I am talking about to mitigate (intervention).

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**HON MUHARUKUA:** The money is still in the particular (intervention).

---

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Wait it will come the money is there. But fortunately this year at least Kunene got something lately but we tried to see how we can mitigate. I can tell you that for almost since 2012 some areas in Kunene until now did not get rain and imagine these people depend on livestock so that is why we had to do anything we could to raise funds and we raised funds more than N\$130,000,000 for that project and also for //Karas. Now these are the evidence of climate change nothing else. We just need to make sure that we raise funds. We also make sure that we take care and take some mitigation factors.

You were talking about tree planting, this is the thing that we have been talking about. We have been asking all Namibians every year at least ever

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Namibian can at least plant ten trees. Now we are working with the Ministry of Agriculture, Water and Forestry to see to it that we have more nurseries and we have a planting, on that planting day we can allow people to plant trees even ten. What you are cutting is far away for what we are planting and I can give you if it goes the way it is going now like in regions like Zambezi and Kavango where we still have forests. If you fly there and every year I do that, have an aerial view everywhere, some are burning some are cutting now maybe we have to come up with a point that if you are cutting a tree you must plant and that is what the Asians are doing now because they have realized. If you go to China they term to a desert and a forest but ours we give, we sell this timber, there are people to lodge and they do not plant anything. Now I think we need to come up with something working with Forestry and see how we can mitigate this because the forests we have now in the Zambezi, Kavango I can give you 20 years it will be finished if we go the way we are going now. It will go.

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**HON SPEAKER:** Minister I think you should wrap now Comrade Minister.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Ha, yes Comrade I think it is necessary that I respond to most. The question of conservancies and communities, all conservancies belong to communities they do not belong to the Government. Go and read their constitutions everything there, all the natural resources belong to the communities. What the Ministry does is only making sure that they harvest sustainably. There is no way that the Government takes from a conservancy anything, it belongs to them. Whatever they do and get they generate it from whatever income they generate from there. It is for the communities, those communities it is not the Government. The animals whatever which is there, belongs to those communities.

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The question of elephants in the area of Omatjete we are planning getting half of them out (intervention).

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**HON SPEAKER:** Minister please could you wrap up please. Could you please wrap up.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** I think Comrade Speaker, I have to come tomorrow because there are very important questions here that were raised.

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**HON SPEAKER:** You still want to continue?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes.

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**HON SPEAKER:** Let us hear you because could you summarize or something because (intervention).

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No, Comrade Speaker, I really do not know.

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**HON SPEAKER:** Okay continue.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Seriously,  
I think we can postpone to tomorrow because I do not understand, if I  
leave it like this there were some concerns raise here Comrade Speaker.

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**HON SPEAKER:** No, but to be honest can you continue, try and finish  
up.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Comrade  
Speaker can I leave it then (intervention).

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**HON SPEAKER:** Please continue.

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**HON MINISTER OF ENVIRONMENT AND TTOURISM:** Because  
I do not know where to start now.

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**HON SPEAKER:** No continue (intervention).

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**HON MEMBER:** In conclusion now.

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**HON SPEAKER:** I would rather leave, summarize and complete because you do not need to elaborate.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Yes the question of wild animals and the elephants we are talking about 22,000 more and the buffalo (interruptions. I think you asked a question for me to answer Honourable Venaani. Yes we have those animals. We have elephants that are in communal lands and some are in parks but we know how to balance the population. But in the communal especially close to the borders it is very difficult to control the animals because they do not require passports to go to Zambia, Zimbabwe and come back, 100 or 200 today came here so we do not have control on that one. Also these animals, the wild animals are governed not only by our domestic laws but also Public International Law the law of nations. You cannot just for instance some people are saying let us kill some of those elephants. We cannot do that or (intervention).

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**HON MUHARUKWA:** There is something you can do.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No, just listen, or some of the crocodiles because if other neighbours start complaining they will complain based on the Public International Law and that is what we have now. What we have now here for instance for instance a SADC Protocol on Environmental Management and Sustainable Development it will look into that, how do we make sure that our echo system is protected and also we have KZTFCA. KZTFCA area is where we have the large population of animals on this planet elephants. A large population of elephants currently is in KAZTFCA area that is now

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Kavango Zambezi Trans Frontier Conservation Area with five countries Angola, Namibia, Zimbabwe, Botswana and Zambia. So this one we will be able to say how we can minimize this hand. Also some questions I think you might put questions maybe then I can respond properly because there are so many questions here and I do not want to, I could see the Speaker here (intervention).

---

**HON SPEAKER:** No you continue. Continue we have a bit of time, continue please.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** There were so many questions Comrade Speaker seriously and I am still somewhere there. Now we are looking into the issue of insurance cover and I think the problem some of these development we put up do not have environmental clearing certificates. We could have advised. Some, it is very simple if you put up irrigation system or you put up a farm in an area you know that you know there is wildlife we could advise, leave area where migrated lots of elephants are and we have done that and next to Etosha and elephants pass normally in the road to Kunene Road or anywhere because the fence of Etosha on the other side was not meant to prevent wild animals. I mean especially elephants it was in the 60s it is 1.2 cattle fence. Elephants do go out that is why you can put it down and people what I have seen is fence put down so that even officials can patrol. You can put it down driving elephants or animals that went outside because the gates are far from each other, so it was meant for that. That is why there was even a policy then in the 60s that no settlement near Etosha, near parks and there was a buffer zone of more than 70 kilometres nobody is supposed to settle there because these animals are supposed to go in and out but now we have to cover everything. Honourable Speaker, I think some other questions I think they can ask questions and I will

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respond to that with time. Thank you and I thank everybody.

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**HON SPEAKER:** Thank you very much. I was hoping that we can take one more item but obviously time would not allow that. So in any case I will not put the question with regards this particular item we will defer that to tomorrow when we have the appropriate number in accordance with our rules. But we have gone as far as possible and this hour does not allow us to do more than what we have done. But I was just going to suggest that honestly some of the questions you just do in a summarized form and then there will always be additional information that could be supplied to a particular Member for a detailed explanation etcetera for background reading so I would really suggest that you have gone as far as necessary and if there is additional information which yourself feel that a particular Member because of particular interest would require additional information, that could be provided for. I think we can proceed on that basis.

So well done it is a subject of so much interest because of the nature. We are dealing with environment and there are lots of aspects that we need to deal with when it comes to terms with but again the human wildlife conflict is a matter that will continue to be with us. We cannot escape that. We need to share this space but again we have to have the right balance. The right balance is the regions will guide us from the Ministry concerned. That said and done all what is left is for me to say may we adjourn and return tomorrow as usual? So decided.

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**HOUSE ADJOURNS AT 17:45 UNTIL 2018.06.07 AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
07 JUNE 2018**

The Assembly met pursuant to the adjournment.

**HON DEPUTY SPEAKER:** took the Chair and read Prayers and the Affirmation.

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**ANNOUNCEMENTS IN TERMS OF RULE  
20(A) OF THE STANDING RULES AND ORDERS**

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**HON DEPUTY SPEAKER:** A small announcement, I was informed that the NBC team is in the Parliament Restaurant to assist us to download and register what is known as NBC TV Programme as well as 10 NBC Radio Stations on our cell phones or laptops. Members who would like to subscribe can meet the team in Parliament during tea break but we do not have tea break.

I also would like maybe to advise them to come back on Tuesday. If somebody can tell them to come back on Tuesday because lots of colleagues are not here Tuesday we will have a full House. It is not a bad idea at all it is only that today the quorum is not that good but anyone who would like but do not go there because they take long. Normally we do not have tea break. Table Office can you probably, can we agree to inform them that maybe they can come back on Tuesday? Ha? Yes, Table Office arrange for somebody to go and inform them. Maureen you do not follow? I am saying the NBC team is waiting for us in the Restaurant during tea break to assist us to upload this NBC TV and Radio Programme on our cell phones and laptops. We have just reached a consensus that today is not the right day they must come back on Tuesday.

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**TABLING OF REPORTS  
HON ALWEENDO**

Today is Thursday and we will start right away with the questions? Ha? Oh sorry. Reports of Standing or Select Committees? Other Reports and Papers? I recognize the Minister of Mines, Honourable Alweendo.

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**TABLING: ANNUAL REPORT OF NAMIDIA**

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**HON MINISTER OF MINES AND ENERGY:** Honourable Deputy Speaker, I lay upon the Table, the Annual Report of NAMDIA for the Financial Year ended 2017.

I so move Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Please table the Report. Any other Reports and Papers? None. Okay. Notice of Questions? None. Notice of Questions? I recognize Honourable Smit.

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**NOTICE OF QUESTIONS**

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**HON SMIT:** Thank you Honourable Deputy Speaker. I give Notice that on the 14<sup>th</sup> of June 2018 I shall ask the Right Honourable Prime Minister Sarah Kuugongelwa-Amadhila the following. According to the IMF's latest Article 4 Country Report on Namibia the rapidly rising Public Service Wage Bill in Namibia is lastly the result of fast increasing public sector salaries, this is at the moment 15% higher than equal salaries paid in the private sector. It is common knowledge and cause that this inflated public Service Wage Bill is one of the main reasons why Namibia has

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**NOTICE OF MOTIONS**  
**HON SMIT**

been downgraded by the various Rating Agencies. I thus ask:

- 1) What is the Right Honourable Prime Minister planning to do to curb this fast increasing Wage Bill?
- 2) How soon can we expect some real action to help the economy recover?

I so Move.

\_\_\_\_\_  
**HON DEPUTY SPEAKER**: Yes please table the question. Any other Notices of Questions? Notices of Motions?

\_\_\_\_\_  
**HON SMIT**: Yes.

\_\_\_\_\_  
**HON DEPUTY SPEAKER**: Motion?

\_\_\_\_\_  
**HON SMIT**: Motion.

\_\_\_\_\_  
**HON DEPUTY SPEAKER**: Okay Honourable Smit.

\_\_\_\_\_  
**NOTICE OF MOTIONS**

\_\_\_\_\_  
**NEW FISHING RIGHTS**

\_\_\_\_\_  
**HON SMIT**: Honourable Speaker, I give Notice that on Tuesday the 12<sup>th</sup>

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**NOTICE OF MOTIONS  
HON SMIT**

of June 2018 I shall move that this House debates the issue of the new fishing rights formulated by the Honourable Minister of Fisheries and Marine Resources, Honourable Esau and gazette on the 24<sup>th</sup> of May 2018 in Government Gazette Nos. 6601. The new rules for applying for fishing rights as set out by the Honourable Minister will not bring about the results he envisaged to the benefit of Namibia's disadvantaged people. This House should discuss other possible ways of allowing disadvantaged Namibians to obtain fishing rights and to protect such disadvantaged holders of fishing rights from exploitation. I so move Honourable Speaker.

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**HON DEPUTY SPEAKER:** Table the Motion.

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**HON MEMBER:** The one done indirectly.

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**HON MEMBER:** No, wait then listen.

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**HON MUHARUKUA:** No, that is the purpose of Parliament.

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**HON DEPUTY SPEAKER:** Sorry for disturbances. Messages from the Head of State? Ministerial Statement? Yes today we will start with the questions. Can we go back to the request again of NBC? I am informed that they have prepared us some snacks so probably we can just try to go and come back, during tea break and come back. Okay we will do that. I put Question number 07.

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**RESPONSE TO QUESTIONS BY  
HON NAUYOMA  
HON DR NDJOZE-OJO**

Order, let us go back to the business now, question number 07 is a question by Honourable Nauyoma of APP to the Minister of Higher Education, Training and Innovation.

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**HON SHIXWAMENI:** *(Not on microphone).*

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**HON DEPUTY SPEAKER:** On his behalf?

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**HON SHIXWAMENI:** Yes.

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**HON DEPUTY SPEAKER:** Okay I take note of the Deputy Minister Dr Ndjoze-Ojo.

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**RESPONSE TO QUESTIONS**

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Thank you very much Honourable Deputy Speaker. I stand in, well I must read this question on behalf of the Minister and I will read the question verbatim as if she is the one reading it. I rise to respond to the question asked by Honourable Nauyoma of APP and Honourable Kavekatora of RDP. I wish to thank the Honourable Members for their interest in education system of

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**RESPONSE TO QUESTIONS BY  
HON NAUYOMA  
HON DR NDJOZE-OJO**

our country. It is also proper that I should thank you both for your patience. The question as you have it is, I think it is good to remind ourselves. Can the Minister inform this Assembly about the situation at Higher Education Institutions as to how many students are left out at recent concluded registration due to lack of funds both private students and Namibia Students Financial Assistance Fund (NASFAF) students? The Universities were not ready to register students without payment required by these institutions. And the answer is as follows: Article 20 of the Namibian Constitution place education high on the agenda of the Government of the Republic of Namibia, all persons shall have the right to education. Primary and secondary education shall be compulsory and the State shall provide reasonable facilities to render effective this right for every resident within Namibia. To uphold and implement these binding provisions of the Constitution Primary and secondary education, general education was made free in Namibia.

Education though a public good a small personal and social benefits, education empowers many and sets them on a path of self actualization, the more empowered the citizens are academically and skillfully the greater the propensity towards economic emancipation hence the adage education is the greatest equalizer. At tertiary level even after establishment of the Namibia Students Financial Assistance Fund the Government of the Republic of Namibia remains a proponent of construing approach.

Honourable Deputy Speaker, Honourable Members, to come to the specific questions many of the issues raised have been overtaken by events. For example the Government provides a N\$50,000,000 to cater for the 2018 registration fees for the NASFAF funded students. The N\$50,000,000 was distributed to the two public universities namely University of Namibia (UNAM) and Namibia University of Science and Technology (NUST) and IUM a private university. The number of students assisted at UNAM was 5,260 and at Namibia University of Science and Technology it was 2,052 and 1,469 students at the Private University the IUP. That is a total of 8,780 students were assisted with

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HON DR NDJOZE-OJO**

funding for registration. The table below which will be distributed captures the total number of students enrolled at the public universities. The total number registered currently stands at 37,997 almost 38,000.

I now proceed to answer the question by Honourable Kavekatora. The question was the public was informed that the President of our Republic directed (*intervention*).

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**HON DEPUTY SPEAKER:** Yes a moment Doctor I would like to (*intervention*).

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Oh, okay yes because they were linked together.

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**HON DEPUTY SPEAKER:** Yes any follow up question?

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Since he has questioned.

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**HON DEPUTY SPEAKER:** Yes now the question number 11 is by Honourable Kavekatora to the same Ministry. Honourable Deputy Minister would you like to respond to the question?

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**RESPONSE TO QUESTIONS BY  
HON KAVEKOTORA  
HON DR NDJOZE-OJO**

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** Let him put the question.

\_\_\_\_\_

**HON DEPUTY SPEAKER:** Would you like to put the question?

\_\_\_\_\_

**HON KAVEKOTORA:** I put the question.

\_\_\_\_\_

**HON DEPUTY SPEAKER:** Would you like to respond?

\_\_\_\_\_

**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** Thank you for understanding and taking that answer on behalf of the Honourable Member who asked the question. The paper will be distributed after I would have read it, everybody will get a copy. The question was as follows, the public was informed that the President of our Republic directed NASFAF to be incorporated to your Ministry. In the same vein you must be fully aware that the current problems facing the fund originated during the time when the fund was under the jurisdiction of the Ministry of Education. There was no Ministry of Higher Education at that time I am specifically referring to the N\$1,700,000,000 excluding interest unaccounted for by the fund. So the sub question is, what led to the incorporation of the fund back to the Ministry?

The answer is as follows. The NASFAF has not been incorporated into the Ministry of Higher Education, Training and Innovation that is the answer. However, Cabinet looking at the various negative publicity



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HON KAVEKOTORA  
HON KAVEKOTORA**

surrounding NASFAF at the time and also considering the strategic importance of the fund resolved that the Ministry that is responsible for driving the national human resources development agenda for the entire country namely the Ministry of Higher Education, Training and Innovation assesses the situation and make recommendations or may reintegrate the integration of the fund into the Ministry and this is an ongoing process.

Question 2 under that, in retrospect what a view as the Minister responsible define to be the problem with the fund. A comprehensive report on the fund identified the poor communication within an institution led to challenges. I constantly engage the management and the board to resolve whatever challenges there are at the institution. This is done for the sake of the students who are the ultimate beneficiaries of the fund. Sub Section 3, the nation was informed that the new board was appointed to lead NASFAF, I do not quite understand how you as the Minister intend to match these mutually as the Minister's exclusive moves, whatever that means. What are the specific terms of reference of the new board? The term of office of the previous board expired in December 2017 and the NASFAF Act mandated me as the line Minister to appoint a new board. The terms of reference of the new board amongst many other things are to assess the operations of the institution and to make recommendations to me and these recommendations will be shared with the right Honourable Prime Minister and relevant Offices, Ministries and Agencies (OMAs) before it gets to Cabinet. This exercise will require the full involvement of the board hence the appointment of the new board. I so submit Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Any follow up if any?

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**HON KAVEKOTORA:** Thank you very much Honourable Deputy

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**RESPONSE TO QUESTIONS BY  
HON KAVEKOTORA  
HON DR NDJOZE-OJO**

Speaker. Let me also take this opportunity to thank the Deputy Minister and the Minister for responding to my questions. I am not very clear because what I tried to bring across is the issue that the missing N\$1,700,000,000 originated from era when the fund was with the Ministry. Now there is also information that says that the new board was given the mandate for 12 months according to the board to prepare the reincorporation of fund into the Ministry. Now the question that I wanted to get out is that the problem started there. Now you are preparing the fund to go to the Ministry have you identified what the problems were that now could lead you to reasonably assume that incorporating the fund back into the Ministry will not have the same problems as before, that basically is the crux of the matter because the idea now is you have instructed the board to prepare the fund to go back to be incorporated in the Ministry. But the problem of the unaccounted N\$1,700,000,000 originated from there so what has changed in your Ministry that one can reasonably assume that the fund will be now properly managed once it goes back into your Ministry? Is it just a matter of just shifting it from one angle to the other without really addressing the problem that has caused the fund not to account for N\$1,700,000,000 because that is a huge amount comparatively speaking?

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**HON DEPUTY SPEAKER:** Yes Honourable Deputy Minister.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING AND INNOVATION:** Yes, let me since you are taking us back into, okay thank you Honourable Member since you are taking us back into history of N\$1,700,000,000 lost when the fund was in the Ministry of Education. It was not Higher Education. I had the privilege of working as a Deputy Minister of that Ministry and the fund was a Directorate run by an Under Secretary in the Ministry of Education and eventually somewhere in between the fund moved and I moved and then I am just

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**RESPONSE TO QUESTIONS BY  
HON KAVEKOTORA  
HON DR NDJOZE-OJO**

back now. So what I am actually trying to say, the Act establish the Fund has a directorate within the Ministry and then the Act was amended to allow the fund to be moved to be a standalone entity and since it has moved it has experienced other problems apart from the unaccounted for funds and the Ministry of Public Enterprises when it was set up it was to carry out some assessment of all the State Owned Enterprises and dividing them into three categories and making recommendations as to what should happen. So what comprehensive report we are talking about is a State document that is also addressing some of the issues but your question the way you phrase it was not specific. Basically you would have just asked how come the N\$1,700,000,000 was lost and now you want to bring the fund? It was a bit quoted in chocolate.

So what I am actually trying to say is that all that process is ongoing. The whole investigation as to how that money got lost and was accounted for and it does not have for that entity to standalone if it is not performing better than it was performing in the Ministry. So it was the fund was outsourced because the Ministry was big. At the time we were looking at 5,500 learners and 20,000 the Ministry was huge and some of the activities needed to be outsourced. Now with this new Government, a new Ministry of Higher Education, Training and Innovation was created that should incorporate all the State Owned Enterprises that have been outsourced before because the Ministry was big and now streamlined, most of the activities have gone to the Ministry of Education, Arts and Culture and the Ministry of Higher Education, Training and Innovation can now assess and make recommendation. It is not only affecting the fund it is also affecting other State Owned Enterprises and we are working very closely with the Honourable Jooste as to which ones will be returned where and I think that is what I am saying it is an ongoing process. Most of the answers will come to that effect but the fund is being assessed and the board in which we do not interfere is busy trying to assess and to recommend which the best way is out but that recommendation will come to that Minister. The Minister will take it to Cabinet and then Cabinet will decided as to what should happen to the fund. Thank you.

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**RESPONSE TO QUESTIONS BY  
HON KAVEKOTORA  
HON KAVEKOTORA**

**HON DEPUTY SPEAKER:** Thank you.

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**HON KAVEKOTORA:** I want to, let me thank the Deputy Minister once more. The bottom line basically is that you came up with a solution without really defining what the problem is, that is fine and I would also, I do not mind having an opportunity to read that so called thick document. I am prepared to read it because these are State funds and I am responsible for making sure that you are utilizing the funds optimally. So if I can have a copy of that thick document I will really appreciate that. But the bottom line is that you came up with a solution without defining what the problem is and that is not the right of doing things. You define a problem first before you come to the solution. Thank you.

---

**HON DEPUTY SPEAKER:** No, I should think they are trying their level best. Let us wait and see because the process is ongoing. Thank you, I put Question 35 (*interruptions*). Sorry I did not give you the floor can you sit down and you ask for the floor.

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**HON KAVEKOTORA:** Okay, maybe (indistinct) me I am a new comer. No I think this is a principle issue of problem solving. You do not solve a problem without defining what the problem is. What you are saying is that the problem will be defined later while the solution has been found and that is not acceptable.

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**HON DEPUTY SPEAKER:** No maybe you can, you are the Chairperson of the Public Accounts you can advise them.

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**RESPONSE TO QUESTIONS BY  
HON NAUYOMA  
HON ALWEENDO**

**HON KAVEKOTORA:** I am not far I am (indistinct).

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**HON DEPUTY SPEAKER:** You can advise them.

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**HON KAVEKOTORA:** No I think they can invite me.

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**HON DEPUTY SPEAKER:** Thank you. I put Question 35 by Honourable Nauyoma. Anyone who would like to put the question to the Minister of Mines and Energy? Do you like to respond to the question?

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**HON MINISTER OF MINES ND ENERGY:** Thank you Honourable Deputy Speaker and to thank the Honourable Nauyoma for the question but now the first question was about what happened to the statement made by the former Minister of Mines and Energy Honourable Katali in Parliament? I do not know when he made that statement. I tried to find out from him, he could not also remember making the statement. But I thought I will still answer the question in a way at least about general about the oil and gas I think in the country and I would like just to answer this by starting saying I think we all agree that so far the mining sector is probably still one of the largest contributor to our economy contributing more than 12% to our GDP and I think we are fortunate as a country to be blessed with some of the mineral deposit a number of which are considered to be world class such as we have diamonds and we have got uranium.

In addition Honourable Deputy Speaker, we are also blessed to have other minerals such as gold, base metals and industrial minerals and so in a way

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HON NAUYOMA  
HON ALWEENDO**

this is a very important sector I think which we all appreciate. The mineral resources potential of the country is indeed great and is yet to be fully tapped for the benefit of the nation. Now to achieve a sustained contribution of the mining sector the Government will continue to promote a conducive environment in order for us to attract the needed investment capital as we know mining is not a cheap investment it really needs a lot of capital. Now specifically with regards to the exploration of oil, unfortunately so far we have not been able to discover oil that is sufficient in quantity to justify commercial exploration. It is also important I think for us to know that the exploration for oil is not an exact science and that is the success rate is always sometimes below even 10%. However, Honourable Deputy Speaker, with improved data interpretation technology that is available now, we remain hopeful that we are getting a step closer to discovering oil. Currently we have a total of 33 exploration licences where investors are busy exploring for oil and gas. Also during this current difficult market conditions countries are really competing for investors' funds which are always scarce and then in order for us to continue to attract these funds we must continue to promote ourselves as a good investment destination.

Honourable Deputy Speaker, in this respect the Minister of Mines and Energy undertook a mission to London on the 21<sup>st</sup> of May this year with a purpose to attend the Africa Exploration and Production Summit that was held in London and while there we also organized and held an event that we organized ourselves as Namibia to showcase our potential for petroleum exploration. The Mission also provided us with a very good opportunity to network, promote ourselves as a hydro carbon potential to a wider investment communities. I would also want to say that taking advantage of the current market downturn where the cost of services are currently low, oil exploration companies are reading themselves to start drilling in our waters and in this respect in the next six months or so we expect two wells to be drilled at a cost of more than US\$75 million and the companies that are going to be drilling are Tallow Oil and Chayote Oil and we hope that this time around we will be able to find some commercial discoveries.

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HON SHIXWAMENI**

The second question was about what happened to the Nigeria and Angola oil and refineries oil deal? Honourable Deputy Speaker, it is our responsibility to continue to promote Namibia as a profitable business and investment destinations especially for private sector investments and for that reason we will from time to time receive potential investors who may wish to invest in our economy. The Nigeria and Angola Oil Refinery deals referred to by Honourable Nauyoma are such potential investments but given the complexity and the high level of investment capital that is required in some of these investment it is understandable that such investment may take time to be realized. On our part we will just continue to do everything to make Namibia an attractive investment destination.

The last and third question, Honourable Deputy Speaker was, it says, what is what with NAMDEER? Where is the Act that established NAMDEER? Honourable Nauyoma, it is true that most of our State Owned Enterprises are established by Acts of Parliament. However, it is not a requirement that all SOEs are to be established by an Act of Parliament and therefore NAMDEER was not established by an Act of Parliament but rather under the Companies Act. Those were the questions Honourable Deputy Speaker and this was it.

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**HON DEPUTY SPEAKER:** Thank you. Any follow up questions?

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**HON SHIXWAMENI:** I would like to thank the Minister for his reply. Of course I must admit that he was not around when the statement by Honourable Katali was made. But those ones who were in Parliament that time thought that in two years the prospects that were given was like in two years we shall only be second to Angola in terms of production, that is about four years ago but you can check the dates on which the statement was made.

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The other one on NAMDEER is given the stories that are currently in circulation in the newspapers about the shareholding of that particular company. We beg to ask the questions, is NAMDEER a Government entity or is it a private company because if we are to go by the stories of the President having proxy shareholders in the company and some other people having proxy shareholding in the company so one asks ourselves whether it is established under the Companies Act whether NAMDEER is a public owned company, a State Owned Company or whether it is a private company. I hope the Minister will be able to help the nation around the shareholding of NAMDEER. Thank you.

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**HON MINISTER OF MINES AND ENERGY:** Thank you Honourable Deputy Speaker and Honourable Shixwameni. It is good that you are asking for me to explain this and do not always believe what you read in the newspapers. It is always good to ask so be careful what you read. I have to categorically state here that NAMDEER is a State Owned Company 100% there is no private sector holding a share in NAMDEER and so whatever has been said or written about, about the ownership of NAMDEER, NAMDEER is 100% owned by the Government.

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**HON DEPUTY SPEAKER:** Thank you. Now we proceed to question number 39 posed by Honourable Van Den Heever to the Minister of Urban and Rural Development. Is there anyone who would like to put the question on behalf of Honourable? Honourable Deputy Minister of the Ministry of Urban and Rural Development would you like to respond?

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Yes thank you Honourable Deputy Speaker for granting me an opportunity to respond to the question put by the



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Honourable Van Den Heever now put by Honourable Dienda. I have to mention that this question has been posed some time ago, long time ago in this House and some of it has been overtaken by events but nevertheless I would love to respond to the questions as best as I can on behalf of my Minister. I wish to start off by thanking the Honourable Member who asked the questions that I am taking the floor to respond to. Secondly, I also wish to acknowledge the leadership provided and work that has been done by my predecessor Honourable Shaningwa towards ensuring that the affairs of Local Authorities and Regional Councils are administered on the principles of good governance and orientated towards meeting the needs and expectations of the electorate.

Honourable Speaker, Honourable Members, I wish to respond to the questions posed in a general manner. I wish to confirm to this august House that the Minister of Urban and Rural Development and his staff have been preoccupied with and dealing with concerning state of mismanagement, lack of accountability and poor service delivery in the town of Rehoboth for some years now. S the Minister that has been assigned an oversight role over the affairs of Local Authorities in terms of the Local Authorities Act 1992 as amended the Minister has intervened on occasions and in many ways with hoping of bringing about the needed change and leadership especially on the part of the Council. The specific interventions done are, please Honourable let me answer. You have asked so listen.

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**HON DEPUTY SPEAKER:** Yes.

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT:** Issuance of several Ministerial directives in the line with the powers of the Minister as provided for in the Local Authorities Act 92 as amended. Face to face meetings with the Council, Councillors

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and Management, commissioning of an investigation and fielding of a team of officials from the Ministry from 21 February 2017 to 23<sup>rd</sup> June 2017 to conduct a detailed investigation into the affairs of the Council and to provide on the spot guidance and advice to management and Council on identified shortcomings and remedial measures to address such.

Presentation to the Council of Rehoboth Town of the investigating report that has been compiled by the Ministry's team detailing identified irregularities and recommended corrective measures for implementation and report back on the actions taken or planned. A face to face meeting on 28 February 2018 for Council to present to the Minister proof of any action taken to correct the situation and specifically the issues raised in the investigation report. This meeting was attended by all the members of the Rehoboth Town Council, Honourable Shaningwa, I as well as the Ministry's officials. The situation in Rehoboth can be summed up as a case of a Council failing to exercise the powers and perform the duties and functions assigned to a Local Authority Council in terms of Section 30 of the Local Authorities Act 92 as amended. The key identified causes or contributing factors are poor or lack of leadership in general as well as a division or lack of team work within the governing council and between the Councillors and management. None adherence and compliance to the provisions of the Act in all aspects and areas of the affairs of Council including compliance to basic governance requirements of holding Council meetings and submission of minutes of Council meetings to the Minister. Mis-management and lack of accountability for public resources entrusted to Council, moneys paid to Council by residence and/or allocated from the Central Government and with the consequence effect of the Town Council failing to serve its purposes that or provision of requisite services to the residence.

In the public interests and having considered the following, the persistent disregard of Ministerial directives by the Council of Rehoboth, the failure of Council to accept and implement corrective measures that they have recommended by the Ministry and even when the Ministries stationed a team of officials for over a month providing hands on or on the spot

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guidance and assistance, visible division among the Council members with a negative consequent effect on the Council not being able to effectively function and operate as a united council and to execute the role and duties assigned to it. This divisive at the political leadership level of the Council has unfortunately filtered or cascaded down to the operational levels of the Town Council and has resulted in conflicts and confrontations and compromises or lack of service delivery and accountability to the members of the public who are supposed to be served by the Council and the obvious failure of Council to show and provide leadership and steer the affairs of the Town Council even with or despite the various supportive interventions and guidance that were undertaken and provided to the Council by the Ministry on several occasions. I, like my predecessor Comrade Shaningwa am convinced that there is a need for an urgent and decisive intervention to arrest the state of governance at Rehoboth before it worsens further and more importantly in order to restore order and good governance.

Now I said that this answer has been prepared long ago and some of it has been overtaken by events but I am still reading what the Minister has said that time. Due to procedural requirements that I am legally required to follow I am not able to disclose the specific action that I have decided to take to this august House at this point. All I can divulge are my decisions and course of action will be announced to the Council and consequently known to Members of this House and the public. Now action that followed of course after that was that the Town Council of Rehoboth, the Councilors were suspended from office and they are still on suspension. The Minister has put a caretaker there on behalf of the Minister in the name of Mr Goagoses who is currently in Rehoboth taking care of the affairs. Honourable Deputy Speaker, Honourable Members I wish to conclude by thanking the Honourable Member for the questions and all of you for your kind attention. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. Any follow up questions?

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HON VAN DEN HEEVER  
HON DIENDA**

**HON DIENDA**: Thank you Honourable. I just want to know are they on suspension with full benefits or zero, no allowance nothing?

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**HON DEPUTY SPEAKER**: Honourable Deputy Minister?

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**HON DEPUTY MINISTER OF URBAN AND RURAL DEVELOPMENT**: Honourable Deputy Speaker, I can find out but according to my knowledge the suspension is without benefits that is according to my knowledge. Thank you.

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**HON DEPUTY SPEAKER**: Okay thank you. With this we can now break for tea. Let us go to the Restaurant and kindly let us come back at 16:00. So agreed.

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**HOUSE ADJOURNS AT 15:30**

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**HOUSE RESUMES AT 16:05**

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**RATIFICATION OF THE SADC PROTOCOL ON  
ENVIRONMENT MANAGEMENT FOR  
SUSTAINABLE DEVELOPMENT**

**HON DEPUTY SPEAKER:** Please be seated. We are back. We can now proceed with the Motions so that we can proceed next Thursday with questions. Yes we used to do like that. The Secretary will read the First Order on the paper.

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**RESUMPTION OF DEBATE ON THE  
RATIFICATION OF THE SADC PROTOCOL  
ON ENVIRONMENT MANAGEMENT FOR  
SUSTAINABLE DEVELOPMENT**

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**HON DEPUTY SPEAKER:** Because of the absence of both the Minister and the Deputy Minister of Tourism we skip that one and we proceed to Notices of Motions and the Notice of Motion one is by Honourable Mbai. Oh, you were locked up in the congress? Does the Honourable Member move (*laughter*). Does the Honourable Member move the Motion? Do you like to move the Motion?

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**HON MBAI:** Yes I move the Motion.

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**HON DEPUTY SPEAKER:** Who seconds the Motion? Any objection? Agreed to. I will call upon Honourable Mbai to take the floor to motivate your Motion.

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**URBANISATION AND ITS IMPACT ON TOWNS AND CITIES**

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HON MBAI**

**HON MBAI**: Thank you so much, Honourable Deputy Speaker. I am so disappointed it is almost an empty House.

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**HON DEPUTY SPEAKER**: No, but we have a working quorum for discussions (*intervention*).

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**HON MBAI**: Thank you so much.

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**HON DEPUTY SPEAKER**: Yes.

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**HON MBAI**: On a very light note that we make use of this opportunity to confirm Honourable Members and the viewers and the public there outside I rise in this august House this afternoon as a leader and President of NUDO Party.

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**HON DEPUTY SPEAKER**: Congratulations, yes.

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**HON MBAI**: And at the same time also leader of NUDO delegation to this House until such time after my retirement when the next leaders are designated through a transparent, democratic, free and fair elections as required by the Party Constitution, I thank you so much (*intervention*).

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HON MBAI**

**HON MEMBER:** That is leadership.

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**HON DEPUTY SPEAKER:** Yes I gave the floor to the Honourable Member.

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**HON MBAI:** That nevertheless that we come back to the agenda on the table. This is the motivation of my Motion on the issue of Urbanization and its Impact on our Towns and Cities. Honourable Deputy Speaker, Honourable Members I would like to motivate my Motion on Urbanization and its Impact on our Towns and Cities, there are various aspects that needs to be carefully discussed when dealing with this issue of people migrating to towns and cities in search of a better future. Right from the onset I must make it clear that Namibia being a developing country will continue to experience rapid urban migration but it is nothing unique to Namibia at all. However, we must do a swat analysis and ask ourselves hard questions such as why our people are reluctant to stay at their villages and smaller towns but rather opt to migrate to bigger towns and cities.

One will assume that the answer to that question is the fact that people are often under the impression that there are endless opportunities in towns and cities. The attainment of our independence in 1990 did not break the chain of colonialism and oppression but also guarantees free movement, association, expression and above all participating in efforts to uplift people's standards of living and development.

**Urbanization and Development:** Among many other definitions urbanization is generally defined as the increase in number of people migrating from rural areas to urban areas. Honourable Deputy Speaker, the first question to ask is, why is Namibia changing rapidly from a rural to urban society? The Namibian society is changing rapidly from rural to

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urban based livelihood. The dimension of the changes are substantial and the questions are many, what drives rural people to towns? Why is security becoming more important than food security? Why are traditional extended family networks being replaced with small nuclear families? Who do people forsake the multiple ownership of village land for individual ownership of properties?

In the early 1990s about 10% of all Namibians lived in towns. That percentage has grown to 25% by 1981 and to 30% in 1991 one year after our independence. Since then urban population has further skyrocketed making up about 48% in 2016. These high concentration of people in a limited special locality brings with it greater opportunities and challenges. On the other hand development can generally be defined as change. In our context any change must be for the benefit of our people. I must also categorically state that the economy functions of towns and cities everywhere are more similar than we usually anticipate. As the argument really goes these similarities indicated that urbanization is a phenomenon inherent in economic development, it is a fact that countries with higher GDP and income per capita usually are more urbanized. Danafelt and Lunge observed and I quote, *"The economy in low income countries as well as in high income countries is related to economies of scale and agglomeration that make enterprises in large cities more productive than those located in small towns and rural areas. Agglomeration economies found that on a large number of factors such as large and diversified pool of labour which in turn improves labour productivity. A greater local market making easier to reap the benefits of a scale in production, easier access to suppliers and specialized services, lower information and transaction costs and because of easier face to face meetings and a more diversified contact networks and environment innovation"*. It is therefore to be understood that if people migrate to towns and cities it is with hope and belief to change for better. The harsh and painful reality is however, the fact that often the anticipations are made with harsh realities of hardships and inadequate basic services provision such as proper housing, electricity, water and sanitation.



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HON MBAI**

Major population movements to cities are shifting the main burden of poverty to urban areas. Urban economies cannot absorb all the rural poor. The persistent problem is that attempts to tackle urban poverty directly by creating jobs and providing public services that are unavailable in rural areas. Simply these attract more of the rural poor and their migration wipes out any gains. The pushing comes from several challenges in rural areas while several other reasons make urban life attractive and pulling, the problem of housing. Formal housing sector rarely produces more than 20% of new housing stock in more cities of the developing world. The rest is produced informally with various degrees of illegality ranging from the unlawful occupation of land to pave (indistinct) of building codes, infrastructure standards, zoning restrictions and regulations for land use and subdivisions. Overcrowding is serious in most cities where supply of unauthorized housing has been severely curtailed. Controlling the invasion and encroachment by squatters has meant that many urban poor must rent accommodation or take the more expensive and often less accessible option of buying land in illegal land subdivision. Renters usually are poorer than owner occupiers in the informal settlements and many of them would rather live in a cheap accommodation and invest back in their villages than investing in a house in the city.

I must also register my profound disappointment while on the issue of housing that often not one hears through the various media outlets that the various Town Councils and Municipalities throughout the country have demolished poor people's shacks because they are perceived as illegal residents. While I am in support of the structured approach to the issue of informal settlement and as a lawmaker that I am supporting the laws must be adhered to. I am equally disappointed that often than not 'the have-not' the poor people who flock to or to cities and towns are left homeless often in winter and in the rain because their shacks have been demolished. I must make a clarion call that we must strike a thin balance between the needs of our needs to housing and the enforcement of our by-laws in our various towns and cities. I will not be a proponent of saying people must settle freely and without authorization anywhere they so wish in our cities and towns because there are laws that govern land allocations. However,

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HON MBAI**

when our cities and towns deal with them they should take into account our historical background where we are coming from or where we are coming from and where we are going as a country. They must try by all means to address these people's concerns in the informal settlements with the much needed empathy for their plights.

**Access to Opportunities:** People need access to opportunities and such access should never be the sole privilege of more fortunate members of our society. It should be purposefully made applicable to all including the poor. Unfortunately mere access to such opportunities may not be enough. People may have to be assisted to make full use of available opportunities. This means that self reliance although an important condition for sustainable development should only come to play once access to opportunities has been ensured.

Honourable Deputy Speaker, on the affordable facilities and services rapid urbanization places stress on the economic resources for development. Accompanying this stress is the tendency to make development affordable in a short term by reducing stance that is below those that are necessary for the continued proper management of the system. I must however, direct a warning here that it is too dangerous to reduce standards to such an extent that the development that takes place is devastating to the environment and the economy over the medium to long term. In order to understand people's behavior, their stress, social conflict and the role of their cultural and physical environment one needs to fully understand basic needs. This means that needs should be determined before any attempt is made to address them.

Honourable Deputy Speaker, in conclusion, why I brought this discussion to this august House is for us as lawmakers to raise awareness about the urbanization challenges and create platforms and search and common position to address these challenges. I therefore recommend the following that equity distributive justice is achieved. Among other aspects by meeting the basic needs of the under privileged section of our population the elimination of acute poverty should therefore be crucial, a crucial

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objective of a planning and development strategy. Equity planning can only be achieved through the public participation. People should be housed in decent structures that can proudly be called their home. Let us avoid economic failures of the past. New economic solution should be sought so that people will have jobs. People require frequent contact with relatives, friends and other acquaintances. It is so imperative that the argument objective of decentralization in Namibia is evolution of power to the level closest to the people in a manner consistent with preservation and development of the democratic unitary State of Namibia.

Finally honourable Deputy Speaker in the broader scope of aspects the problem we are facing is still manageable. We should not allow panic and lack of creativity overwhelm us. We should go back to the basics and ask ourselves a question, what are the 20% actions we can take to solve 80% of our problems? I therefore move this Motion to be referred to the relevant Parliamentary Committee for further scrutiny and recommendation. I thank you.

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**HON DEPUTY SPEAKER:** Thank you. Any further discussion? Any further discussion, okay I recognize Honourable Van Wyk.

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**HON VAN WYK:** Thank you Honourable Deputy Speaker. I would like to ask for the indulgence of the House for the debate to be postponed until 16<sup>th</sup> of June which is next week Wednesday. Thank you.

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**HON MEMBER:** 16<sup>th</sup>?

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BETWEEN NAMIBIA AND BOTSWANA  
HON BOOIS**

**HON VAN WYK:** 16<sup>th</sup>.

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**HON DEPUTY SPEAKER:** 16<sup>th</sup> of June, yes. It is a Sunday.

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**HON MEMBER:** It is not the 16<sup>th</sup> (*intervention*).

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**HON DEPUTY SPEAKER:** Wednesday is the 13<sup>th</sup>. 13 neh?

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**HON MEMBER:** Wednesday is 13<sup>th</sup>.

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**HON DEPUTY SPEAKER:** Yes he changed now the mind. He postponed to Wednesday the 13<sup>th</sup> of June. Okay so the discussion on this Motion is postponed to the 13<sup>th</sup> of June 2018.

The Secretary will read the Second, another Motion is a Motion by, is it the Minister of Land Reform? The Deputy Minister is here. Would you like to move the Motion on behalf of your Minister? Okay who seconds the Motion? Any objection? Agreed to. Honourable Deputy Minister you have the Floor.

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**RATIFICATION OF THE BOUNDARY TREATY  
BETWEEN NAMIBIA AND BOTSWANA  
HON BOOIS**

**HON DEPUTY MINISTER OF LAND REFORM:** Thank you very much Honourable Speaker. Honourable Speaker, Honourable Members I rise to seek Parliamentary approval for Namibia to ratify the Boundary Treaty between Namibia and Botswana. The background on this, this Treaty is in tandem with the African Union Border Programme (AUBP) initiative. The AU Convention on Cross Border Cooperation NIAME Convention has a number of provisions to which Member States are expected to implement. Namibia is committed to cooperating with the African Union in ensuring that the provisions of the AU Border Programme Convention are implemented. This is demonstrated by the fact that Namibia in July 2016 signed the AU Convention on cross border cooperation. The Convention provides for Member States to establish institutions that facilitate and promote cross border cooperation, delineate, demarcate and reaffirm in the said borders, peacefully resolve border disputes, promote economic growth and efficiently secure and manage borders. Honourable Speaker, Honourable Members, this Treaty provides the mechanisms for creating the instrument for addressing special boundaries between Namibia and Botswana holistically. These instruments are essential in preventing border disputes and inducing beneficial cooperation among border communities. The Treaty is expected to facilitate a boundary management structure that can be minimized, maximized to unite, bind and be deployed as fireworks for peaceful in this change. It therefore addresses among other things the following:

1. Clarity and visibility of boundary lines to avoid conflict as well as to discover boundary communities and to develop an integrated territorial management.
2. Guarantee of peace and security as well as territorial administration.
3. Promotion of cross-border cooperation and development projects.
4. The reduction of boundary conflicts and

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5. Economic planning for the provision of social services.

Honourable Deputy Speaker, delimitation of a boundary in a Treaty is crucial first step in boundary making but on its own delimitation is of limited value. For border land population, boundaries readily have much meaning until they are identifiable on the ground. The boundary can therefore only function effectively if it has been physically demarcated. The boundary Treaty exercise between our two countries therefore started with the rehabilitation and observation of 75 old beacons and the building and observation of additional 42 intermediate beacons. The boundary which stretches for a distance of approximately 1,360 kilometres commencing at Beacon Sabona 2 point marking the intersection of the international boundaries of Namibia, Botswana and South Africa and continues to the intersection of the Kwando Linyanti Chop River with the Zambezi River where it terminates.

Honourable Speaker, this Treaty reaffirms the boundary between the Republic of Botswana and the Republic of Namibia. In addition to defining the boundaries it makes provision for border management. Comprehensive and well functioning border management structures are essential in ensuring both security and facilitation of legitimate cross-border flows of people and goods. Therefore, both aspects must be complement and contradict the other. There is an increasing comprehension in Africa that borders should act as bridges rather than barriers. This is why Governments are investing significantly in border Management Reform.

Honourable Speaker, having stated the background leading to drafting and signing of this treaty. Let me now focus on the treaty itself. The boundary treaty between Namibia and Botswana Honourable Speaker, Namibia identifies with the view of our leaders in Africa that efforts should be made to transient the borders as barriers and promoting them as bridges linking one state to another. This is very necessary as a first step towards ongoing efforts to integrate the continents, strengthen its unity and promote peace, security and stability. I am therefore happy that this

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treaty incorporates provisions that will enhance cross border cooperation between our two countries. Permit me at this juncture to briefly inform Members of some of the salient provisions of the treaty as per the Articles of the treaty.

Let us start with Article 1. It deals with the definitions of the terminologies of the treaty. For example buffer zones means an area with a wide equity distance along the international boundary between the two States reserve for official, public or security use by the contracting parties. Cross border cooperation means any Act or policy aimed at promoting and strengthening good neighbouring relations between the contracting parties including the conclusion of agreements and arrangements for this purpose. The patrol road means an area reserved for security patrols along the international boundary. Article 2 states that this treaty reaffirms the boundary between the contracting parties and regulates certain matters pertaining to the boundary.

Article 3 unambiguously defines the boundaries between Namibia and Botswana. Article 4 deals with the way and manner the boundary should be demarcated with marks generally referred to as bacons. Article 5 makes provisions for the regular maintenance of the boundary bacons and other boundary structures, the creation of a 30 meter buffer zone and the responsibilities of the contracting parties in this regard. Article 6 makes the coordinate supreme in case of any change of boundary resulting from natural or unnatural causes. Article 7 makes provisions for the establishment of a national boundary commissions which shall be responsible for coordinating and monitoring the implementation of this treaty.

Honourable Speaker I am happy to inform this honorable House that Namibia is at advanced stage of completing the bill that will operationalize the boundary commission established through the constitutional amendment to Article 104. Article 8 of the treaty which deals with cross border cooperation among other things makes provisions for:

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- (a) Efficient and effective integrated border management.
- (b) Facilitation of the movement of persons living in the border areas from one country to the other.
- (c) Facilitation of the use of socioeconomic infrastructures existing on one side of the border by people from other side of the border.
- (d) Facilitation of cultural activities and existing social interactions between the citizens of both countries.
- (e) Regular consultation with each other on matters pertaining to the cross border cooperation.

Article 9 refers to the annexes and maps that support the 3D. Article 10 deals with disputes, resolutions, mechanisms. It provides for the use of procedures and mechanisms for the resolution of disputes established within the framework of the African Union. Failing which the dispute maybe resort via and arbitration forum of choice or the international court of justice. Article 11 provides for the signing of the treaty by duly authorized representatives of the contracting parties. Article 12 makes provisions for the ratification of the Treaty and the exchange of the instruments of ratification through diplomatic channels.

Article 13 makes provision for the depository of original copies of the Treaty with the Secretary General of the United Nations. The Commission of the African Union and Secretariat of the Southern African Development Community which is SADC. Article 14 states that the Treaty shall come into effect at the expiration of 30 days from the date of the exchange of instruments of ratification. Article 15 provides for the amendment of the Treaty. Any amendment according to this Article shall not amends this Treaty with the effect of changing the actual boundary as reaffirms to have been delimited and demarcated under this Treaty.

Article 16 abrogates the Anglo-Germany Treaty of the 1<sup>st</sup> of July 1890



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HON SHAPWA**

between Great Britain and Germany respecting the sways of influence of the two countries in Africa particularly Article 3 of that Treaty and any other Article in so far as it is applicable to the delimitation and demarcation of the boundary between Namibia and Botswana. Honourable Speaker it should be noted that it is important that for Namibia to ratify this Treaty this Treaty in consonance with the NEAME Convention already signed by Namibia makes provisions for cross border legal administrative security and technical corporation in addition to establishing competent authorities responsible for border areas.

I am Honourable Speaker convinced that the provisions of this Treaty will help in no small way to reduce tension along our common borders and enhance the existing cordial relations between Namibia and Botswana. Honourable Speaker, Honourable Members it is my prayer that this honorable House approves Namibia's ratification of the Boundary Treaty between Namibia and Botswana. In doing so Parliament would be putting into effect the decision of Cabinet to expedite the signing of the Boundary Treaty to enhance security and safety of Namibians residing along the border and promote cross border cooperation and good neighbor lines and with these few, I thank you Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you so much. Any further discussions, yes, Honourable Deputy Minister of Justice.

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**HON DEPUTY MINISTER OF JUSTICE:** Thank you Honourable Deputy Speaker. Let me thank the Deputy Minister of Land Reform for motivating the Boundary Treaty between the Republic of Namibia and Botswana. I just want to ask two things from the Deputy Minister. One is to what extend are the local people around the borders especially our people are educated about the existence of this Treaty and the use of the borders in general. The other one that I want to ask the Deputy Minister is

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also that have the authorities involved register all the structures that might have already there that might have been crossed on the border buffer zone and I am asking this because especially our people are very enterprising when it comes to that. They would want to put up structures at the area they know that is prohibited so that tomorrow when they are moved, they would be compensated with something so I wanted to know that. Thank you. I support the ratification.

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**HON DEPUTY SPEAKER:** Any further discussion, finally any further, I recognize Honourable.

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**HON MURORUA:** Thank you very much Deputy Speaker. This Boundary Treaty is a document which is being signed by His Excellency the President of Namibia as well as also the previous President Seretse Khama of Botswana and one does not want to dispute the document that has been signed by the more seniors but mention and clarification has been made of specifically when the rivers are mentioned. It is mentioned that the remaining portion of the Kwandu the lower part is described as the remaining portion of it which one understands where it goes but when it comes to the upper part instead of as it is described in the for example, the lower Tjobe means the remaining half downstream the Tjobe stretch but the upper Tjobe if you listen, then it says means halfway upstream then you do not go to the end as is described in the lower Tjobe so one would like to have clarity as to what then is the description of the other half of the upper part. I do not know whether I am clear but I think there is need that clarity has to be given as to how we can describe that half that is left. I thank you.

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**HON DEPUTY SPEAKER:** Any further discussion, I recognize

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Honourable Tommy Nambahu.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you very much Comrade Deputy Speaker. I also want to really support the ratification of this important document. It really will go a long way in solving the problems that we are facing in this area of boundaries between our two countries. The sooner it is ratified the better for us and it would be assisting especially the people that are charged with controlling and patrolling these borders as it will be able to show clearly where the beacons and all these other features that we are talking about here are because there have been various incidents specially I am talking experience when I was with the Ministry of Environment and Tourism.

Our game rangers and the interaction with the forces guarding the borders there sometimes because of the lack of definition or defined points, they find themselves either on the other side or the other people finding themselves on our side and start thinking that they are still in their territory and even for our features really for our communities for this to be put. I just want to support so the popularization and awareness about the Treaty is really carried out for people to know exactly where these beacons and features are. Having said that I in the preamble I just do not know probably this is very correct I see the word Zanzibar here, Holand and all these things I have not been able to see these documents but I am sure it will also be good for us to be able to lay our just for education purposes in the preamble there they first recognize so that there is a mention of reference with that and on the physical features the sooner I do not know Comrade Deputy Minister for this I do not know what the process is for these things to be put on the GPS so that our forces and everyone else there have actually GPS location so that they are assisted by this technology in determining exactly where the boundary precisely is.

I am saying so because there was an incident I think it is of public

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knowledge now where the forces of the neighbouring country were in our country and then were trying to arrest our people while it was supposed to be them who were supposed to be in trouble but because of the lack of knowledge but due to good neighboring and effective communication between our I think NDF and other people who are knowledgeable the incident was amicably resolved and it did not go that much further but we were supposed to be the people arresting but our people were arrested instead. With these remarks and that it can be given to our fishermen and everybody that is there, I think really finally is to support the Treaty and the ratification thereof. Thank you very much.

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**HON DEPUTY SPEAKER:** I recognize HonourableHinda Maureen.

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**HON DEPUTY MINISTER OF FISHERIES AND MARINE RESOURCES:** Thank you very much Deputy Speaker. I actually want to ask with the indulgence of the House if I could ask for postponement until Tuesday.

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**HON DEPUTY SPEAKER:** Anyone who would like to take the floor before that? I take note of that. I recognize Honourable Minister of Finance.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy Speaker. I also take the floor in support of the ratification of this Boundary Treaty between the Republic of Namibia and Botswana. Honourable Deputy Speaker I think the need for Boundary Treaties with our neighbours is very, very important and this Treaty was reached in the

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ambit under the AU Agreement on how we as African countries should determine our boundaries. Of course, everyone understands that boundaries can be a source of conflict if they are not properly determined and if they are too many ambiguities about these boundaries. This Treaty is trying exactly to avoid that type of conflicts by determining the boundary exactly and by determining secondly if there is a change in the natural bacons that in fact the boundary as determined by the Treaty will remain in place so it gives predictability and stability to the boundary. If I am correct I think Botswana or Namibia shares the longest border with its neighbor Botswana and it is therefore good that this is a Treaty that secures that border. Of course we have to also see this Treaty in the background of the border dispute that we have with Botswana just after independence. I think we as two countries resolved to solve that conflict diplomatically and later in the international court which was rather an expensive exercise had we a Treaty in place that would not be the case and we could have avoided that type of expensive exercise. So I am very happy that we came to this point where we have the Treaty in place and where we now can ratify it.

Honourable Deputy Speaker the boundary in the Zambezi region that is along the river is a very difficult border to determine because it is actually a mini Delta like the Okavango Delta mini swamp area where the traditional definition of a border being in the middle of the mainstream of the river does not always hold and the reason is the area is extremely flat and therefore the mainstream is minory depending on whether it is clogged or slight shifts in the elevation of the landscape which change the mainstream and with that change the border if the determination is the middle of the mainstream.

Now the question by the Honourable Member is correct. The shift is very difficult but I think one must understand that it is actually one river LikwandoLinyantiTjobe is one river that has different names. The upper Kwando is Likwando as it comes in from Angola at KwangulaBridge and it remains the upper Kwando up and almost the middle between our border and where it makes the sharp turn on the western corner of the

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eastern Zambezi region. There is an island that is called Impalila Island. It is at that corner where Lukwando becomes Linyanti and that is then the lower Kwando.

The Linyanti is then called the Linyanti from that point up to where it enters the Lake Liyambezi and where it exits Lake Liyambezi again it becomes Tjobe up to the point where it reaches Liyambezi. Now there is an interesting hydrological feature with that river and that is the following. The Tjobe runs in both directions and the reason for that is the very flat elevation of the area. If the Zambezi had a flood higher than 4 and half meters it turns the Tjobe to flow towards the Lake Liyambezi. If the Zambezi's water drop below that 4 and half meter mark, then the Lake Liyambezi empties into the Zambezi and I think that is a very interesting hydrological feature that is not often observed.

Your question where the lower and the upper Tjobe start, the upper Tjobe because of it is assumed that the Lake drains into the Zambezi is from where it leaves the Lake Liyambezi up to Ngoma Bridge that is the border between us and Botswana bridge and from Ngoma Bridge up to where it reaches the Zambezi that is the lower Tjobe. I thought it is an interesting question and I just wanted to share that. Thank you very much.

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**HON DEPUTY SPEAKER:** Any further discussions, in the absence of none, the debate on this item is adjourned to next Wednesday the 13<sup>th</sup> of June or 12<sup>th</sup> of June sorry. The next third notice of Motion is one of Honourable Van Wyk. Does Honourable Member move the Motion?

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**HON VAN WYK:** I Move so, Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Who seconds the Motion, any objection,

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agreed to. Honourable Member you have the floor to motivate your Motion.

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**HON VAN WYK:** Thank you Honourable Deputy Speaker. Honourable Deputy Speaker, Honourable Members I rise to motivate a Motion in order for this Assembly to discuss and debate the implementation of measures to address the roaming of domestic animals along national and district roads causing accidents and the loss of human life. Honourable Deputy Speaker, Honourable Members collisions in our roads make out 28% of road accidents during 2016. Statistics further demonstrate that weekends represents the highest road respires with 53% of the crashes recorded occurred during Fridays to Sundays. Driving at night has been a growing concern in Namibia with a total of 46% of all recorded crashes occurred between 16:00 and 24:00.

Young people between the ages of 16 to 35 years represented 48% of persons injured and 44% of persons killed in Namibia. Nearly two thirds that is 64% of persons injured and 72% of those killed in Namibia were male. That is now during 2016. Further analysis on casualties statistics indicate that the majority of persons injured in road crashes were passengers with 58% followed by drivers at 24%. Unfortunately, efforts to get statistics from MVA on road accidents caused by animals has failed despite an earlier indication that information will be available. However, Honourable Deputy Speaker, Honourable Members a frequent question raised by road users is that of moving livestock on public roads or rather the roaming or grazing of animals in road reserves.

Unfortunately, there is no simple answer to this. Legislation, common

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sense, judgement and luck all come into play. Honourable Deputy Speaker, Honourable Members we have over the years lost many loved ones on our roads through drunk driving, distracted driving and speeding just to mention a few. Equally many lives were lost through accidents caused by domestic animals on our roads. Over the past years the issue of animals in road reserves has been addressed at various levels without much success. Several meetings took place since May 2018 and earlier between stakeholders such as the Ministry of Works and Transport, the Ministry of Safety and Security, Ministry of Agriculture, Water and Forestry, the Roads Authority including agricultural Unions and crime prevention forums in an attempt to solve the issues of animals in road reserves.

Honourable Deputy Speaker, Honourable Members during these meetings various problem areas in the Khomas region for example as well as in other regions in Namibia were identified. Problem areas in the Khomas region are Omitara settlement the B1 between Windhoek and Okahandja as well as the new A1 forms part of this problem. The B1 to Rehoboth and down to the south is also known for many road accidents caused by domestic animals. The boom guards, Broom and DodabisStenwater area are some areas that causes problems. National and district roads in other areas experience the same problem. Each area has its own history regarding animals in the road reserves but has one thing in common. Accidents where people are seriously injured, death in some cases as well as damage to vehicles.

Honourable Deputy Speaker, Honourable Members after various meetings took place in Windhoek where animals in the road reserves as well as illegal squatting in the road reserves were discussed. A sub-Committee was appointed to address this problem and this resulted in a memorandum that was prepared by the said sub-Committee and the proposals were accepted by the Ministry of Works and Transport on the 15<sup>th</sup> of August 2008 that is tape (a) of my motivation. Several proposals were made for example Ministerial Committee has to be appointed to draft solutions to this problem. This Committee was appointed. Three meetings took place



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and then the whole process get to a standstill.

One of the stakeholders the Namibia Agricultural Union wrote various letters regarding this matter to the Ministry of Works and Transport. All correspondence were answered but little happened to solve the problem. In the meantime officials of the Road Authority informed stakeholders that they are of the opinion that an amendment to the current legislation is needed before it can be implemented in the form as proposed by the sub-Committee to the Minister in August 2008. Honourable Deputy Speaker, Honourable Members a legal opinion dated 19<sup>th</sup> August 2016 tape (b) of my motivate was obtained on this matter which states clearly that the legislation in its current form is adequate to prosecute the owners of animals trespassing in road reserves in terms of Regulation 3486 of the Road Traffic and Transport Regulations.

The Commander of Nampol in the Khomas region at that time was approached. His reaction was that as far as he is aware, a moratorium on this prosecution of owners of animals in roads reserves were issued. However, a follow up with the Prosecutor General's office found that no such moratorium exist or existed in the past. Honourable Deputy Speaker, Honourable Members the consequences of the none prosecution of the trespasses where no valid moratorium exist was explained to the Inspector General of Nampol as well as to the Minister of Works and Transport on the 9<sup>th</sup> of February 2011.

A directive and that is tape (c) of my motivation, a directive was issued by Inspector General's office that since no proof of such moratorium on execution exist, the Regional Commander of Nampol in the Khomas region must proceed with the planning to prosecute and remove all animals trespassing in road reserves in the Khomas region. Nampol was instructed to proceed with the planning, prosecute and remove all animals. A meeting to plan such operation between Nampol and Crime Prevention Forum took place in Dodabis in March 2011 where certain strategies to achieve this directive were discussed.

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The police from then did an excellent job as a trespassing of animals in that area was something of the past. Unfortunately, the Commander was transferred and the program once again come to a standstill. Honourable Deputy Speaker, Honourable Members in the meantime accidents where people are seriously injured and vehicles damaged are still going on and this phenomenon is not restricted to Khomas region only but prevails in all regions across the country. Honourable Deputy Speaker, Honourable Members in terms of Regulation 3481 read with Regulation 3843 and Regulation 3691(b) of the Road Traffic and Transport Regulation, it is a criminal offence if a person allow any animals to be on a public road unattended.

It also need to be mentioned that section 111(1) of the Road Traffic and Transport Act of 1999, Act number 22 of 1999 authorizes the Minister to enter into any agreement of any person private or local authority whereby arrangements can be made for rendering services to pound occur for such animals once a traffic officer take charge of that. Taking charge of animals allows the animals to be impounded and the owners of such animals or the person who allow the animal to be in the road reserves can be charged with a criminal offence which in turn opens the possibility that the court presiding over such allegations can on application given award compensating any person that suffered a loss as a result of the crime.

I here need to mention section 300 of the Criminal Procedure Act, Act number 51 of 1997. Honourable Deputy Speaker, Honourable Members there is no need to promulgate any legislation or make any amendment to govern the instances where traffic officers to charge of such animals. It is also important to note that the Regulation 3486 empowers a traffic officers to take charge of the animals found unattended to in the road reserve and only the Minister may appoint a traffic officer or traffic officers.

Honourable Deputy Speaker, Honourable Members I here would like to make a few recommendations in this regard. Number one the implementation of section 111(1) of the Road Traffic and Transport Act number 2 of 1999, Number two the implementation of section 300 of the

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*Criminal Procedure Act* that is Act 51 of 1997. Number three strengthening the cooperation between stakeholders to ensure the speedy and successful implementation of existing legislation. Number four, the Minister of Urban and Rural Development to ensure that local authorities establishing pounding facilities in terms of section 94(1) of the Local Authorities Act 1992 as amended in order to provide pounding services.

Now that was also done already. That is tape (d) and (e) of my motivation. Number five, the relevant Ministries to enter into agreements with private communities in B1 one party solution. The Minister to invite any person to tender for some or all the pounding services per region or district or town where no pounding facilities exist. Such services should include the removal of the animals under control of a traffic officer to a pound, the care for feeding and watering for such impounded animals at a pound according to the specifications should be according to the specifications. The auctioning of such animals if the culprit is unable to pay the fine or if the owner or culprit is not found. Honourable Deputy Speaker we know that in many cases when accident occur the owners of animals will quickly rush to the scene, cut off the ears and they left the scene so it would be difficult to trace them. It happened several times on the B1 between Rehoboth and Windhoek just to mention that.

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**HON MEMBER:** I just want some clarity whose ears do they cut on their own or what?

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**HON DEPUTY SPEAKER:** Proceed.

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**HON VAN WYK:** Thank you Honourable Deputy Speaker of course the ears of the cattle that causes the accident. Honourable Deputy Speaker,

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Honourable Members during such process preference should be given to upcoming farmers, farmers in communal areas and or resettled farmers or to a party of which an upcoming or resettled farmer is a partner, land owners or farmers on farmland next to the relevant roads. Honourable Deputy Speaker, Honourable Members there is quite a difference if you look at how cattle graze in road reserves on the B1 and on the B8 for example. We travelled that region last week and you could see the cattle herders with the cattle along the road.

If you go on our other roads you will only see the cattle with no cattle herders. Honourable Deputy Speaker to conclude the recommended action would recover cost through the utilization of section 300 of the Criminal Procedure Act alternatively through auctions and in doing so, the cooperation between farming communities and the Government will effect fully flagged can be given to Regulation 3486 without the need to promulgate any legislation. Perhaps cooperation between the Motor Vehicle Accident Fund, farming community and other stakeholders would be conducive since the MVA stands to benefit if the risk of collisions between vehicles and animals can be reduced.

Honourable Deputy Speaker, Honourable Members let us discuss a win win plan of action for the way forward and to get these roads safety hazard solved once and for all. We need to act urgently. I am of the opinion that there is no need for the Motion to be referred to a relevant Standing Committee as legislation to attend to the problem do exist. However, if the House decides to refer the Motion, I will so accept. Thank you very much for your attention and I look forward to a fruitful discussion. I thank you Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Any further discussions, I recognize Honourable Deputy Prime Minister.

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HON MURORUA**

**HON DEPUTY PRIME MINISTER:** Thank you Honourable Deputy Speaker, Honourable Members while thanking of the mover of the Motion, I want to seek his understanding that I postpone the debate to Thursday the 14<sup>th</sup>. Thank you.

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**HON DEPUTY SPEAKER:** Alright next week Thursday. Is there anyone who would like to contribute now? In the absence of none, the debate on this Motion is postponed to next Thursday the 14<sup>th</sup>.

The fourth Motion is one of Honourable Murorua. Does the Honourable Member move the Motion?

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**HON MURORUA:** I Move so.

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**HON DEPUTY SPEAKER:** Who seconds the Motion, any objection, 15 minutes agreed to. I hope you would be able to finish within 15 minutes. You have the floor.

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**CONDITION OF LIQUID BREWED  
AND SOLD FOR HUMAN  
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**HON MURORUA:** Thank you very much Deputy Chairperson motivation for the liquor brewed and sold for human consumption.

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Honourable Deputy Speaker, Honourable Members I am very humbled to motivate this motion since it is an issue that affects the poorest of the poor and mostly in our informal settlement areas. In the past our people used to steam a substance that is called in Damara Ouga or in OshivamboImbige which is made from wild fruits like Omarunga that is Makalani or by steaming the residue of tombo or other wild fruits that was used to brew it. The very same method is now being used and brew with the same clarity as water is produced from steaming old clothes, boots, shoes and whatever dirty materials that are available.

In some instances the poor are collecting such materials and sell it for an income to those who are brewing or steaming it to make this liquid. At the end this liquid which is also in some areas referred to as khaki liquor is sold to our fellow Namibians as an alcoholic drink. It is said that some people might pass out after consuming this liquid while all of those who are consuming it are becoming very unstable for quite a long time. It is also suspected that continuous consumption of it can be very fatal. Honourable Deputy Speaker, Honourable Members the fact that this liquid is made from dirty materials is my greatest concern and although it is being steamed, I would humbly request this August House to please allow that this issue be referred to a relevant Committee for investigation and that the hygienic human consumption of this drink also be analyzed through laboratory test and a recommendation be made based on such tests.

In conclusion Honourable Deputy Speaker, Honourable Members it is my humble conviction that many of us might have heard about this liquid and that it is very negatively affecting the morals of our nation in general and specifically the human dignity of our poor people who are consuming it for entertainment and that therefore we will devote the necessary urgency to it.

I so move Honourable Deputy Speaker.

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HON KAPOFI / HON SCHLETTWEIN**

**HON DEPUTY SPEAKER:** Thank you very much. Any further discussion on this. I recognize Honourable Minister Kapofi.

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**HON MINISTER OF HOME AFFAIRS AND IMMIGRATION:**

Thank you Honourable Comrade Deputy Speaker. I just want to ask the Honourable Murorua this substance you are describing you are saying it should be referred to the Committee to investigate. Do you really expect that the Committee will find anything because people who are doing this are doing it illegal and they know that this is an illegal activity in which they are finding themselves? How will that Committee and where would they start because it is happening in all kind of places and unless if you suggest to the Committee that they should look at this areas, this area and this area.

Otherwise, to go countrywide without specific references maybe difficult but my main concern is I am not sure whether the Committee would be able to find anything because if they know those who are doing it because they know if you are brewing if you fermenting shoes and all kinds of things, you know that you are doing an illegal thing so to find them it would be difficult. Now basically that is my concern Honourable Murorua to say really because this is a real criminal thing and if you know there are certain instances, certain areas or certain individuals, it would have been a good thing to inform the police simply to take action because this is tantamount to criminal activities. Thank you Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. I recognize Honourable Minister of Finance.

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**HON MINISTER OF FINANCE:** Thank you, Honourable Deputy

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Speaker and thank you for Honourable Murorua to have alerted us to this activity. I want to carry on where Honourable Kapofi has stopped by recalling that all alcoholic brews that are consumed are actually excisable goods.

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**HON DEPUTY SPEAKER:** Say it again. Can the Minister repeat?

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**HON MINISTER OF FINANCE:** All alcoholic brews that are consumed or produced are excisable goods which means there is an excise duty that is to be levied at source. That maybe one aspect of being against the law. Having said that, I believe that the fact that we have legislation that asks for alcoholic brews to be registered and then an excisable product manufactured has the very reason to make sure that it is not unhealthy when it is consumed. I am not so sure whether you can brew alcoholic drinks out of shoes. I do not believe so because it must be some kind of starch that is converted into alcohol but I think what the Honourable Member is alerting us is that it has some very unhealthy or even poisonous substance in it and what can of course happen if you distill alcohol in not sophisticated manners you actually as an end product do not get ethanol which is the consumable alcohol.

You get methanol and methanol is poisonous. It can blind you. It can do all sorts of very harmful things and you can die from it if you have too much and I think that is maybe one cause that causes the very tragic consequences to these poor people that are exposed to these things. So Honourable Deputy Speaker I do propose that this Motion is not referred to a Committee but to the law enforcement agency that they have a look at it both health and police that they look into the matter and see how it can be either curbed or brought to a situation where these poor people have their entertainment but in a legal way and with more healthy drinks so I



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HON SIMATAA**

think that would be my recommendation to refer it to the law enforcement agency rather than to the Committee. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. Next Honourable Minister of ICT.

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**HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY:** Thank you very much Honourable Deputy Speaker. I do not have any interest whatsoever. I retired some time ago both in terms of consumption and also brewing. Now Honourable Deputy Speaker I tend to agree with Honourable Minister of Home Affairs and Immigration. I think the Honourable mover of this Motion what you should have done because the mere fact that this Motion is now tabled and we are discussing it in the public domain defeats the very loadable intention that you had because following the tabling of this Motion and the debate that we are now having, these people who are literally engaged in this illegal activities will now go underground. They will literally go underground because what they are doing is against the law because what they are concocting in actual fact does not even fit the normal description of alcohol.

It is something else. I think it is a liquid that cannot even be used even in any operating theater because it renders you almost paralyzed and almost summarizes you to use my earlier language. Slowly but surely the lives and the livelihood of these fellow Namibians have been destroyed. To me Comrade Deputy Speaker the best that we can do it so really engage the police to thoroughly investigate exactly who are these Namibians who are so cruel to fellow citizens to go to the extent of brewing such a concoction so that the police can investigate it. There is no need for a Parliamentary Committee to investigate to do what because like the others pointed out earlier, it is a clear cut criminal offence where the law must simply take its

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course but whether the police would be able to find evidence, it remains to be seen but for those who have started brewing I know that they will not resist the temptation. They may go underground now but I think overtime they may resurface so let us link up with the police so that they can follow up on these issues. You can give them that brief if you are privy to firstly the areas all over this country where that is done, if you are privy to the information in terms of who those individuals are, the locations where they are doing that, all the full spectrum of the information and let the police do their work because what is happening really if it is true, I think this world is almost coming to an end. I do not want to be the prophet of doom but something has terribly gone wrong with our society. Thank you very much.

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**HON DEPUTY SPEAKER:** Thank you. Next quickly is Honourable Minister of National Planning.

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**HON DIRECTOR-GENERAL OF THE NATIONAL PLANNING COMMISSION AND MINISTER OF ECONOMIC PLANNING:** Comrade Deputy Speaker while I am not an expert at the ingredients that goes into these issues, I just want to give some sort of account and I want to really agree with the Minister of Finance. During 2016 when I was doing some regional visits in Aminus Corridor 13 they have a special brew. It is made out of mainly starch of course the drought relief maize-meal that is plus all other added ons and it is known. It is common information now that in that very space or place when those that visits the spot that sells it and clients to that place live no longer than three months after consumption. So it is a very portent and lethal brew. What it is called they have some name that they used but I do not have it now but it is a problem.

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HON DR KANDJOZE**

During that year I approached the Minister of Health. I also said it to him that this is a problem. Then when you go to Opuwo and Honourable Kavekatora is not here of course, Honourable Murorua is here and he knows that during the cleaning campaign we were doing or cleaning the Epupa informal open market and there it is common cause Comrade Kapofi when you walk in there in the very dilapidated wood and plastic covered stalls where people sell, there is a brew that looks much like water. It is called kandjembo something like that. It is like a gun or something. I do not know what it is and peculiarly when you walk in there and mix and mingle with people, you will see them having the bottom really burned almost like the drinking spirits and people really succumbed from some of this.

This is a very dangerous brew. Farm workers those of you who have farms they actually use the ethanol that Comrade Calle was talking about. To really hide it from you the owner take brown bread and they pour it over slices of brown bread and its **(End of file 3)**.. true. What comes out is no longer purple. It is like water and the guys drink this thing. I actually had the experience of one of the guys who as we were walking the man was actually starting the diesel engine and I did not know the guy. I thought the guy was drinking water. That is what I thought until he pulled his power to pull this machine on and obviously it slipped from his hand and it hit him here. At that point his container fell and I took it. I thought it is water in the commotion of whatever was happening there. So I discovered when we went home no, I did not taste. I still did not know until I got home so I found the stakes of bread that I bring him. He uses them as the filter to remove the colour from methanol so there are activities happening there regardless of the fact yes, I agree as much as Comrade Simataa and Kapofi are saying. The evidence maybe removed at the time that we are talking about this. The fact remains the society has gone deeply rooted in the abuse of these substances and I think that should remain the focus of the House rather than it being perhaps a matter for the police to find out. The police in Opuwo is a stone throw away from Okandjembo open Opuwo Epupa market. Corridor 13 is the same thing.

07 June 2018

**ADJOURNMENT  
HON PROF KASINGO**

People know about this but perhaps is the art of having to follow the trial from where it starts to where it actually being cleaned for it to be used as alcohol. That really is the true situation. Thank you.

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**HON DEPUTY SPEAKER:** Thank you. It is quite an interesting Debate topic. Because of time, we have to adjourn. We can proceed next Tuesday so the House is adjourned up to next week Tuesday the 12<sup>th</sup> at 14:30.

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**HOUSE ADJOURNS AT 17:50 UNTIL 2018.06.12 AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
12 JUNE 2018**

The Assembly met pursuant to the adjournment.

**HON SPEAKER** took the Chair and read the Prayer and Affirmation.

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**HON SPEAKER**: Welcome back to the cold national capital, and as you gather here I am sure you are going to warm up because we made sure the House is a little bit warmer. Any Petitions? Reports of Standing and Select Committees? Other Reports and Papers? Deputy Minister Ithete.

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**TABLING OF REPORTS**

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**TABLING - REPORTS OF THE AUDITOR GENERAL**

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**HON DEPUTY MINISTER OF FINANCE**: Honourable Speaker, Honourable Members, I lay upon the Table, Reports of the Auditor General on the account of the:

1. Ministry of Higher Education, Training and Innovation for the Financial Year ended 31<sup>st</sup> March 2017;
2. Ministry of Public Enterprises for the Financial Year ended 31<sup>st</sup> March 2017;
3. Anti-Corruption Commission for the Financial Year ended 31<sup>st</sup> March 2017;

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**TABLING OF REPORTS  
HON DR ANKAMA**

4. National Road Safety Council for the Financial Year ended 31<sup>st</sup> March 2015/2016;
5. Regional Council of Erongo region for the Financial Year ended 31<sup>st</sup> March 2017.

I so Move Honourable Speaker.

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**HON SPEAKER:** Thank you. Next Honourable Doctor Ankama.

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**TABLING – REPORTS OF THE  
OFFICE OF THE PRIME MINISTER**

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**HON DEPUTY MINISTER IN THE PRIME MINISTERS OFFICE:**  
Honourable Speaker I rise to Table the Report of the Office of the Prime Minister and a Report for 2015/2016, 2016/2017 Financial Years but I have some notes to just motivate that a little bit.

So I Move.

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**HON SPEAKER:** Thank you.

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**HON DEPUTY MINISTER IN THE PRIME MINISTERS OFFICE:**  
May I?

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**HON SPEAKER:** Yes.

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**TABLING OF REPORTS  
HON DR ANKAMA**

**HON DEPUTY MINISTER IN THE PRIME MINISTERS OFFICE:**

I just have some few notes on that one before I table it.

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**HON MEMBER:** Table it

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**HON DEPUTY MINISTER IN THE PRIME MINISTERS OFFICE:**

Honourable Speaker, Honourable Members, I rise to Table to this National Assembly the Annual Reports of the Office of the Prime Minister for the Financial Years 2015/2016, 2016/2017 in line with Article 41 of the Namibian Constitution, which states that all Ministers shall be accountable to both the President and Parliament.

The Reports cover the accounts of activities executed from 1<sup>st</sup> of April 2015 - to 31<sup>st</sup> March 2016, and 1<sup>st</sup> of April 2016 - 31<sup>st</sup> March 2017. I will briefly talk to each one.

The Office of the Prime Minister 2015/2016 Annual Reports contains the following information amongst others.

**Performance Management System**

The office of the Prime Minister continues to implement the Performance Management Systems as reform policy initiative. This was driven by the need to increase service delivery outcomes, hold public servants accountable for their actions or inactions, and conduct its business in a professional, transparent and ethical manner. One policy inform initiative was the implementation of the Performance Management for Ministers and other political office bearers. In this regard, Cabinet approved the policy framework for operationalisation of performance agreements for Ministers and other political office bearers. This approach has allowed for the cascading of Ministers obligations down to each Ministries hierarchy and show that high level targets are synchronised with the lower level ones.

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**TABLING OF REPORTS  
HON DR ANKAMA**

**Public Service Charters**

Public Service Charters were revised and new ones were developed during the year under review. The Public Service Charters are very important tools as they serve as agreements between the citizens and Government, and clearly qualify expectations and standards in the realm of service delivery. The Charters focus on the commitment of the Public Service towards its citizens in response to the standards of service to be provided. Now containing the *wage bill*, in view of the excessive growth of the Public Sector wage bill, Cabinet directed Office of the Prime Minister (OPM) to develop measures to reduce the *wage bill*. OPM proposed strategies to settle or to contain the excessive growth which Cabinet approved and mandated OPM to spearhead its implementation. This process is ongoing

Honourable Speaker, Honourable Members, the OPM 2016/2017 Annual Reports contain the following information in line with its mandate.

**Customers satisfaction survey**

The Office of the Prime Minister conducted an independent customer satisfaction survey in line with Harambee Prosperity Plan. The results of the survey were presented to the OMAS, *(Interjection)* yes they were presented to the OMAs, so *(Interjections)* *(Laughter)*

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**HON MEMBER:** Technology

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**HON DEPUTY MINISTER IN THE PRIME MINISTERS OFFICE:**  
Technology brings problems *(Interjections)* so they are accountable for their actions. Then this approach has allowed for the, was it ok, and clearly qualify the expectations and standards in the realm of the service.



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**TABLING OF REPORTS  
HON DR ANKAMA**

The Charter focuses on the commitment of the Public Service towards its citizens in respect to the standard of service to be provided. Now in line with the service wage bill as I said, the OPM proposed strategies to contain the excessive growth which Cabinet approved and mandated OPM to spearhead its implementation. This process contains the following, Reports contain the following information in line with its mandate:

1. Customer satisfaction survey. The Office of the Prime Minister conducted an independent customer survey in line with the Harambee Prosperity Plan. The results of the survey were presented to the OMAS to come up with the remedial measures and action plans;
2. The Office of the Prime minister embarked upon various Reports to realise the institutionalisation of the suggestion boxes in the Public Service as a mission to solicit citizen feedback on service delivery.

Among others the Office developed the suggestions boxes, implementation guidelines, monthly and quarterly reporting tools, customer feedbacks, forms and coding system for the reporting purposes. Further, focal points for suggestion boxes in OMAS were identified and claimed to ensure effective implementation of the method. The alignment of strategies/plans to Harambee Prosperity Plan during the point under review, the Prime Minister is Office aligned the strategies plan for OMAS to Harambee Prosperity Plan. The Report also highlighted the noticeable improvement in the manner and frequency in which OMAS and RCs submit their Harambee Prosperity Plan quarterly Reports and the number of performance agreements. *(Intervention)*

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**HON SPEAKER:** Honourable Doctor Ankama the Report is already with the Members. Can you conclude please? The Report is already submitted.

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**HON DEPUTY MINISTER IN THE PRIME MINISTER OFFICE:** I know but the culture, these are just highlights.*(Interjections)* Agreements

12 June 2018

**TABLING OF REPORTS  
HON DR ANKAMA**

however it has been noticed that the review of PAs have not been consistent with the Prime Minister is policy and as such as an awareness campaign is being carried out to sensitise OMAS in this regard. The HPP directs all OMAS to make all Government services on line by the year 2020, with the aim of promoting transparency and accessibility of Government service to the citizens. In view of the above OPM continued with the ongoing implementation of the BPR initiative and staff members from targeted OMAS were trained on the implementation of the BPR framework. During the period underway 12 business processes were re-engineered within the BPR framework, while others are at an advanced stage.

The e-Government during the reporting review of Prime Minister also continued with the implementation of the e-Government strategy action plan culminating in the upgrade of a number of information system and the development and transformation of some websites. The Government inter operational ability solution was also set up and was successfully piloted between GIPF and the Ministry of Home Affairs and Immigration. Further, modern and more reliable ICT infrastructure were rolled out to all the Regions within IT security and Government. Frameworks were developed and upgraded.

Now with regard with the drought of which we are very seized with, the drought relief program which should have ended in March 2016, continued during the 2016/2017 Financial Year as an interim program for three months pending the outcome of the vulnerability assessment analysis which determine the impact the growth in Namibia. The program costed the Government N\$9 Million because of the outcome.

Honourable Speaker, Honourable Members I hereby table the two Reports for the Financial Years 2015/ 2016, 2016/2017 Financial Year.

I thank you.

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12 June 2018

**NOTICE OF QUESTIONS  
HON VAN DEN HEEVER**

**HON SPEAKER:** That is absolutely unnecessary. *(Laughter)* You cannot do that. Let me remind the Honourable Member, *(Interjections)* order, order. I am sure Honourable Doctor Ankama forgot the item that you are introducing. You ought to have presented the Report. You chose not even to come forward to present the Report and the Report was submitted to Members, and what you should do is just a summary briefly, literally a brief comment and we leave it to that. Can we continue?

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**HON SPEAKER:** Notice of questions? *(Interjections)* *(Laughter)* Thank you very much. We move on Honourable Jennifer Van Den Heever.

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**NOTICE OF QUESTIONS**

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**QUESTION 54:**

**HON VAN DEN HEEVER:** Thank you Honourable Speaker. I hereby give Notice that on Thursday, 21<sup>st</sup> of June 2018, I shall ask the Minister of Rural and Urban Development, Honourable Peya Mushelenga, the following. *(Interjection)* Peya Mushelenga. I can pronounce names Honourable Minister *(Laughter)*.

I refer to the circular dated 30th of May 2018, whereby the Regional Council of //Karas Region held a special Council meeting to discuss the appointment of the new Chief Regional Officer as a former Acting Chief Regional Officer who resigned on the 31<sup>st</sup> of May 2018. The vacancy for the position was already advertised on the 13<sup>th</sup> of May 2018, and it is procedurally supposed to run for a month. My questions Honourable Minister is:

12 June 2018

**NOTICE OF QUESTIONS  
HON NAUYOMA**

1. What feedback have you received from Council Chairperson Mr Scholtz, with regarding to Mr Ucham is 87 days of absence from his office between March to December last year?
2. Seeing that the Council would have been aware of the Mr Ucham is resignation through a resignation letter in advance before his departure, why has the Council taken such a long time to announce the vacant post?
3. The media also have reported that during his absence from office attending private and official duties, Mr Ucham has accumulated subsistence and travel allowance of over N\$300 000 in the process. Does this not show his abuse of office and that of public funds? What explanation is there on why Mr Ucham should get leave gratuity, a back pay and a pro-rata payment in three months instalments?
4. Honourable Minister what actions do you have in place to make sure that both the Council and the former CRO are held accountable and lastly,
5. The Council resorted to a point its Finance Deputy Director as the Acting CRO. What is the rationale behind this appointment and not others? What are his qualifications? Can we have an explanation on what criteria was used during this appointment?

I so submit.

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**HON SPEAKER:** Thank you. Next is Honourable Reinhold Nauyoma.

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**QUESTION 55**

**HON NAUYOMA:** Thank you Honourable Speaker. Honourable Speaker I give Notice that on Thursday, the 21<sup>st</sup> of June 2018, I will ask

12 June 2018

**NOTICE OF QUESTIONS  
HON SMIT**

Honourable Minister of Health and Social Services the following.

1. Honourable Minister when do we expect the Health Centre for Okalongo to be operational given the fact that this centre it caters for more than 47 000 Namibians, plus the Angolans who are coming from the neighbourhood?

I so Move Honourable Speaker.

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**HON SPEAKER:** Thank you. Next is Honourable Nico Smit.

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**QUESTION 56:**

**HON SMIT:** Thank you Honourable Speaker. Honourable Speaker I give Notice that on Thursday, the 21<sup>st</sup> of June 2018, I shall ask the Minister of Agriculture, Water and Forestry Honourable Alpheus !Naruseb the following.

According to a report produced by Deloitte and Touche in 2012, the ship slaughtering scheme makes no economic sense as it had since its introduction in 2002, led to an annual loss of N\$177 Million nationally per year. Furthermore, the number of small stock production per year, has decreased from about 1.4 Million to 700 sheep. This means that a large number of sheep farmers have gone out of business.

Of the four abattoirs in the south, two have also closed their doors leading to further economic losses and jobs. The price difference between slaughtering a sheep in Namibia the reasons for the scheme, and exporting a sheep on the hoof to South Africa is N\$8.00 a clear loss of sheep producers in Namibia. Considering the difficult times being experienced by the Namibian economy this situation can be seen as a national disaster for the farmers thus I ask:

12 June 2018

**NOTICE OF QUESTIONS  
HON SMIT**

1. Whether the Honourable Minister can inform this august House why the red flags contained in the 2012 Report were ignored?
2. When will the Honourable Minister take the obvious and appropriate steps to urgently remedy this situation?
3. How the Government plans to compensate the farmers and workers who have suffered serious economic losses as a result of this disastrous scheme.
4. Why has the scheme not been phased out as planned for November 2017
5. How is it possible that despite an annual loss to the country of N\$177 Million, the closing of abattoirs and the loss of numerous jobs, the Government could steam rollit ahead for the last 12 years with this ill-conceived scheme.

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**QUESTION 57:**

**HON SMIT:** On the same day I will ask the Minister of Works and Transport Honourable John Mutorwa the following.

Last year Air Namibia introduced the service via Gaborone Botswana to Durban South Africa and back. Air Namibia thus undertook to fly passengers and freight from Gaborone to Durban and back. Air Namibia however has a record of requiring bail outs from the Namibian taxpayers because of flying unprofitable routes thus I ask:

1. Whether the Honourable Minister can inform this August House whether this route is still in operation?
2. What results have been achieved on this route over the past year?

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**NOTICE OF QUESTIONS  
HON SMIT**

3. What the load factor is or was on the sectors between Windhoek and Gaborone and Gaborone and Durban and vice versa?
4. What profit Air Namibia has made on this route?
5. If the agreement with Air Botswana is a co-share what Air Botswana pays Air Namibia for carrying its passengers between Gaborone and Durban and back?

I so Move.

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**QUESTION 58:**

**HON SMIT:** On the same day I will ask the Minister of Works and Transport Honourable John Mutorwa the following.

According to media reports Air Namibia will introduce four flights per week to Lagos Nigeria and Ghana. (*Interjections*)

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**HON MEMBERS:** Accra

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**HON SMIT:** Accra. Not agra, Accra.

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**HON SPEAKER:** It is okay, it is okay.

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12 June 2018

**NOTICE OF QUESTIONS  
HON SMIT**

**HON SMIT:** Air Namibia introduced a similar service to Accra some years ago which was then cancelled. Since the national airline has cost the Namibian taxpayers billions of dollars in bail outs over the past ten years, the introduction of this new service to West Africa seems rather questionable thus I ask:

1. Whether the Honourable Minister believes the introduction of this new service to be a good idea when the price of fuel has doubled since the beginning of this year?
2. Whether the Honourable Minister will provide this August House with the feasibility study done before the introduction of this service?
3. What the expected load factor would be on these sectors?
4. What profit Air Namibia expects to make on this service?
5. Whether any trade agreements exist between Namibia, Ghana and Nigeria that will enable Air Namibia to carry export goods and what those goods are to be as freight from Namibia to these destinations and vice versa?
6. Why was the first service between Windhoek and Accra cancelled?
7. Whether it is true that South Africa Airways also closed down its direct routes to West Africa because of unprofitability.

I so Move.

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**HON SPEAKER:** Thank you. Notice of Motions? Messages from the Head? (*Interjection*)

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12 June 2018

**NOTICE OF MOTIONS  
HON NUJOMA**

**HON MINISTER OF LAND REFORM:** Motion.

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**HON SPEAKER:** Motion yes.

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**NOTICE OF MOTIONS**

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**RATIFICATION OF THE AFRICAN  
CONVENTION ON BORDER COOPERATION**

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**HON MINISTER OF LAND REFORM:** Thank you Comrade Speaker for the Floor. I give Notice that on Wednesday, the 13<sup>th</sup> of June 2018, I shall Move that this Assembly agrees to the Ratification of the African Union Convention on border cooperation popularly known as the Niamey Convention.

I so Move Honourable Speaker.

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**HON SPEAKER:** Thank you. Messages from the Head of State? Ministerial Statements? Deputy Minister of Health.

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**MINISTERIAL STATEMENT IN TERMS OF  
RULE (98) OF STANDING RULES AND ORDERS**

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**THE EMPLOYMENT OF NAMIBIAN NURSES**

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12 June 2018

**MINISTERIAL STATEMENT  
HON KAVETUNA**

**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** Honourable Speaker, Honourable Members nursing profession is truly a noble one, which is structured only for the dedicated, passionate and empathetic people who can live up to this call with a whooping number of more than 12 900 nurses registered with the Health Professional Council who makes up the majority of Health Workers in our country. We nurses are in the front seat of transforming the health care system in Namibia.

The world is facing a serious crisis of Health Professional. Today, the figure of nurses' shortage stands at 7.2 million around the world. A World Health Report released in 2013 called: '*A universal truth: No health without workforce*'. If the findings are not addressed, they will have serious implications for the health of billions of people across all Regions of the world. Therefore we are obliged to produce professionals who will provide quality health care to our people while improving health status of our country.

Honourable Speaker leaning on this harsh reality, it is common knowledge that at the time of our Independence, Namibia experienced a severe shortage of nurses and other Health Workers. As a result and a responsible Government Namibia approached sister countries to provide their nurses, Doctors and other health professionals who helped us to provide much needed health services to our country while setting up a plan to train our own.

This friendly nations and other nationals responded positively to our call. In addition, they went beyond our call by also providing training opportunities in their countries to our health professionals. The recruitment of ex-patriates, and the training of Namibians have been facilitated through bilateral agreements, Memorandum of Understanding and contracts with specific timelines that will enable Namibians to eventually take over. The Ministry does not automatically renew contracts of any foreign nurses or Doctors. We usually consider the need thereof. Rather, it considers the needs based on the recommendations of the respective health facility.

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**MINISTERIAL STATEMENT  
HON KAVETUNA**

There are instances where health facilities want to retain a certain foreign nurse or a Doctor due to their expertise in critical areas such as intensive care, theatre and maternity. On this basis, we gradually have been reducing the numbers and currently are left with only ninety six (96) nurses who are part of the bilateral agreement with Kenya whose contract will lapse in 2020.

With regards to the nurses who have not been employed to date, the Ministry does not have any applications of nurses who graduated in 2017, or any time before that. (*Interjections*)the Ministry does not have any applications of nurses who graduated in 2017, or any time before that. The three hundred and twenty (320) applications that we have only graduated in 2018 from January to April. The Ministry had commenced the recruitment process which is expected to be completed in due course.

The Ministry has three hundred and eighty seven (387) vacant posts for enrolled nurses of which one hundred and fifty one (151) are funded to the tune of N\$22 Million. Two hundred and thirty six (236) vacant positions are not funded of which the amount that we require is plus minus N\$35 Million. Two hundred and fifteen (215) registered nurses have applied for employment in the Ministry of Health and Social Services. The Ministry has only two hundred and eleven (211) vacancies for registered nurses of which one hundred and twenty five (125) are funded to the tune of N\$27 Million and eighty six (86) are unfunded with an amount required of plus minus N\$20 Million. A further estimate of two hundred and seventeen (217) registered nurses will graduate in September 2018 from our local training institutions. This number of graduates will by then far exceed the available vacant posts on the staff establishment of the Ministry.

However, we are working tirelessly to ensure that we create maximum positions within our phase. In fact ninety nine (99) posts were created by abolishing nearly two hundred and thirteen (213) managerial and administrative positions in order to accommodate professionals such as Doctors, nurses and other health professionals. The process of compensatory reduction still proceeding to enable us to create more clinical positions needless to say qualified Namibians will always be given

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**MINISTERIAL STATEMENT  
HON KAVETUNA**

preferences when filling of any vacancy occur and the number of positions that does not have funds yet with collaboration with the Office of the Prime Minister, we are looking around and finance, we are looking around on where we can get money to fund these positions.

The Ministry of Health and Social Services in particular and the Government in general is delighted that we are now moving towards self-sufficiency with regard to nursing profession and that these young professionals will soon be ready to provide services under the coaching of more experienced nurses including the few remaining foreign nurses with specialised skills. Concentrated efforts by the Government and other countries and development partners have set us on the road of becoming fairly self-sufficient with regards to nurses, Doctors and Dentists.

For example as from 2015 the Ministry has trained nearly nine hundred and thirty one (931) enrolled nurses some of who have continued their studies to become registered nurses. These Namibian nurses have been successfully absorbed in our health care system.

Honourable Speaker, Honourable Members,

On the issue of the Health Professionals Council of Namibia. I would like to narrate the following to the Honourable Members. The members of the Medical and Dental Council, Allied Health Professions Council, Pharmaceutical Council, Nursing Council and Social Work and Psychology Council, were initially appointed on the 26<sup>th</sup> of September 2007, for a period of five years.

Each Council is governed by an Act. In terms of the Act, the Minister of Health and Social Services referred to as the Minister, has the power to extend the terms of office of any member of the Councils. After the expiry of the first term on the 26<sup>th</sup> of September 2012, the Minister by then Honourable Nchabi Kamwi published a Notice extending their terms of office eight times in total for a period varying from six months to twelve months per extension, with the last extension which ended on the 31<sup>st</sup> of March 2018. A term of Office of the Council Members came to an end on

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**MINISTERIAL STATEMENT  
HON KAVETUNA**

the 31<sup>st</sup> of March 2018, and since then the functions of the Council are completely on a standstill.

The functions such as evaluation of applications, registration of Practitioners, accreditation and training of institution and inquiry for unprofessional conduct just to mention but a few are not being undertaken. The situation was unforeseeable and it is expected to be temporary. The Act makes provision for the procedures to be followed by the Minister to appoint new members of the Council. The Minister has embarked on ways in terms of the law to ensure that the vacuum left by the previous Council Members is filled and new Council Members shall be appointed as soon as possible.

In conclusion Honourable Speaker, Honourable Members allow me to thank the Right Honourable Prime Minister for the clarion call and the facilitation of the process, especially after she consulted and she has been visited by the unemployed nurses with whom she has discussed this issue and gave them recommendation that was transient to our Ministry for action. This helped us to expedite the recruitment speedily.

I further would like to express my gratitude to all stakeholders who vested much interest in this issue and those ones who consulted us for clarity. It should be noted however that Government cannot be considered as a sole employer of all graduates and thus the expectation that Government must absorb every graduate whether in health sector in any other field is not realistic nor practical.

I thank you very much.

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**HON SPEAKER:** Thank you, Prime Minister.

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12 June 2018

**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
RT HON DR KUUGONGELWA-AMADHILA**

**QUESTIONS AND COMMENTS ON MINISTERIAL STATEMENT**

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**RT HON DR PRIME MINISTER:** Thank you very much Honourable Speaker. I want to thank the Honourable Deputy Minister of Health and Social Services for that explanation. I just wanted to add that in addition to all that information that she has provided, the young professionals who are being discussed here who are not yet placed in jobs when I met with them last week, I indeed provided all that explanation that was provided by the Deputy Minister and that the funding gap that the Deputy Minister had indicated is existing on their Budget we are working on it and before the end of the month we are hoping to have an answer to that issue, and specifically that the expatriate nurses that are currently in employment in the Public Service are not taking up employment for local staff.

They were here gap filling and once their contracts are expired, they would not be renewed. We would only renew contracts of those that have special skills for which we have no local skills available and at the same time while they are serving here also gap filling, we are putting our young people through training to make sure that they acquire those skills and we would rely on local skills to fill positions in the public sector and hopefully also in the Namibian economy, but I think it is also important to mention because here they have indicated that they are giving the foreign nurses until July after which they are going to get them out of the country. I have advised them against that action.

First and foremost it is illegal. Namibia is a country that is governed by law and order and these people did not come here illegally. They did not grab opportunities for Namibians as was indicated. We travelled to their countries. We negotiated with their Governments in order that they can be availed to assist us to fill a critical gap in skills that we were faced with. They came here, huge sacrifices having to be dislocated from their countries and separated from their families and they are not expected to remain here after we have developed the skills locally.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
RT HON DR KUUGONGELWA-AMADHILA**

They are prepared to leave once these graduates are placed, so our young people should not really see these people as competition or enemies and or direct any kind of hostilities towards them. They will only create unnecessary problems that can be avoided. I want to emphasise also that we started to work on this issue long before they started to complain. I also explained to them that the contract and the memorandum of agreements that have been signed under which these expatriates are being employed are being revised, to make sure that the termination of the contracts are aligned to the graduation of our young people, leaving of course a few that would need to help us to mentor the young ones when they come on board because they need to have experience, they need to be supported by experienced persons in order for them to be able to learn.

Finally, we have also indicated that we are finalising a human resource development plan for the country. I got an assurance from the Minister of Higher Education that we are well advanced in that regard and that should enable us to update the public regularly about the demand and supply of skills in the labour market to enable the educational institutions to plan for their intakes accordingly and also for the young people to choose areas of study so that they do not end up with qualifications and not being able to find a placement in the market.

For now we encourage them also to make use of the information that is available supplied through the Ministry of Labour through what is called labour market information reports, so that they know where we have access because as the Deputy Minister has said, we cannot really absorb everyone but the extent that we have trained people and they have expectation that they are going to be placed once they have graduated, we are committed to ensure that that has happened.

Thank you.

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12 June 2018

**MINISTERIAL STATEMENT  
HON SHAPWA**

**HON SPEAKER:** Thank you very much for emphasising the point of maintaining an orderly system. That is very important, Honourable Shapwa.

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**ESTABLISHMENT OF A SPECIAL SEAT OF THE  
WINDHOEK MAGISTRATES COURT OF HEARING OF  
TRAFFIC AND MUNICIPAL BY-LAWS TRANSGRESSIONS**

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**HON DEPUTY MINISTER OF JUSTICE:** Thank you Honourable Speaker. Honourable Speaker, Honourable Members,

I welcome this opportunity to share with you some massive developments in the criminal justice sector that will bring justice closer to the people and speed up the finalisation of cases relating to traffic offences and transgressions of Municipal bylaws.

In line with Article 78(5) of the Namibian Constitution, Namibia has made the monumental move to establish an independent body for the administration of justice called the ‘**Office of the Judiciary**’. The Office of the judiciary was established by legislation passed by this august House namely the *Judiciary Act*, 2015 (Act. 11 of 2015).

Although this Office is functionally and financially independent from the Ministry of Justice, Section 9 of the *Judicial Act*, 2015 endorsed the Ministry of Justice with the task of taking care of the development of capital projects of the Office of the Judiciary, thus effectively taking care of the acquisition, renovation and upgrading of the buildings from which the Office of the Judiciary operates.

Honourable Speaker,

The Ministry of Justice is also entrusted with the mandate to provide legal services to our clients and to ensure that all Namibians have access to



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**MINISTERIAL STATEMENT  
HON SHAPWA**

Justice in a manner that protects their rights to a fair trial as enshrined in the Namibian Constitution.

It is in light of this responsibility that the Ministry of Justice has, upon the request of the Office of the Judiciary entered into a memorandum of agreement with the Local Authority of the City of Windhoek, which MoA was signed on 11<sup>th</sup> June 2018. In terms of this memorandum of agreement the City of Windhoek has availed the premises at the corner of Sam Nujoma Drive and Bismarck Street free of charge for a minimum of ten years, and have also build two courtrooms for conducting hearings in traffic cases and cases involving transgressions of municipal bylaws.

This is a milestone collaboration in bringing up to date the backlog experienced in traffic cases for the Magisterial District of Windhoek and in enhancing the enforcement of traffic laws in Namibia. Currently the backlog of traffic cases for the Windhoek Magistrate Courts stand at plus minus 97 000 outstanding warrants of arrest (unexecuted) for Windhoek. Some of these might be with the Prosecutors and have not been cancelled yet; and 1 500 cases/dockets are currently active on the court roll for traffic cases in Windhoek only.

The Ministry of Justice has also completed the renovation project for the additional seat of the Windhoek Magistrate's Court. The upgraded premises are the result of the joint collaboration between the City of Windhoek, the Ministry of Justice, the Office of the Judiciary, the Office of the Prosecutor General and the Ministry of Works and Transport.

These premises now houses two courtroom, a cash hall and administration Office block and Offices for the Prosecutors, Legal Aid Council and Magistrates respectively.

Honourable Speaker,

This additional seat of the Windhoek Magistrate Court was proclaimed by the Minister of Justice in the Government Gazette of 30<sup>th</sup> April 2018, and will start operations on the 2<sup>nd</sup> of July 2018.

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**MINISTERIAL STATEMENT  
HON SHAPWA**

The public will be duly informed well ahead of time that all traffic cases for the Magisterial District of Windhoek will be heard at these new premises as from the 2<sup>nd</sup> of July 2018.

I herewith call upon the Honourable Members to widely disseminate this information and to give feedback on the effectiveness of this initiative which is aimed at enhancing the criminal justice sector.

With this new Court the Magisterial District of Windhoek, now uniquely has three courtrooms on Lüderitz Street downtown, on Mungunda Street in Katutura and now the traffic court on Lüderitz Street.

As the population of Windhoek continues to grow and we are aware that the boundaries of the City of Windhoek has also been enlarged, it is this Ministry's desire to ensure that services are kept closer to the population as possible and we will therefore be looking for land closer to the population. Even travelling to Mungunda Street have become a distance, let alone downtown.

However, I hope that Members of this august House will support us in our views that local authority should not be selling land to the Ministry of Justice for Court related service.

A court adds value to a town's ability to attract investments knowing that Courts houses offer other agency services for the other Offices, Ministries and Agencies, such as taxes, licenses for vehicles, in addition to their own functions of maintenance etcetera.

I thank you Honourable Speaker.

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**HON SPEAKER:** Thank you, yes, Honourable Muharukua.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON MUHARUKUA**

**QUESTIONS AND COMMENTS ON MINISTERIAL STATEMENT**

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**HON MUHARUKUA:** Thank you Honourable Speaker. Thank you Honourable Minister.

Honourable Minister I just have one small aspect that I want to probe or perhaps a proposal that I want to make. Having heard or learnt what the backlog is of all these traffic cases in fact the question is, is it not prudent or perhaps the proposal I was just hinting to the Minister that maybe we should think about giving amnesty for these traffic tickets and warrants of arrest (*interjection*) off course, up to a certain date. Maybe we can say December 2017. Maybe we can make this amnesty subject to revisiting if someone defaults again in the next cycle of things. It is not strange. It is not a strange proposal.

It is being done with the gravest of offences firearms, these deposits of firearms that are being recovered in the farms and so forth. I know the Minister of Finance is frowning because I am touching the purse, but the reality of the matter is that some people have tickets that are dating five years back only to be found by the police no, you have a ticket dating from 1984 or whatever and now you are being incarcerated.

Honourable Deputy Minister I want to propose a situation where you look at a proposal of an amnesty like the Minister of police and safety did in terms of the firearms. I think that will help reduce the backlog but it will also help for people to keep themselves in check next time around.

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**HON SPEAKER:** Thank you. Before I refer the matter to the Deputy Minister, I would call on the Honourable Doctor Kawana please.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON DR KAWANA**

**HON ATTORNEY GENERAL:** Thank you very much Comrade Speaker. I rise really to commend the Ministry of Justice through the Deputy Minister for the very useful information and I know that I have already discussed this issue with my Colleague, particularly Honourable Minister.

I think what we need to do with regard to traffic offences we should adopt what is obtained in a number of countries, because currently now if it is a parking ticket or offence with maybe a fine which may not exceed N\$30 or N\$50, it is a criminal offence. You need a Presiding Officer. You need a Prosecutor. You need Defence. At the end of the day the cost would be not less than N\$50 000. It does not make sense at all.

I think what we need to do Comrade Speaker and I hope my brother here has taken up that matter, come up with a law which is what we call points system. Every time you commit that traffic offence you are deducted until zero points. With zero point then your driver's license is removed from you.

I so submit.

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**HON SPEAKER:** Thank you very much. I know this matter is closer to our hearts because it is also a question of respect of the traffic rules. Traffic rules that we have must also be respected so I would like to call on the Deputy Minister, any further comment.

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**RESPONSE TO QUESTIONS ON MINISTERIAL STATEMENT**

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**RESPONSE TO QUESTIONS  
ON MINISTERIAL STATEMENT  
HON SHAPWA**

**HON DEPUTY MINISTER OF JUSTICE:** Thank you Honourable Speaker. I think let me thank Doctor Kawana and also Honourable Muharukua for their comments. On *Honourable Muharukua* I think

Honourable Speaker you have just said it now, that you know we really have to be law abiding citizens. The moment we know that our traffic or we are going to disobey our traffic rules and then we are going to be given amnesty, I think that will not really, really reduce the problem that we have especially for accidents in this country, and most of these people who are transgressors are the same people.

If you go to the traffic Court in most cases they are the same people so if you start giving them amnesties, actually they will continue to transgress the laws and I think we will take *Dr Kawana* is proposals and look at them and see how best we can come up with the best law to regulate these traffic offences but we really have to make sure that these traffic offences are regulated like any other offence because our people do not want to obey the traffic rules.

I thank you.

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**HON SPEAKER:** Thank you very much. I am actually convinced that we will soon have something introduced that perhaps meet us halfway respecting of our rules and as well as being little bit flexible along the lines indicated by Honourable Doctor Kawana supported by Honourable Muharukua.

On that note, I have consulted a few Honourable Members and were asking for a cup of tea and I thought I will take you out to quarter to and then back at 4. Is that reasonable? So decided? Thank you.

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**NOTICE OF MOTIONS  
HON MUHARUKUA**

**HOUSE ADJOURNS AT 15:37**

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**ASSEMBLY RESUMES AT 16:23**

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**HON DEPUTY SPEAKER:** Please be seated. We have finished, there is no Head of State, no Ministerial Statement and is there additional Ministerial Statements. We are done, alright. We are now going to start with, we have a number of Motions and the first Notice of a Motion is one of Honourable Venaani. Does Honourable Member Move the Motion?

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**NOTICE OF MOTIONS**

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**HON MUHARUKUA:** Honourable Deputy Speaker Honourable Venaani is not in the country. He is with Parliamentary duties.

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**HON DEPUTY SPEAKER:** So the Motion is deferred waiting for him.

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**HON MUHARUKUA:** Yes we can defer it for a further two weeks until he returns.

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**HON DEPUTY SPEAKER:** Okay. The second one is, *(Interjection)*yes, Honourable Minister of Finance.

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**NOTICE OF MOTIONS  
HON SCHLETTWEIN**

**HON MINISTER OF FINANCE:** Rule 28 says if a Member is absent when called upon to Move a Motion standing in his or her name, or if she fails to rise to Move such Motion when called upon by the Speaker, the Motion shall lapse.

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**HON DEPUTY SPEAKER:** And it will anyway lapse because we are going to *(Interjection)*.

---

**HON MINISTER OF FINANCE:** Well, I have asked your guidance and also it is very clear. If the Member is called upon to Move a Motion standing in his or her name, it is very specific, *(Intervention)*

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**HON DEPUTY SPEAKER:** It lapses.

---

**HON MINISTER OF FINANCE:** And the member is absent, the Motion actually lapses. *(Interjections)* That is my interpretation of the Rules.

Thank you.

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**HON MUHARUKUA:** No, no I do not even have to. Honourable Deputy Speaker,

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**HON DEPUTY SPEAKER:** Wait, are you asking for the Floor?

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**NOTICE OF MOTIONS  
HON MUHARUKUA**

**HON MUHARUKUA:** Yes.

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**HON DEPUTY SPEAKER:** Sit down and I will give you the Floor.

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**HON MUHARUKUA:** I thought by looking at me you were giving me the Floor.

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**HON DEPUTY SPEAKER:** Sit down

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**HON MUHARUKUA:** Hey you are not the speaker. (*Interjection*)

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**HON DEPUTY SPEAKER:** Sit down and I will give you the Floor please. Yes, you now have the Floor. (*Interjections*) You have the Floor.

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**HON MUHARUKUA:** Honourable Deputy Speaker, if the Honourable Venaani is not here, he can ask me to Move the Motion on his behalf (*Interjection*)

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**HON MEMBER:** Which rules?

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**NOTICE OF MOTIONS  
HON MUHARUKUA**

**HON MUHARUKUA:** Yes, in terms of the rules.

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**HON DEPUTY SPEAKER:** Which rules?

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**HON MUHARUKUA:** We must not read the rules selectively, the new rules. I can request for a postponement on his behalf. We must not be selective with the rules.

---

**HON DEPUTY SPEAKER:** No, read the rule, which number is that. The Minister of Finance has read the number of the rule. *(Interjection)* Read it for us.

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**HON MUHARUKUA:** No, let him do it.

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**HON DEPUTY SPEAKER:** You should do it.

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**HON MUHARUKUA:** Honourable Deputy Speaker why should I proceed to read a rule that is clear in the rule book? If the Honourable Member wants to rely on it, he must not rely on it selectively. He must read the Rule. The Table Office is there to assist us. The Rule is in front of them.

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**HON DEPUTY SPEAKER:** Honourable, you are the lawyer, and when

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**NOTICE OF MOTIONS  
HON MUHARUKUA**

you defend cases you know the person. You have onus to prove your case.

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**HON MUHARUKUA:** No

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**HON DEPUTY SPEAKER:** Yes, "*Andiya*" (Just wait a moment). Rule 28 reads as follows, when Motions lapse. If a Member is absent when called upon to move a Motion, a Motion standing in his or her name, or if he or she fails to rise and Move such a Motion when called upon by the Speaker, the Motion shall lapse subject to Rule 24, unless another Member asking at the request of the Member in whose name the Motion stands defer it to a later date. It is deferred up until he comes.

---

**HON MUHARUKUA:** Honourable Deputy Speaker it was really not my intention to engage in a petty Debate, but the reality of the matter is, the onus is not on me to prove that in fact the Honourable Member is wrong, it is not. The Table Office is there to assist the Honourable Speaker as to the rules. If he raises an argument that is *fossabinitio*, it is not my duty to point that out. Firstly, they should point it out before the Honourable Speaker even takes submissions from my side.

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**HON DEPUTY SPEAKER:** What is wrong for you also to say in terms of this a, b, c? I did not give you the Floor please, sit. The Motion is deferred.

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**HON DEPUTY SPEAKER:** Can we go for the Second Motion? The

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**NOTICE OF MOTIONS**  
**HON BEZUIDENHOUT / HON SCHLETTWEIN**

second Notice of Motion is one of Honourable Kavekatora. Does the Honourable Member Move the Motion? There is none.

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**HON MEMBER:** There is a member there. *(Laughter)*

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**HON BEZUIDENHOUT:** Thank you Honourable Deputy Speaker. I defer the Motion to Wednesday next week.

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**HON DEPUTY SPEAKER:** To?

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**HON BEZUIDENHOUT:** To Wednesday next week. Thank you.

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**HON DEPUTY SPEAKER:** The Third Notice of a Motion is one of Honourable Smit.

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**HON MEMBER:** Point of Order.

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**HON MINISTER OF FINANCE:** Honourable Deputy Speaker I still need your guidance. My understanding of the rule is that the requested Member to adjourn the Motion must be done before the Member is called to Move not after. Otherwise, the rule will make no sense at all. So if the Order of the Day is called, then the request must come to the chair or the Speaker in advance not after you have called the Member and Moved the

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HON SMIT**

Motion. (*Interjections*) I would still like a clarification on how this procedure is.

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**HON DEPUTY SPEAKER:** I take note of your objection but however, there is quasi commission in the rules itself. It is not clearly stating the procedure as you have stated Honourable Minister, and we in the past we just made use of the rule of the thumb, to say that we looked at (*Interjection*) my own rule. The Member of Parliament who belongs to the same party they can adjourn it on behalf of their Colleague. They can use that.

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**HON SMIT:** Honourable Smit you would like to Move the Motion.

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** Is Smit here?

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**HON SMIT:** Thank you Honourable Deputy Speaker. Honourable Deputy Speaker, Honourable Members it is my contention that the announcement by the Minister of Fisheries and Marine Resources Honourable Bernard Esau, regarding the application for fishing rights and the conditions to harvest some marine resources for commercial purposes in terms of the *Marine Resources Act* of 2000 is completely of the mark. It misses the real problem and thereby excludes everybody. (*Interjection*) (*Intervention*)

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**HON DEPUTY SPEAKER:** Point of order Honourable Minister of

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HON ESAU / RT HON DR KUUGONGELWA-AMADHILA**

Fisheries and Marine Resources.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**

Thank you very much Comrade Deputy Speaker. Comrade Deputy Speaker I just want to seek clarity on this very Motion the procedures. Was it not supposed to be moved by the Honourable Member and to seek whether has any support or not, objections. I just want to seek clarity on that.

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**HON DEPUTY SPEAKER:** Thank you. Actually it is my fault. Let me start again. The third Notice of Motion is by Honourable Smit. Does the Honourable Member Move the Motion?

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**HON SMIT:** Yes.

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**HON DEPUTY SPEAKER:** Who seconds? Any objection? Yes. *(Interjections) (Laughter)* Somebody objects to that. The House is divided. Can those people who are in favour of the Motion rise? I hope we have a voting. *(Interjections)* Honourable Prime Minister, do you want to say something?

---

**RT HON PRIME MINISTER:** Thank you Honourable Deputy Speaker. I took note of the concern that prompted the Minister to object to the Motion, and I thought that giving the importance of the issue, it would be beneficial to the House and to the public to allow the Minister to explain, because we may actually reach a consensus because what I hear the Minister saying is that he is not objecting to the issue being debated. He is

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actually trying to say that he has commenced a process of consultation. He is engaging people out there, and he is now thinking does it help us to be going out there consulting and we are debating.

How can we reach a conclusion when the consultations outside can actually produce important input into whatever conclusions we are going to make here so maybe instead of rushing to vote, let us see whether we cannot find each other on the issue and prior to this consultation, the Minister had also promised to really come here and further brief the House, and allow the House to deliberate on the issue in a more decent manner.

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**HON DEPUTY SPEAKER:** I will now give the Floor to the Honourable Minister who objected to explain the objection why he is objecting. Honourable Minister, can you explain the reasons why you object to this Motion? Can we now listen? Can we listen colleagues?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Thank you. I can explain very much. You see as it was explained by our Prime Minister that the process have started. The process of consultation

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**HON DEPUTY SPEAKER:** Can we listen over there?

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** Has started yesterday and it will continue until the end of the week, and even the next week in all the Regions so I think that this very, not I think. In fact, the Gazette of these fishing rights are based on a law of Parliament, the *Marine Resources Act* of 2000 and that Act was passed

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here in this very House. So I do not know, why Honourable Smit is introducing a Motion to come and interrogate the new rules or rule for applying for new fishing rights.

I think that is based on our law and consultations are ongoing and people are being explained what in fact, how to go about in applying for rights. Yesterday there were two sessions here in the Khomas Region. This afternoon there is still consultations. Others have started already in the other Regions and tomorrow so I do not know why this Motion. I have also offered my availability to talk to you when I made the motivation here when I made the Ministerial Statement here. You are welcome to come and talk.

I submit Comrade Deputy Speaker.

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**HON DEPUTY SPEAKER:** I will give the Floor again to the Mover. Honourable Smit.

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**HON SMIT:** Honourable Deputy Speaker, I cannot understand what is the Minister's problem for discussing this Motion, because I referred to his speech when he said I am keen to listen to Honourable Members and stakeholders on alternatives to the Pty approach. That is what he said in his motivation last week, I think. That is the reason why I then submit the Motion, Table the Motion so that we can have the opportunity to discuss it so where will you have a better opportunity than here in this Chamber, for Members of Parliament to discuss this issue, because the people out there are already in the process of applying for fishing rights, but the negotiations are still going on so how confused is the whole business?

Negotiations are still going on but people are applying according to the Gazette for fishing rights. I propose that we discuss this Motion. Why run away from it? (*Interjections*) When I motivated, when I submitted this

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Motion, why did the Minister not object to the Motion being tabled at that point in time?

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**HON DEPUTY SPEAKER:** Okay, because of the interest in both sides I first allowed the two the mover and the Minister, but I am still also going to allow the other people to talk.

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**HON MINISTER OF FISHERIES AND MARINE RESORUCES:** In the spirit of compromise and Harambee, let him motivate the thing. Then we move on. (*Intervention*)

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**HON DEPUTY SPEAKER:** Very good.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:** But take cognisance of the fact that there is a law, standing law the *Marine Resources Act*. There is a Gazette that was also on a consultative basis with industries. So let him Honourable Deputy Speaker.

---

**HON DEPUTY SPEAKER:** Please by implication he has withdrawn his objection. You can now proceed to motivate.

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**HON SMIT:** Honourable Deputy Speaker I also would like to thank the Minister for allowing me to speak to introduce my Motion.

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**HON DEPUTY SPEAKER:** Proceed, you have the Floor now.

---

**HON SMIT:** I think I will start again. Honourable Deputy Speaker, Honourable Members it is my contention that the announcement by the Minister of Fisheries and Marine Resources Honourable Bernard Esau regarding the application for fishing rights and the conditions to harvest some marine resources for commercial purposes in terms of the *Marine Resources Act* I am aware of that Honourable Minister, that is in accordance with the Act is completely off the mark.

It misses the real problem and thereby excludes everybody who should actually be the beneficiaries of Namibia's marine resources and predominantly favours the rich and well connected. I further find it inexplicable that the Honourable Minister has already published this announcement in the Government Gazette and now says, *'I am open to suggestions on how we can protect vulnerable communities from exploitation by elite fishing rights'* but it has already been gazette. The message continues to say *'I am keen to listen to Honourable Members and stakeholders.'* *(Interjection)*

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**HON DEPUTY SPEAKER:** Point of Order.

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**HON MINISTER OF LAND REFORM:** Thank you for the Floor Deputy Speaker. I just wanted to ask Honourable Smit. All the interested parties were invited to go and listen to what the Minister wants to do. Where were you? Why did you not go there? Who has prevented you? You have not listened. Now you want us to *(Interjection)*. What is this? You were supposed to go and listen and then you come informed.

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**HON DEPUTY SPEAKER:** Proceed please, just proceed, motivate proceed. *(Interjections)*

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**HON SMIT:** Thank you Honourable Deputy Speaker. I will not answer to that. It is beyond me. Where then and I continue on what to quote from the Minister's speech, where then did the Honourable Minister did the Pty idea from if there has been no significant consultation? Where did it come from? It seems to me the Honourable Minister has put the card before the horse in this matter.

I fail to understand how the Honourable Minister believes that the thousands of unemployed and often functionally illiterate people in our country who should be the principal beneficiaries of the fishing rights can be expected to even know what the company is, let alone how to create such a company unless they once again find some rich or well-connected persons to assist *(Banging of hammer by Presiding Officer for order)* exactly like in the past.

He further states that to obtain fishing rights the applicants must have access to the fishing industry in the form of fishing vessels. The Minister further suggests that would be beneficiaries could also enter other parts of the fishing industry such as processing logistics, supplies and many other economic activities, but fails to state how this is to be accomplished by these vulnerable people. It is utterly cynical when the Minister suggest that he would encourage *'women, youth, people living with disabilities, liberation war veterans and people living in economical marginalised communities'* to apply for fishing rights under these new conditions.

It must be blatantly obvious to everyone that this is simply an ill-conceived pipe dream. It is not possible for those people to form companies whatever, to make it possible for them to apply. In addition to the difficulties I have mentioned regarding the lack of understanding of what the company is and how to go about creating one, *(Intervention)*

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**HON DEPUTY SPEAKER:** Point of Order. Yes.

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**HON MINISTER OF FINANCE:** I want to ask the Honourable Member whether can ask a question?

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**HON DEPUTY SPEAKER:** Would you like to accept the question?

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**HON MINISTER OF FINANCE:** Honourable Smit I hear what you are saying and the question is are you insinuating that women and youth should not have the ability and the opportunity to ask to share in the natural resources of Namibia? I am asking because you stated that the second time. You also said that illiterate people should not have the opportunity to share in the resources. You said it is impossible that they can and I want to make sure that that is what you mean. Poor illiterate people should not, women should not, and youth should not.

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**HON DEPUTY SPEAKER:** Is that what you said? *(Interjections)*

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**HON SMIT:** Honourable Deputy Speaker I think I was very clear when I said that this new proposal by the Minister will make it impossible for those people, women, the disadvantaged and old to apply, because it would be too complicated for them and I will come to that. *(Interjections)*

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**HON DEPUTY SPEAKER:** Proceed.

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**HON SMIT**: I will repeat. *(Interjections)*

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**HON DEPUTY SPEAKER**: Order, yes.

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**HON SMIT**: In the Minister's speech in this august House last week, the Honourable Minister said, *'these unfair practices happened because the legal framework for a CC, Trust and a section 21 Company, does not include into issuance of share certificates and thus does not have obligation to submit Annual Reports on audited financial statements, Board Meeting and AGMs. In brief it is difficult to enforce corporate governance and hence fairness to vulnerable shareholders in a CC, Trust and section 21 Company'*.

Minister continued to say *'I have long list of beneficiaries who have submitted for complaints to the Ministry of Fisheries and Marine Resources on this matter'*.

By saying this the Honourable Minister is admitting that the problem really lies with the law protecting the rights of the beneficiaries. The problem lies with the law.

I believe that the real solution to this problem is not to force vulnerable people to undertake impossible tasks like creating companies in order to benefit from fishing rights; rather the Ministry must propose Amendments to the law, to close those loopholes and to specifically protect the rights of these vulnerable people so that they may receive their shares as well as dividends on the profits made by fishing companies. Just protect the property by law. What the Honourable Minister is doing is making the matter far more complicated than is necessary. I suggest that there is a simple solution that can be carried out quickly and effectively and that is to Amend the law. *(Interjections)(Laughter)*

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**HON DEPUTY SPEAKER:** Let us listen. We are the lawmaker. Proceed.

---

**HON SMIT:** In bringing this Motion to this House I propose that the Honourable Members Debate this matter and put their ideas on the table so that we can together find a solution that will truly benefit the vulnerable people of Namibia. We should benefit from our country's fishing industry.

We should not exclude them. I further urge the Honourable Minister to put his announcement on hold until this House has thoroughly debated the possible solutions to this issue so that would-be beneficiaries as well as the Government do not waste their money on applying under the new conditions.

I so Move Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you. Any further discussions? I recognise Honourable Dr Kawana.

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**HON ATTORNEY GENERAL:** Thank you very much Honourable Deputy Speaker. Honourable Deputy Speaker to be honest we were not even supposed to be subjected to the motivation of the Honourable Member. It was totally unnecessary. It was politicking of the PDM or whatever name now but a former DTA. *(Interjections)* *(Laughter)* Comrade Deputy Speaker the Honourable Minister during his motivation went further to say he is going to consult our people in all 14 Regions of this Republic. After that then he will form an opinion regarding whatever is on the ground, the feelings on the ground, our feelings and the feeling of this nation, then he will come back here to

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inform this august House. Now for PDM to come and to be in the shoes of our people when they are only five, when the two are absent, now I see even three there. Now they want to speak on behalf of this nation is totally unnecessary. *(Interjection)* Comrade Deputy Speaker *(Intervention)*.

---

**HON DEPUTY SPEAKER:** He is taking part in the discussion.

---

**HON ATTORNEY GENERAL:** The right approach *(Intervention)*.

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**HON MAAMBERUA:** On a Point of Order.

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**HON DEPUTY SPEAKER:** Yes, you can stand up and rise a Point of Order. Honourable Chief Whip of the, Yes, Point of Order.

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**HON MAAMBERUA:** I just want to, Point of Order.

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** How many are you? *(Laughter)*

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**HON DEPUTY SPEAKER:** Yes just talk. Can you not see it is red?

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**HON MAAMBERUA:** Yes I just want to. Point of Order.

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**HON DEPUTY SPEAKER:** Yes. On a Point of Order. You put your question, you comment or what?

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**HON MAAMBERUA:** Please the insinuation by the Attorney General that democracy in Namibia is based on majoritarian dictatorship cannot be allowed, even if you are one person alone here in this Parliament you are representative of the Namibian people. You have the full mandate to represent the people of Namibia. We take our oath here, on our Constitution, We have constitutional sovereignty. The sovereignty of the people is what we represent here. So the Member should actually withdraw and be called to order, not to want to belittle the numbers in this and the integrity of the people who represent the Namibian people.

Comrade Deputy Speaker I am very serious about this. It is not the first time that he insinuates the representativeness on the basis of numbers, but our democracy is a constitutional democracy. We do not have a majoritarian democracy here.

Can the Member withdraw please? (*Interjections*) He must withdraw.

---

**HON DEPUTY SPEAKER:** What should he withdraw? Which specific word should we withdraw?

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**HON MAAMBERUA:** His insinuation as to how many are you here. (*Laughter*) In order to represent the Namibian people, that is the position. That position of his, he cannot maintain that position because he is

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actually insulting our constitution that enables us to come here.  
(*Interjection*) I am not going to sit down. (*Intervention*)

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**HON DEPUTY SPEAKER:** Just sit down so that he can react.

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**HON MAAMBERUA:** I am not going to sit down. I will deal with you also very soon.

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**HON DEPUTY SPEAKER:** Deal with you?

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**HON MAAMBERUA:** With him.

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**HON DEPUTY SPEAKER:** You will deal with me.

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**HON MAAMBERUA:** No, no, with Honourable Uutoni. (*Laughter*) I am going to deal with both of them now.

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**HON DEPUTY SPEAKER:** Can you sit down please.

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**HON MAAMBERUA:** So the Member must withdraw.

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**HON DEPUTY SPEAKER:** Sit down so that he can react. Yes, Honourable Dr Kawana.

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**HON ATTORNEY GENERAL:** Honourable Speaker (*Intervention*)

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**HON DEPUTY SPEAKER:** Deputy Speaker

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**HON ATTORNEY GENERAL:** In this august House there are parties every election. They survive by the thread through

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**HON MEMBER:** The forces of SWAPO (*Laughter*)

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**HON ATTORNEY GENERAL:** the majority remainder. Honourable Deputy Speaker I have this Order Paper here.

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**HON MAAMBERUA:** Point of Order.

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**HON DEPUTY SPEAKER:** Point of Order. Colleagues can we be serious so that we can dispose of this? I want us to proceed really.

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**HON MAAMBERUA:** Comrade Deputy Speaker we are elected here as

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equal Members on the basis of our Constitution. Nobody survives of any leftovers of any kind. *(Interjections)* Do not insult our Constitution and our laws. Our electoral laws allow *(Intervention)*.

\_\_\_\_\_  
**HON DEPUTY SPEAKER:** Order.

\_\_\_\_\_  
**HON MAAMBERUA:** Are you ignoring me?

\_\_\_\_\_  
**HON DEPUTY SPEAKER:** No, I am calling the House to order. I am presiding.

\_\_\_\_\_  
**HON MAAMBERUA:** It is a Point of Order.

\_\_\_\_\_  
**HON DEPUTY SPEAKER:** Yes

\_\_\_\_\_  
**HON MAAMBERUA:** The Member must withdraw that Members here we survive on the basis of leftovers. Which leftovers? *(Interjections)*

\_\_\_\_\_  
**HON DEPUTY SPEAKER:** Can you sit down so that *(Intervention)*.

\_\_\_\_\_  
**HON MAAMBERUA:** Ask him to withdraw *(Intervention)*

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**HON DEPUTY SPEAKER:** No

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**HON MAAMBERUA:** why not.

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**HON DEPUTY SPEAKER:** No, you cannot instruct me. *(Laughter)* Can you sit down please? Honourable please sit down, yes.

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**HON ATTORNEY GENERAL:** Honourable Deputy Speaker it seems the Honourable Member is not familiar with the *Electoral Act* of *(Interjection)(Intervention)*.

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**HON DEPUTY SPEAKER:** Let him finish what he was saying and then you will come in.

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**HON MUHARUKUA:** Point of order. Thank you Honourable Speaker. Honourable Speaker, is it parliamentary *(Intervention)*

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**HON DEPUTY SPEAKER:** Deputy Speaker.

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**HON MUHARUKUA:** Is it Parliamentary for a non-voting Member of this House, for a Member I at least was voted for by 44 000 Namibians. He is voted for by one person who is the President. He is at the mercy of the President of this Republic. If the Honourable Kawana falls out with the President today, he will suffer the fate of the Honourable. Who was

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the Honourable that was (*Indistinct*)He will suffer the fate that was suffered by Honourable Haingura and go forever? You can brag of having 98 seats, but what does those 98 seats actually mean Honourable Speaker? Is it in order (*Intervention*)

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**HON DEPUTY SPEAKER:** Deputy Speaker. Muharukua?

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**HON MUHARUKUA:** For you to count five seats if you sitting with 45 seats that are meaningless that are not contributing meaningfully to the debate on the laws of this country? Honourable Kawana count your words. Do not insult. We can insult better.

Thank you Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Proceed please.

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**HON ATTORNEY GENERAL:** Honourable Deputy Speaker(*Laughter*)in terms of the *Electoral Act* 2014,(*Interjections*) (*Intervention*)

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**HON DEPUTY SPEAKER:** Yes let us listen.

---

**HON ATTORNEY GENERAL:** There is a procedure how Members of Parliament are elected, how Members of Parliament are appointed. In

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terms of the Constitution of this Republic referred to as the supreme law of our land particularly schedule 4 of the Constitution I want to invite Honourable Members to check there, the procedure of electing Member of this House. We have a number of Motions here Comrade Deputy Speaker. All of them from minority parties. When you put a question motivation and objection if the majority party was not favourable, no one of the opposition could open their mouth (*Interjections*) and yet, you hear. When they take the floor, they are bashing the ruling party. They are insulting the ruling party, and yet they can only speak if the ruling party is willing to allow them to speak in terms of the rules. I am talking about the rules because the Speaker, when she put the question any objection, if the ruling party object, will they open their mouth in this Chamber?

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**HON MAAMBERUA:** Point of Order

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**HON DEPUTY SPEAKER:** It is now 5 'clock I should think we must finalise the Debate, yes, proceed.

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**HON MAAMBERUA:** We are not going to be falsely lectured here by Doctor Kawana. In terms of our Constitution, we sit here guided by our free consciousness. It is not in terms of minority and majority parties here. It is in terms of consciousness. (*Interjections*) That is our constitutional principle for your information.

---

**HON DEPUTY SPEAKER:** Honourable Doctor Kawana can you (*Interjection*).

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**HON ATTORNEY GENERAL:** Honourable Deputy Speaker for the sake of peace, I withdraw

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**HON SPEAKER:** Yes

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**HON ATTORNEY GENERAL:** so that the Honourable Member cannot dream about next election what will happen. *(Laughter)* Now Honourable Deputy Speaker that is why I am saying, the ruling party was conscious of the feeling of our people. That is why through the Minister of Fisheries and Marine Resources so it seeks to consult our nation in all 14 Regions of this Republic.

Whether those people are rich, or those some of them say poor, but maybe I would say with limited resources that would be the terminology I prefer. *(Laughter)* they would be free to express their views on this issue and the ruling party, from the Constitution of our party, the resolutions of our party congress after congress, we say in fact I want to mention something.

The Honourable Member with his party who are now advocating the interest of the poor when it comes to NEEF, they oppose NEEF, why? Why today now, because they know elections are around the corner. NEEF is something which was initiated by the ruling party, through the Offices of the Right Honourable Prime Minister here. If you want to address the welfare the needs of our people who have no means who have no resources, you must support NEEF.

I so submit. *(Applause)*

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**HON DEPUTY SPEAKER:** I recognise Honourable Eunice Iipinge. You have the Floor.

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HON IIPINGE / HON SMIT**

**HON IIPINGE:** Thank you very much Honourable Deputy Speaker. I respectfully Honourable Members. I rise to express my feelings, and the feelings of the constituency I represent, the women. I appreciate the sentiments and the sympathy expressed by Honourable Smit in his Motion but I have a very, very serious concern and feeling. I felt insulted to be called illiterate. I would like to request the Member to withdraw that statement of calling us illiterate. We are no longer illiterate. Namibia has liberated us. SWAPO party has liberated the women, and the disabled people and all of us. We are no longer illiterate.

The illiterates that is known before have gone back with colonisation. I would like the Honourable Member to withdraw that statement because it is an insult to me and the people I represent.

Thank you very much.

---

**HON DEPUTY SPEAKER:** Thank you. I will give you the floor or maybe you can standup and say something. She is calling upon. Maybe she was rising and I did not see (*Interjections*)to withdraw the statement.

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**HON SMIT:** If the Member had listened properly Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** When you said illiterate they feel insulted. Just withdraw it I should think.

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**HON SMIT:** I will not withdraw it. I will not.

---

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**HON DEPUTY SPEAKER:** Why do you not want? Can you say?

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**HON SMIT:** Because I said it in a certain context.

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**HON DEPUTY SPEAKER:** I do not hear you.

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**HON SMIT:** I will not withdraw it. I said it in the context, and there is no two arguments about it. A certain number a certain segment of our population are illiterate unfortunately. That is a fact of life, so if I do not mention them, then I ignore them so I mentioned everybody across the board. There is nothing to withdraw.

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**HON DEPUTY SPEAKER:** Did you said women are illiterate. I just want to make myself understand.

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**HON SMIT:** Sorry I did not hear you?

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**HON DEPUTY SPEAKER:** Your statement, does it say that women are illiterate?

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**HON SMIT:** I did not say it. (*Intervention*)

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HON ESAU**

**HON DEPUTY SPEAKER:** Honourable.

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**HON SMIT:** Honourable Deputy Speaker my written speech is here, I did not speak off the cuff. I spoke from a written. Unfortunately, they took it to make copies. The Honourable Member can have a copy to see what I have said. If she did not listen to what I have said, then she can read what I have said.

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**HON DEPUTY SPEAKER:** Honourable Minister of Fisheries and Marine Resources.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
Comrade Deputy Speaker.

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**HON DEPUTY SPEAKER:** Please the Chief Whip of the official opposition can we, order, order please. Please you have the Floor.

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**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**  
Comrade Deputy Speaker, two weeks back I made a statement at the Coast. Last week I made a statement in this august House, and in that statement I was very explicit. I was saying natural persons, ClosedCorporations, section 21 Companies and Trusts, they are all eligible to apply for fishing rights as shareholders to a Pty entity company. That is what I said, so nobody should feel excluded from this very exercise.

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HON SMIT**

The measure in fact was meant to protect our vulnerable people. That was the measure and that was not for us really to exclude people. Having said that, we are in the process of consultations all over, the breadth and length of the country of Namibia, and these consultations it is one of the basic principles of democracy, and we are exercising that democratic culture that is coming from us to consult. There were consultations but we are still ready for consultations.

Now having said that Comrade Deputy Speaker, honestly speaking I will first give the opportunity to the populous and to our technocrats to finish their consultations, and I will come back to the House and tell you why we have taken these very measures. It is not a measure to exclude people, but is to bring people on board and protect them and make sure that at least they get benefits from a resource from this mother country, our motherland Namibia. This is what we have done. There is nothing else. We are not here to politic. We are not here to break or to destroy this economy of our country. We are here to build this economy, create jobs, and fight poverty, etcetera. Through corporate social responsibilities to address all those other ills that was caused by the apartheid regime of this country.

I submit. *(Applause)*

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**HON DEPUTY SPEAKER:** Thank you. With this I do not have anyone. Does Honourable Mr Smit wish to reply?

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**HON SMIT:** Honourable Deputy Speaker

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**HON DEPUTY SPEAKER:** Him to reply. He can reply and then thereafter. *(Interjections)*

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HON SMIT**

**HON MINISTER OF FISHERIES AND MARINE RESOURCES:**

Having said that I think the Motion needs to be rejected with the contempt it deserves. Why I am saying this, I have promised to come back to the House and to account on the consultations, so the Motion stands to be rejected.

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**HON DEPUTY SPEAKER:** Honourable Smit do you wish to reply? I am following the procedure before I divide the House.

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**HON SMIT:** Honourable Deputy Speaker it is only today that the Honourable Minister says that he will come back with a full report to us to discuss. It was not in his speech. (*Intervention*)

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**HON DEPUTY SPEAKER:** Can we listen to the mover when he replies so that I can finalise the procedure through which we have to go through, yes.

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**HON SMIT:** He only said it today. It was not in his speech when he tabled his speech here in this House. Only today he said that he will come back. That is why I said why I quote him, when he said that we will have the opportunity to discuss it. So that was why I tabled the Motion that we can discuss it, but why is he setting the cart in front of the horse by announcing in the Government Gazette how applications should be done by way of a Pty etcetera, etcetera, if he is still busy with consultations? It does not make any sense. That is why I am asking that he should withdraw that process of application (*Interjections*) that he should stop it so that we can first have proper discussions, get information and then decide on the way forward.

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HON MAAMBERUA**

**HON DEPUTY SPEAKER:** Thank you, order, order. I now put the question that the Motion be adopted. Any objection? (*Interjections*) then the house is, there is objection. I am going to follow the procedure.

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**HON MAAMBERUA:** Before you do that please, I did not know that you are so fast before you come to that stage. I have only one sentence just a small.

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**HON DEPUTY SPEAKER:** Alright proceed.

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**HON MAAMBERUA:** Yes, I humbly in some kind of Comradery. (*Interjections*) I am always a Comrade. Do not be mistaken would like to request and that is considering the current atmosphere in the House that we could defer a decision on this to tomorrow. (*Interjections*) That is my humble suggestion and I hope you can see the wisdom in between the lines. There is some need for maybe a tete-a-tetes that we can decide on this tomorrow.

Thank you.

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**HON DEPUTY SPEAKER:** I will proceed with the procedure. The House is now divided. Will those Members in favour please rise? Will those Members against please rise? It is the procedure against the Motion. (*Interjections*) Can you count because the leader of the business House would like to say something? Honourable Member can you sit down. Can we listen to you Honourable Prime Minister?

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HON !NAWASES-TAEYELE**

**RT HON DR PRIME MINISTER:** A person asked for an opportunity to make a contribution the next day. I thought the Honourable Member there asked for deferment of the discussion on the Motion until tomorrow when he will make a contribution. I do not think we are objecting to that.

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**HON DEPUTY SPEAKER:** He did not say that. Where was he? Right Honourable Prime Minister with due respect, I did follow all the procedures and those people who want to talk, they took the Floor and I gave the Floor to the mover and he responded. I am just following, because by that time when I called Honourable Smit to talk, there was no one who indicated that he would like to postpone the issue. I am a Presiding Officer. Can I be guided?

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**HON !NAWASES-TAEYELE:** Thank you. I think Comrade Deputy Speaker there is some sort of misunderstanding here. May I adjourn this Debate until tomorrow to allow some sort of consultation before we come to that point?

Thank you.

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**HON DEPUTY SPEAKER:** I will never allow that. I am talking. The Motion is adjourned until tomorrow. (*Laughter*) I do not understand this. Where were you, why did you not stand up and say, come here, come forth? Why did you not stand and say I would like to adjourn until tomorrow.

We will now go to the next agenda. The first agenda on the item is, the Secretary will read the Order of the Day.

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**RATIFICATION OF THE SADC PROTOCOL  
ON ENVIRONMENTAL MANAGEMENT FOR  
SUSTAINABLE DEVELOPMENT**

**RESUMPTION OF DEBATE - RATIFICATION  
OF SADC PROTOCOL ON ENVIRONMENTAL  
MANAGEMENT FOR SUSTAINABLE DEVELOPMENT**

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**SECRETARY:** Resumption of Debate – Ratification of SADC Protocol on Environmental Management for Sustainable Development

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**HON DEPUTY SPEAKER:** When this Assembly adjourned on Thursday, the 7<sup>th</sup> June 2018, the question before the Assembly was a Motion by Honourable Deputy Minister of Land Reform, that the Treaty be adopted.

The Honourable Deputy Minister of Home Affairs and Immigration adjourned the, I am sorry I read the second item. The first item is on the first order. I made a mistake sorry. I just read the second order. The first order of the day is that when the Assembly was adjourned on the 6<sup>th</sup> of June 2018, the question before the Assembly was a Motion by Honourable Minister of Environment and Tourism. The Honourable Minister of Environment and Tourism already replied on Wednesday the 6<sup>th</sup> and I now put the question that the protocol be agreed to.

Can we agree on the protocol? Any objection? Agreed to? The Secretary will read the Second Order of the Day.

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**RESUMPTION OF DEBATE - RATIFICATION OF THE  
BOUNDARYTREATY BETWEEN NAMIBIA AND BOTSWANA**

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**SECRETARY:** Resumption of Debate – Ratification of the Boundary Treaty between Namibia and Botswana

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**RATIFICATION OF THE BOUNDARY TREATY  
BETWEEN NAMIBIA AND BOTSWANA  
HON HINDA**

**HON DEPUTY SPEAKER:** When this Assembly adjourned on the 7<sup>th</sup> of June 2018, the question before the Assembly was a Motion by Honourable Deputy Minister of Land Reform that the Treaty be adapted. Then the Honourable Deputy Minister of Home Affairs and Immigration adjourned the Debate and Honourable Maureen now you have now the Floor.

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**HON DEPUTY MINISTER OF HOME AFFAIRS:** Thank you Honourable Deputy Speaker. *(Laughter)* Honourable Deputy Speaker, Honourable Members I stand up today to compliment the milestone achieved by our two countries under the leadership of His Excellency Doctor Hage Geingob the President of the Republic of Namibia and Lieutenant General Seretse Khama Ian Khama the President of the Republic of Botswana. *(Interjections)*

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**HON MEMBER:** the Former.

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATOIN:** I am talking about the Treaty, okay the former President who was the President by then, who after 134 years of illegitimate Berlin conference in 1884-1985 which formalised what is called the scramble for Africa or rather the colonialisation of Africa and the boundary line between our countries.

The people of Botswana and Namibia have historic ties which are further solidified by this Treaty. In fact there was a time when the people freely moved between the two countries so much so, that when Samuel Maherero moved or should I qualify myself and say when he sought asylum/refuge into the Bechuanaland land by then. He was not considered

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**RATIFICATION OF THE BOUNDARY TREATY  
BETWEEN NAMIBIA AND BOTSWANA  
HON HINDA**

having trespassed. Some researchers even alleged that there were also some Hereros in Bechualand long before the Hamakari battle in 1904. I would wish to also add that the community of the Chief of the Captain Simon Kooper found themselves between the two sides of the boundary.

Honourable Deputy Speaker,

Allow me to also refer to Jacob Marengo the black Napoleon, or the first modern day guerilla fighter in 1907, after the first Treaty which is known as the Heiraxabes Peace Accord, which was a one sided peace accord, the Germans expected them to sign, he refused to put down his weapons and to my history retreated into the then Bechuanaland. Kaizer Williams II, personally put 20 000 marks bounty on his head. He was pursued and he died and buried in an unmarked grave in Botswana.

In fact Honourable Deputy Speaker it was in the very Berlin in May 1904, that a decision was taken about what was then called the German West or South West to separate the governance between a Governor and a military leader. Colonel Lietwein became Acting Governor and Von Trotha was then assigned as the overall military Commander to fall directly under the control of the Kaizer in Berlin.

You may wonder what relevance it has to the Treaty we seek to accede in this House today on the 12<sup>th</sup> June 2018. It is history making. Today 114 years ago, we were told that this notorious Adrian Dietrich Lothar von Trotha arrived in Swakopmund on the 11<sup>th</sup> June 1904. This was soon after his return from China after the Boxer Protocol, where he participated in suppressing the Boxer uprising of 1900 for which US\$330 Million were paid in liberation to the affected nation. The German historians write or still write today, claiming efficiency on this Von Trotha and his arrival on the 11<sup>th</sup> of June 1904, actually marked the start of the Hamakari battle and I quote as written by those historians. *'He then proceeded to exterminate and subjugate the Herero tribe with brutal efficiency'*.

We are also told Samuel Maherero then wrote a historic letter to Captain



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HON HINDA**

Hendrik Witbooi saying “*let us die fighting*” and as a last option he had to find the escape route into Botswana, where he arrived it is said with about 1500 people out of about 60 000 people who was said to have lived around the area of Waterberg at the time.

Honourable Deputy Speaker, Honourable Members,

We need Namibian researchers to re-rewrite our history and tell our stories to one another. Our history needs to be told from the broader Namibian perspective for all to understand that our blood watered our freedom.

The borders between our countries would be indeed a colonial creation. African leaders have committed themselves to respect this colonial boundary that notwithstanding there have been unfortunate incidences of border disputes all over Africa. This Treaty and the process leading to its conclusion reflects the spirit of good neighbourliness, respect for each other’s territorial integrity. I hope that this Botswana-Namibia spirit will inspire others, especially in other African countries to resolve their border issues once and for all, and if they can focus, for us to then focus our energy on the urgent task of development and poverty eradication.

In conclusion on this Treaty which argues well for the intensification of cultural exchanges, cross border movements of persons, goods and services. A closer association between the people of the Republic of Namibia and the people of the Republic of Botswana, and for people from all walks of life. The two countries will help to advance the process of regional integration through SADC and SACU which is important for the development of our country. With the spirit exhibited through the Treaty it would be easy for the people of our country and Botswana to regard Namibia as their second home, and for the people of Namibia to regard Botswana as their second home too. Investments in both directions are safe and it is safe to travel in both countries for any conceivable reason.

In conclusion Honourable Deputy Speaker, Honourable Members,

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BETWEEN NAMIBIA AND BOTSWANA  
HON NAUYOMA**

I support the ratification of this Treaty, especially today, 114 years after Von Trotha the notorious Von Trotha is arrival which marks the start of the Waterberg Hamakari battle. This Treaty confirms that colonialism is defeated, never to return. Oppression of man by man, war never to be seen in Southern Africa.

I thank you.

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**HON DEPUTY SPEAKER:** Thank you for that valuable contribution. Any further discussion, I recognise Honourable Nauyoma.

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**HON NAUYOMA:** Honourable Deputy Speaker if there is no any other person I would want to defer this discussion to tomorrow.

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**HON DEPUTY SPEAKER:** Anyone who would like to take the Floor. In the absence of none, the Debate on this issue is postponed until tomorrow. Honourable Minister until tomorrow, *(Interjection)*so agreed.

The Secretary will read the Third Order of the Day.

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**RESUMPTION OF DEBATE – ON CONDITIONS  
UNDER WHICH A LIQUID IS BREWED AND SOLD  
FOR HUMAN CONSUMPTION IN OUR SHANTY  
TOWNSHIPS AND WHICH IS POISONING OUR PEOPLE**

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HUMAN CONSUMPTION IN OUR SHANTY TOWNSHIPS  
HON WITBOOI**

**SECRETARY:** Resumption of Debate – On Conditions under Which A Liquid Is Brewed and Sold For Human Consumption In Our Shanty Townships and Which Is Poisoning Our People.

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**HON DEPUTY SPEAKER:** When the Assembly adjourned on the 7<sup>th</sup> of June 2018, the question before the Assembly was a Motion by Honourable Murorua that the Motion be adapted. Any further discussions? I recognise Honourable Witbooi.

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**HON DEPUTY MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Thank you Honourable Deputy Speaker, Honourable Members. Allow me to make a contribution on the Motion tabled before the august House regarding the conditions under which a liquid that is brewed and sold for human consumption in our shanty townships by steaming old dirty clothes like underwear, boots, shoes and whatever dirty materials is confusing and poisoning our people.

Honourable Deputy Speaker, after verifying information with several community members, most villages in Namibia brew traditional liquor called *ombike* with flavours such as sugar and many other ingredients is brewed and consumed in our towns and villages.

The liquor is then called *Omangelengele* in Oshiwambo and *Katjipembe* in Katima Mulilo and *tombo* in the southern part. They also call it *urikari*. It is very strong and poisonous to our people.

Honourable Deputy Speaker I know homemade brews. I know of yeast. I know of sugar, ginger, pineapple, but for shoes and clothes and etcetera, I am really not convinced but anyway he said it is there, but what I know is that if I talk about the part that I am coming from the *tombo* is very, very dangerous to our people. It is not healthy for our people so the effect of

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HON WITBOOI**

*omangelengele*, the *katjipembe* and the *tombo* can therefore be catalysts with the digestion of such chemicals by men, women and our children which may affect their stage of development, infant mortality, prevent children and women from being active role players in our communities, heartburn, skin burn, liver burn, maternal issues in women and might also be a serious concern to our environment.

Honourable Deputy Speaker, the consumption of those home-made brews leads to a high rate of Gender Based Violence in our communities which have serious physical, sexual, reproductive, mental and behavioural effects on women and children. In addition, Gender Based Violence threatens family structures, and children suffer emotional damage.

Comrade Deputy Speaker the use of these home-made brews is really very serious in our communities. If I can say as early as 4 o'clock, 5 o'clock in the morning, our mothers, and our fathers leave their own school-going children to sort it out for themselves, go to the house of these brews.

They fetch water, make fire because that brew needs some warm water. The payment at the end of the day is just four to three cups of *tombo* for the day. Our mothers, our fathers spend the whole day at that house assisting the owner with his brew, leaving his own or her own house alone.

Honourable Members, I will really encourage you. You know where these things are. You are supposed to know where these things are happening. Just go around 6 o'clock, 7 o'clock, 5, 6, 7 and then you will see the real picture.

Therefore Honourable Deputy Speaker, I recommend a thorough investigation in this matter on the cause, effects and consequences of these traditional home-made brews and come up with a policy to address it. With this, I thank you.

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HON ITHETE**

**HON DEPUTY SPEAKER:** Thank you. I recognise Honourable Ithete.

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**HON DEPUTY MINISTER OF FINANCE:** Honourable Deputy Speaker, Honourable Members. I partly disagree with the number of Honourables that are calling for home-made brews to be abolished, *(Interjections)* simply because all other alcoholic beverages that we consumed, be it beer, be it whisky they all started from home-made *(Interjections)* so Honourable Deputy Speaker, Honourable Members of course I do not agree with whatever is brewed and other things that are added in, for example the underwear that are mentioned here, the tyres and so on and I do not even want to speak on behalf of that because we do not do that. If there are individuals that are doing that, that is a crime on its own and the police should deal with it but to say home-made brews averages are the ones causing people to commit crimes that is not true.

Anything, if you overdo it, whether now you drink beer or you drink whisky if you overtook it, you will still become drunk so when we make *ombike* at our houses, when we make *tombo*, when we make what we call *omarovu* and many others, when we make *omaghongo*, we do not brew these beverages for one to over drink it. You have to consume it at a certain level where when you know that it is enough, then you just stop. If we are stop any alcoholic beverages, then we must equally close the brewery, the beer one. Then we must stop whisky in this country, and not just to stop our traditional drinks.

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**HON DEPUTY SPEAKER:** There is Point of Order. You are done,

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**HON DEPUTY MINISTER OF FINANCE:** No.

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**HON DEPUTY SPEAKER:** Yes.

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**HON MINISTER OF INFORMATION COMMUNICATION AND TECHNOLOGY:** Thank you very much. Honourable Deputy Speaker on a Point of Information, I seem to have the feeling that we are combining this Motion, whose intention is to address a specific brew with the traditional beers that we know, and probably that is where we are missing the point, because the intention of this Motion is to focus on this concoction that is brewed from anything that comes including underwear (*Interjections*) but does not aim wait a minute, but I do not think it is the aim of the Motion to also include traditionally brewed beers so in debating this Motion I think we need to make that distinction, because my understanding is that we need to focus on this point. This is poison. It is not traditional beer. It is poison which is being brewed now of late but was never brewed previously. I thought that is my understanding.

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**HON DEPUTY SPEAKER:** Alright, proceed please Honourable Ithete.

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**HON DEPUTY MINISTER OF FINANCE:** Thank you Honourable Deputy Speaker, Honourable Members that should be condemned. There is two ways about it. We should all condemn it there are people brewing with the unwelcomed items the so-called underwear, I have never seen it before. For those that if you have that information, you know the house that is brewing, drinks that are going out in our community and people are using underwear's and tyres, report it Colleagues.

Thank you very much.

---

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HUMAN CONSUMPTION IN OUR SHANTY TOWNSHIPS  
HON NEKUNDI**

**HON DEPUTY SPEAKER:** “*Iyaloo*”, thank you. (*Laughter*)

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**HON DEPUTY MINISTER OF FINANCE:** Okay my mother.  
(*Interjection*)

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**HON DEPUTY SPEAKER:** Alright, Point of Order yes.

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**HON MINISTER OF GENDER EQUALITY AND CHILD  
WELFARE:** Thank you. I wanted to find out my son, what chemical is  
found in the underwear because I was not here. I want to be helped the  
chemical which can make somebody get drunk?

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**HON DEPUTY MINISTER OF FINANCE:** Thank you very much  
Honourable Deputy Speaker. Let us condemn the underwear. Thank you  
very much.

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**HON DEPUTY SPEAKER:** Alright, thank you. I recognise Honourable  
Nekundi.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Thank you  
very much Comrade Deputy Speaker.

---

**HON DEPUTY SPEAKER:** Are you going to talk within three minutes,

12 June 2018      **POISONOUS LIQUID BREWED AND SOLD FOR  
HUMAN CONSUMPTION IN OUR SHANTY TOWNSHIPS  
HON NEKUNDI**

please proceed.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Thank you very much. Comrade Deputy Speaker first and foremost I am really feeling uncomfortable, where this House under the subject matter it is kind of becoming a transmitting belt of rumours, and we cannot entertain that. It should be paramount for the Mover or such a speaker to say I was at erf number what, and I found this person with the underwear or shoes in that distilling. We cannot come here and use the Parliament as a House of transmitting rumours. It cannot be. We have grown up. We know these things how it is done. Nobody have or can pinpoint a person who have distilled or brews traditional stuffs under certain materials as has been spoken here.

We cannot. We are in a House to Debate issues affecting our people,  
(Interjections)

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**HON MEMBERS:** Honourable Member?

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Honourable House. We must Debate issues not these things. This is not true and it must be rejected. We cannot. We have more important things to deal with, and again I want to add further. We tend to think that whatever is foreign is the best. In the context, I want to make it categorically here. We cannot always come to this House as Namibians. We always think that if you consume whisky which is 40% alcohol and you finish 20 bottles a day, you will also be sleeping for the whole day, just like you drink *ombike* for example. It is not an issue of a traditional *ombike* or any other thing. It is how much you consume.



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HON NEKUNDI**

So Comrade Deputy Speaker that particular item does not deserve to be entertained under the context. One, we must respect our traditional products

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**HON DEPUTY SPEAKER:** Point of Order by your neighbour.

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**HON DEPUTY MINISTER OF HOME AFFAIRS AND IMMIGRATION:** Just a Point of Information Honourable Deputy Speaker, I am sorry for my neighbour. There was maybe some important information that got missed in the process, but I think there were some should I call it scientific interjections by some Members when the matter was postponed. I just see that the continuation of the Debate seems to be disjointed because there was some information and now because there is this reference to the material particularly, I think the whole debate is losing its essence. There were some other issues that we, so I am just thinking it is. I do not know how we could correct that, but there is information that is definitely missed in between and that waters the Debate down.

I thank you.

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**HON DEPUTY SPEAKER:** Can you propose the way forward? Hinda. The time is up, can you proceed tomorrow?

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** For tomorrow?

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**ADJOURNMENT  
HON PROF KASINGO**

**HON DEPUTY SPEAKER:** Yes, because (*Interjection*) can you look at the time?

---

I am not debating Comrade Speaker. You are asking if I can postpone it until tomorrow.

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**HON DEPUTY SPEAKER:** Yes, it is automatic, alright. With this, the Debate today is adjourned until tomorrow 14:30.

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**HOUSE ADJOURNS AT 17:48 UNTIL 2018.06.13 AT 14:30**

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**NATIONAL ASSEMBLY  
ASSEMBLY CHAMBERS  
WINDHOEK  
13 JUNE 2018**

The Assembly met pursuant to the adjournment.

**HON SPEAKER** took the Chair and read the Prayer and Affirmation.

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**ANNOUNCEMENT IN TERMS OF RULE 20  
(A) OF THE STANDING RULES AND ODERS**

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**HON SPEAKER**: As usual Honourable Members, we consulted our calendar and I wish to confirm that there are people who came to this world on this day, and I would like to acknowledge that after which we will say one or two things about them. It is a pity that the list is not complete because I notice one of those persons is still to come to the House, but since we have already started let him find us on the way. Those persons Honourable Members of this House first, the Honourable Calle Schlettwein. The second one, hold, we want to take them together. The second one is the Honourable Sackeus Shanghala and the third one now to put the ice on the cake is Ester Annalisa Nghipondoka, Happy Birthday! (*Applause*) Congratulations. We want to see more happy returns. That said and done we move on to the next item.

---

**HON SPEAKER**: The next item is equally something very interesting. All of you will be very happy to hear. I think this is becoming a tradition. I am observing that we have many Honourable Members of the House who continue to exercise their, remember the UNESCO concept of, (*Interjection*) ha? Absolutely, lifelong learning, and as a result of that I am seeing more of you graduating year after year. This is very exemplary that Members of the House continue to use their private time to empower themselves through education. After all we are told education is the key in anybody's life.

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**TABLING OF REPORTS  
HON ITHETE**

So the Honourable Levy Katoma has graduated with his Masters of Business Administration and Management from a College in South Africa. We congratulate you Honourable Katoma, well done.

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**HON SPEAKER:** Any Petitions? Reports of Standing or Select Committees? Other Reports and Papers? Deputy Minister of Finance.

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**TABLING OF REPORTS**

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**TABLING - REPORTS OF THE AUDITOR-GENERAL**

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**HON DEPUTY MINISTER OF FINANCE:** Happy birthday and may God bless you and give you many more years and enjoy your day with prayers.

With those few remarks let me now lay upon the Table, the Reports of the Auditor General on the Accounts of the:

- i. Office of the Judiciary for the Financial Year ended 31 March 2017;
- ii. Ministry of Environment and Tourism for the Financial Year ended 31 March 2017;
- iii. Ministry of Fisheries and Marine Resources for the Financial Year ended 31 March 2017;
- iv. Ministry of Gender Equality and Child Welfare for the Financial Year ended 31 March 2017;

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**NOTICE OF QUESTIONS  
HON VAN WYK**

- v. Ministry of Poverty Eradication, Social Welfare for the Financial Year ended 31 March 2017;
- vi. Electoral Commission of Namibia for the Financial Year 31 March 2017;
- vii. National Council for the Financial Year ended 31 March 2017;
- viii. Town Council of Omuthiya for the Financial Year ended 30 June 2016.

I so Move Honourable Speaker.

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**HON SPEAKER**: Thank you. Notice of Questions? Honourable Jan Van Wyk.

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**NOTICE OF QUESTIONS**

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**QUESTION 59:**

**HON VAN WYK**: Thank you Honourable Speaker. I hereby give Notice that on Thursday, 21<sup>st</sup> June 2018, I shall ask Honourable Minister of Urban and Rural Development the following.

Honourable Minister housing is a problem in this country, and all efforts to address the problem is appreciated. Unfortunately some individuals or companies see it as an opportunity to defraud and abuse the trust of the clients, and it seems that these people are untouchable. Hydro-form Interlocking Building Solution CC is one of such companies that has been on the scene for the past five years.

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It has allegedly conned thousands of Namibian dollars out of prospective clients. It is against this background that I would like to ask the following.

1. Which Local Authorities sell land to Hydro-form Interlocking Building Solution CC and under what conditions?
2. If your answer on question 1 is in the affirmative, could you please provide this august House on prospective clients of the said company of the progress made by the company to build houses and also inform this House on how many houses were handed over to the clients?
3. How many houses were built and handed over by the said company at Groot Aub?
4. The Rehoboth Town Council has approved 300 ervens to be allocated to Hydro-form Interlocking Building Solutions CC despite the injustice done by the said company to a number of Rehoboth residents. Did the ministry approve this transaction? If yes when was it approved, as no advertisement for objections to the transaction were done by the Rehoboth Town Council?

I so Move Honourable Speaker.

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**HON SPEAKER:** Thank you. Next is Honourable Maamberua.

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**HON MAAMBERUA:** Thank you Comrade Speaker. Let me pre-phase my question with some small intervention by reminding ourselves that there is a saying that 'do not to argue with a fool because if you argue with a fool people will not tell the difference.' (*Laughter*) Yesterday one fool here (*Laughter*) remarked that I needed (*Interjections*)

---

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**HON MEMBER**: There is no fool here in the House.

---

**HON MAAMBERUA**: Let me finish my talk. That I needed a  
breathalyzer meaning *(Interjections)* *(Intervention)*.

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**HON SPEAKER**: Can I have *(Intervention)*.

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**HON MAAMBERUA**: I am just finishing now.

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**HON SPEAKER**: But already *(Intervention)*.

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**HON MAAMBERUA**: Please I want to warn that fool that please do not  
repeat that because you are now stepping on my person. *(Intervention)*

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**HON SPEAKER**: But the language?

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**HON MAAMBERUA**: Yes the language was used that way.

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**HON MEMBER**: No.

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**HON MAAMBERUA**: I rest my case. That is a serious warning, yes.

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**HON SPEAKER**: But can we, I am sure you have issues with one of your colleagues here. Can we undo the reference to a fool?

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**HON MAAMBERUA**: I cannot hear you.

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**HON SPEAKER**: The reference to a fool.

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**HON MAAMBERUA**: I cannot hear you.

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**HON SPEAKER**: Can you hear me?

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**HON MAAMBERUA**: Yes.

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**HON SPEAKER**: I am saying in a way your anger I can get your anger that you are angry,

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**HON MAAMBERUA**: Yes.



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**HON SPEAKER**: something happened yesterday.

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**HON MAAMBERUA**: Yes.

**HON SPEAKER**: Unfortunately I am not aware of that I was not here.

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**HON MAAMBERUA**: Yes.

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**HON SPEAKER**: but the fact that you are already using a word, an expression

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**HON MAAMBERUA**: Yes.

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**HON SPEAKER**: that is not in keeping with Parliamentary rules. I am now basically saying you can easily say something to whoever has injured you, without necessarily being out of order in terms of the rules. You can easily do that without, just the word fool, because that does not go down well with our rules.

---

**HON MAAMBERUA**: What am I supposed to do?

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**HON SPEAKER:** Well I mean what I am proposing, withdraw the use of the word fool, because that really takes away from what you want to convey. You do not need to use the word because it is un-Parliamentary.

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**HON MAAMBERUA:** I am just the same person as I was yesterday. Today and as I always am all the time. *(Interjection)* No, when that fool yesterday made the statement what did you react? *(Laughter)* Why did you not say the person must withdraw?

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**HON SPEAKER:** But did the person, let me get this *(Intervention)*.

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**HON MAAMBERUA:** Why did you not say he must withdraw?

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**HON SPEAKER:** Did the person *(Intervention)*.

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**HON MAAMBERUA:** No I am not going to let my personality to be, no.

---

**HON SPEAKER:** No, no wait a minute. Honourable Members please help the Chair. Did the person who spoke yesterday, did the person use the word fool? Is that the case?

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**HON MEMBER:** No.

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**HON SPEAKER**: So it was an expression that the Honourable Maamberua disliked obviously.

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**HON MEMBER**: If that is, what is a? (*Indistinct*)

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**HON MAAMBERUA**: The same fool now (laughter).

---

**HON MEMBER**: The same person.

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**HON MAAMBERUA**: The same person (*Laughter*). But it said I need a breathalyzer. Why did I need the breathalyzer for? (*Interjections*)

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**HON SPEAKER**: Let me, now Honourable Members.

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**HON MAAMBERUA**: Why would I need a breathalyzer?

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**HON SPEAKER**: Honourable Members, what is (*Intervention*).

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**HON MAAMBERUA**: You see.

---

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**HON SPEAKER:** What is at stake is the reputation of the House. We do not want to do or say anything that basically diminishes the standing of the House. Now Honourable Maamberua I have just been told that these reference is in fact in newspapers.

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**HON MAAMBERUA:** Yes.

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**HON SPEAKER:** What is being said is in the newspapers?

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**HON MAAMBERUA:** Yes.

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**HON SPEAKER:** Now, you are a long standing Member of this House, *(Interjections)* can? I am trying to find a solution to this. We have got to find way forward we cannot afford to be bogged down. All I am saying, with everything that I know about you, the word a fool is totally misplaced. It is like an insult that you do not deserve. If that is the case you were referred to by that, it is totally unacceptable. The person who did it should withdraw.

Likewise I do not want you to go down in the history of this Parliament as having been labeling people that they are fools. I do not think you need to do that. You are big enough, you have got a big heart, and I am sure you will take that away and still maintain the fact that who caused you injury must apologize. That is the way to do it. We start with you. Withdraw that and whoever said anything that is totally unacceptable. Should be asked to withdraw as well.

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**HON MAAMBERUA**: Yes thank you Comrade Speaker. I am here to protect my person and I shall withdraw the reference to a Member of Parliament as a fool provided (*Laughter*). It is conditional my brother. It is conditional my sister. Provided that that person, as per your instruction withdraws calling me that I need a breathalyzer. When you need a breathalyzer is to say that that person is implying (*Intervention*).

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**HON SPEAKER**: Under the influence of alcohol?

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**HON MAAMBERUA**: Aha, how do I drink coming to Parliament (*Laughter*)? And you expect me to sit here like a lamb just to be sacrificed, no ways.

---

**HON SPEAKER**: Thank you. Absolutely, thank you.

---

**HON MAAMBERUA**: That person must withdraw otherwise I am going to repeat the same words.

---

**HON SPEAKER**: Yes okay, let me say before I come to the Minister of Justice let me say this. It is not only up to the Honourable Maamberua to protect your dignity as a person, all of us collectively, we should protect each other is dignity because that is what it is required of us. So Honourable Minister of Justice can you do the Honourable thing, I really want us to make progress.

---

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**HON MINISTER OF JUSTICE:** Thank you Speaker for first acknowledging my birthday. I am very touched. Speaker you will indulge me just for the second for the intro to my apology as you did the Honourable Member. Firstly, let me place it on record, when I uttered the word breathalyzer I did so, I was not on the Floor therefore the Hansard does not reflect it.

Secondly, I was referring to the pandemonium that was going on yesterday. I was not referring to an individual, but it seems that the shoe fits somebody and you wore it. Now the newspapers may have, in their own liberty, in their own liberty, and which I cannot control. They went to write what they did as they normally do and hence his anger and then he comes and pours it here.

A conditional apology is not an apology it is an apology or not and on my part if there is anybody who felt they were insulted by my insinuation of breathalyzer required because I only said breathalyzer required for that pandemonium then I am sorry but I was also trying to protect the dignity of the House. The way people were conducting themselves yesterday was also not proper.

So on behalf of my young birthday self, I would like to withdraw what was not on record unconditionally the word breathalyzer, which was not being referring to a certain person who decided to call people some names.

Thank you.

---

**HON SPEAKER:** Thank you very much. So this has been worked out and we will continue with the same spirit of getting on with the job, with the mandate that brought us here. Thank you very much. I am very happy about that. Honourable Clara //Gowases.

---

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**NOTICE OF QUESTIONS  
HON GOWASES**

**QUESTION 60:**

**HON //GOWASES:** Thank you Honourable Speaker. I hereby give Notice that on Thursday, the 21st of June 2018 I, shall ask the Minister of Health and Social Services, Honourable Bernard Haufiku the following question.

Honourable Minister the residents of Keetmanshoop experience some difficulties where visitors and patients have to make use of a detour of up to 5 kilometres to access the Keetmanshoop Hospital as the main gate was locked after an incident last year. This is a consequence which makes the vulnerable to cry in the darkness of the night. Taxis are also an expensive alternative to get people around to the new access point and taxis are also not available after 07:00.

Therefore my question is a humble request that reconsideration be made for the re-opening of the main gate perhaps with some stricter security measures altogether.

Honourable Speaker, I so Move.

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**HON SPEAKER:** Thank you. Notice of Motions? Yes?

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**NOTICE OF MOTIONS**

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**SEED VARIETY**

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13 June 2018

**NOTICE OF MOTIONS  
HON !NARUSEB**

**HON MINISTER OF AGRICULTURE, WATER AND FORESTRY:**

Thank you Honourable Speaker Sir. I give Notice that tomorrow, on the 14<sup>th</sup> of June 2018, I shall Move that leave be given to provide for the appointment of the Registrar of seed varieties and the registration of producers, processors and dealers of seed and control over imports and exports of seed to provide for the establishment of the Namibia Seed Council and the Seed Varieties Committee, (*Interjections*) no I also know your deficiencies, and I can also point them out, and their powers and functions to provide for the establishment of a National Seed Varieties Register, to provide for the establishment of the Seed Certification Services and its powers and functions and to provide incidental matters. May I so move?

Thank you.

---

**HON SPEAKER:** Thank you. So we move on, Messages from the Head of State? Ministerial Statements? The Honourable Sioka? Oh, okay your light was on. Deputy Minister of International Relations and Cooperation.

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS  
AND COOPERATION:** And all the other things?

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**HON SPEAKER:** And other things as well.

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**MINISTERIAL STATEMENTS**

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13 June 2018

**MINISTERIAL STATEMENT  
HON //HOEBES**

**FACEBOOK SCAM**

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**HON DEPUTY MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Honourable Speaker, I rise to inform this august House and the general public about the Facebook scam that is causing people to lose money and dash their hopes for educational opportunities, and at the same time also tarnish the good name of the Honourable Deputy Prime Minister and Minister of International Relations and Cooperation, as well as the image of the Ministry of International Relations and Cooperation.

Honourable Speaker, on 20<sup>th</sup> of April 2018, the Ministry of International Relations and Cooperation, sent out a warning to the general public on an email scam circulating in the name of the Honourable Deputy Prime Minister and Minister of International Relations, requesting for beneficiaries for the eleventh (11<sup>th</sup>) European Development Fund for the period 2014/2020, national indicative programme 2014/2020 for Namibia. The email address that was used is not that of the Deputy Prime Minister nor that of the Ministry of International Relations.

On the 11<sup>th</sup> of May 2018, a young man approached the Office of the Deputy Prime Minister after he had paid an amount of N\$6,900 to an account provided by the fraudster to enable him to establish a project named School Dropouts through the purported European Development Fund. The Office referred this gentleman to the Namibian Police, with a copy of the public notice that we issued as a Ministry.

Honourable Speaker, again we have been notified that another Facebook report is circulating about a certain empowerment strategy through SADC and the Economic Community of West African States (ECOWAS) in conjunction with the UNDP Office in the United Kingdom, asking people to use funds worth from £100,000 to £150,000 to create job opportunities for our citizens in Namibia. This scam further requests people to notify the Deputy Prime Minister through the same Facebook account if they are

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**MINISTERIAL STATEMENT  
HON SIOKA**

willing to join the programme as beneficiaries and that she would put them through basic protocols for participation and application.

First of all I wish to state here that the Deputy Prime Minister does not have a Facebook account.

Secondly, I further wish to request the public to engage the Namibian Police if they receive a notice, supposedly from her requesting them to apply and send money for participating in any empowerment or developmental projects, as these are fraudulent activities.

Finally I wish to caution the public not to at all times fall prey to those scams by providing their details in such emails, as they could lose their money to fraudsters impersonating the Deputy Prime Minister or others.

Thank you.

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**HON SPEAKER:** Thank you very much. Next is Honourable Minister of Gender Equality, Honourable Sioka.

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**HON MINISTRY OF GENDER EQUALITY AND CHILD WELFARE:** Thank you very much Honourable Speaker, Honourable Members of the National Assembly.

I am rising this afternoon to inform this august House and the nation at large about the date of the African child.

Honourable Speaker, as we know that it was in 1991, the Assembly of the Heads of States and Governments of the then OAU instituted the Day of the African Child, in memory of the 16<sup>th</sup> June 1976 Student Uprising in Soweto, South Africa.

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**MINISTERIAL STATEMENT  
HON SIOKA**

At that time students marched in protest against the poor quality of education there and demanded to be taught in their own language.

Honourable Speaker, the Day of the African Child serves to commemorate these children and the brave action they took in defense of their rights. The Day of the African Child, thus celebrates the children of Africa and calls for a serious introspection and commitment towards addressing numerous challenges facing children across the continent. The theme of the day of the African Child for 2018 is *“Leave no child behind for Africa’s Development”*.

This year’s theme builds on the momentum created by the Day of the African Child in 2007, “The 2030 Agenda for Sustainable Development for Children in Africa: Accelerating protection, Empowerment and Equal Opportunity.”

It does so by emphasising the need to mainstream children’s rights in all (Agenda 2030) development programmes implemented by the Member States.

Honourable Speaker, Honourable Members, while the 2017 Day of the African Child theme focused on locating African children generally within the 2030 Agenda, the 2018 theme highlights the need to ensure that *“no child is left behind”* as specifically targeting those who are not benefitting from African’s growth and development. Thus the overarching principle is inclusive development for children that is whenever undertaking tot development programme and policies for implementing agenda 2030, children should be at the centre stage and Member States should ensure that no child is left behind in the drive towards sustainable economic development.

Honourable Members in selecting the 2018 Day of the African Child theme, the ACERWC once again reaffirmed the importance of highlighting the linkage between Agenda 2030, ACERWC Agenda 2040 which focuses on children, youth and African Union Agenda 2063.

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**MINISTERIAL STATEMENT  
HON SIOKA**

The ACERWC's agenda 2040, focuses on children (and the youth) as the drivers of Africa is Sustainable Development and builds upon Agenda 2063 (paragraph 53), which calls for the empowerment of the child through the implementation of the African Charter on the Rights and Welfare of a Child. Agenda 2040 sets out ten aspirations to be achieved within 25 year period.

Namibia has adopted this theme to suit our context and immediate challenges facing the country, which hinders sustainable development and this priority theme was adopted to focus on Gender Based Violence, Empowerment of Women and Girl and Boy Child. **“Be Bold for Change”** is aimed at ground breaking actions that drive the greatest change for children.

The objective Honourable Speaker, of this commemoration is to:

1. Prioritise children's rights in the implementation of the SDGs.
2. To develop national strategies that aims to ensure that no child is left behind, and that those furthest behind are prioritised in all implementation efforts.
3. To regulate, undertake, consultative and voluntary national views at national and sub national levels to monitor and implementation of the SDGs for all children.
4. The Day of the African Child events is held in the majority of us African Union (AU) Member States.
5. The Day of the African Child messages is widely reported in national and regional media.
6. Children play a major role in planning and the implementation of the Day of the African Child Activities.

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**MINISTERIAL STATEMENT  
HON SIOKA**

Honourable Speaker, Honourable Members, the clear message for celebration and commemorations on the Day of the African Child is as follows:

1. The Sustainable Development Goals, Africa Agenda 2063 and Africa is Agenda for children 2040 cannot be achieved without particular attention to the specific needs and concerns of children.
2. Children should be viewed as agents of change and not merely as subject of protection, especially concerning the realisation of the SDGs amongst others.

Honourable Speaker, Honourable Members in Namibia the day is commemorated in all 14 Regions with the support of the Ministry of Gender Equality and Child Welfare and UNICEF. The main event for 2018, is scheduled to take place in Stampriet, Mariental, Hardap Region on Friday, the 15<sup>th</sup> of June 2018. You should know that we were supposed to celebrate this day on the 16<sup>th</sup>, but we returned it to 15<sup>th</sup> to be a working day.

The Honourable Minister, yours truly standing here in front of you, will deliver the Key Note Address for the Day of the African Child. I therefore invite you all responsible parents, and you Members of Parliament since it is celebrated all over the Regions in all our Regions attend it, show your face, if possible speak on that day, I will appreciate it.

Thank you very much Honourable Muharukua (*Laughter*).

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**HON SPEAKER:** Thank you very much. I, can I just (*Interjections*) Can we all listen to each other. I just wanted to mention something about, in connection with the 16<sup>th</sup> of June 1976. I am of the view that, yes Soweto students were very much in the forefront, but I think there were also a number of Namibian students during that period who were actively engaged, and I want the Minister to really make reference to that as well.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON DR KAWANA**

Secondly, I would like particularly Honourable Members of this House, particularly those who were actively engaged in the students demonstration activities, perhaps to be active in the forefront along with the Honourable Minister on that particular day because they are here and I know some of them because it is a period of very important historical developments that brought the youth into the forefront of the anti-colonial struggle. Before we move on to take the Honourable Shifeta I want to recognise the Honourable Dr Kawana.

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**QUESTIONS AND COMMENTS ON MINISTERIAL STATEMENT**

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**HON DR ATTORNEY GENERAL:** Thank you very much Honourable Speaker. Honourable Speaker, with your remark you motivated me to put a footnote to the Ministerial Statement of the Honourable Minister Sioka. Just to say, Honourable Speaker, and I know you are very much active in some of these international forums, and maybe through you and other prominent citizens of this country through the Ministry of International Relations and Cooperation. There is one thing Honourable Speaker which is really worrying me, we know historically during the colonial times, maybe I may go back even slave trade, a lot of our young people were uprooted from Africa for the period anything up to 300 years, they became slaves in the Diaspora and it took so many years for Africa to recover only to be hit by colonialism.

Now we are recovering slowly, but what is worrying me is the drift or exodus of young people from Africa in search of better life elsewhere. Comrade Speaker, I do not know what we can really do to attend to this trend, because it is reminding us of the historical past. If this trend continues and it is so sad to see the youth, the young people of Africa being uprooted from their continent. What we call the Mediterranean Sea and more so some of them is becoming their graves, it is really very sad.

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**MINISTERIAL STATEMENT  
HON SHIFETA**

That is why we are saying in Namibia, under the SWAPO Party Government, we have a number of programmes that we are trying to bring about. First free education in primary, free education in the secondary and a number of other programmes such as subvention social grants to our young people, the orphans especially, the vulnerable children, I think we must do more, not only in Namibia but we need to encourage really other countries so that we can stamp this trend of exodus again of our young people from the continent because they belong to Africa, they must be here to develop this continent.

I so submit.

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**HON SPEAKER:** Thank you very much. I am so pleased to note and in fact we need to play a catalytic kind of a role. We have our Members of Parliament representing Namibia at the PAN African Parliament we can propose a Motion along the lines the Honourable Dr Kawana just indicated where we can actually focus our attention on some of these issues because it is a continental, it is a challenge to the whole of the continent, and I think a Motion by our dedication to the PAN African Parliament forcing attention on issues of that kind will enable us to contribute and add value to the Debate. So Dr Kawana you are absolutely right.

Let me revert back to the Honourable Shifeta you have the Floor.

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**RESPONSE TO MATTERS RAISED  
DURING THE RATIFICATION OF THE  
SADC PROTOCOL ON ENVIRONMENTAL  
MANAGEMENT FOR SUSTAINABLE DEVELOPMENT**

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HON SHIFETA**

**HON MINISTER OF ENVIRONMENT AND TOURISM:** Honourable Speaker, thank you very much for the Floor.

Honourable Members, last week I tabled the Southern African Development Community Protocol Environmental Management for Sustainable Development for Ratification in this very august House. Several issues were raised and I promised to return to this august House with more clarity on the issues raised.

It is in this light that I rise to shed more light on your concerns Honourable Members, as I stated when motivating the ratification of this protocol, and also that this protocol is fully consistent with the provisions of our *Environmental Management Act, 2007* (Act. 7 of 2007) as Namibia's formal specie of Environmental Legislation. This Act defines the environment as the complex of natural and anthropogenic factors and elements that are mutually interrelated and affect the ecological equilibrium and the quality of life including:

1. The natural Environment that is the land, water and air, all organic and inorganic material and all living organisms; and
2. The human environment that is the landscape and natural, cultural, historical, aesthetic, economic and social heritage and values.

This brings into focus the broad definition of environment reflecting land, water, air, marine as well as the human environment. As Article 3.3 of the Protocol clearly states - people are at a forefront, but we need to pursue the selection of the best practicable environmental options when taking decisions. This is a very important guiding principle for the implementation of this protocol.

Honourable Members, the Ministry of Environment and Tourism is fully conscious of the role of all stakeholders' environmental management in line with the provisions that are our *Environmental Management Act, 2007* (Act. 7 of 2007). We have established a Sustainable Development Advisory Council which advises the Minister of Environment and



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Tourism and the Government at large on environmental issues relevant to sustainable development. This includes advice on legislation related matters and the Council is also tasked to improve coordination and cooperation on environmental issues. I am pleased to report that this Council has been operational since 2013, and is providing important support services to the Government.

At a technical level we have instituted cross sectoral Committees to deal with matters of biological diversity, climate change and desertification. These cross sectoral Committees will oversee the implementation of different strategies and action plans that have been approved by the Government on less important environment related matters.

We are working hard through these Committees with the other line Ministries, Academia and Civil Society to ensure better collaboration on issues that are beyond the core mandate of the Ministry such as the renewable energy, air pollution, coastal and marine biodiversity, as well as issues such as crop and livestock management and afforestation. The Ministry of Environment and Tourism seeks to play a coordinating role on these issues, while regulating to ensure that developmental activities have minimum impacts on the environment as far as possible.

Honourable Members, I would beg to differ with Honourable Venaani, that Namibia or indeed the Region is a nonchalant (relaxed) when it comes to matters of climate change, adaptation and mitigation. The Southern African Development Community as a Region is very active on this issue and there is already a strong regional collaboration on it. Namibia has put in place an excellent policy framework on climate change which includes a National Climate Change Policy, as well as a Strategy and Action Plan that is guiding our interventions as a Government on this important issue. We also have a highly ambitious intended Nationally Determined Contribution, which was approved by Cabinet in 2015, and is our main vehicle for implementing the historical Paris agreement.

This policy framework is one of the reasons why we are able to successfully attract climate change related external funding into the

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Country since 2017. Just last year we launched the following projects:

1. Climate Resilient Agriculture in three of the Vulnerable Extreme Northern crop growing Regions (CRAVE). This project has been already inaugurated and is under implementation.
2. Empower to Adapt: creating Climate Change Resilient Livelihoods through Community Based Natural Resources Management in Namibia.

Each of these projects are worth more than N\$100,000,000 and this is an external funding that you got, and are being implemented through the Environmental Investment Fund of Namibia.

3. Third Project proposal also worth more than N\$100,000,000 was also submitted and approved by the Green Climate Fund this year. The title of this project is *"Improving rangeland and eco system management practises of smallholder farmers under conditions of climate change in Sesfontein, Fransfontein, and Warmquell areas"* in the Kunene Region. We have people that are there they will be able to encounter them.

A project titled "Pilot Rural Desalination Plants using renewable power and membrane technology" was also approved in 2017 by the Adaptation Fund. This Project is worth more than \$N60 million which will run for a four year period and will pilot and utilise renewable power and membrane technology at the Grunau settlement and the Bethanie village. in //Kharas region.

These projects are examples of interventions that will result in increased resilience or some of our most vulnerable communities to climate change. I am confident that we will be able to mobilise further Projects at the national and regional level over the coming years.

Honorable Members,

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There was considerable focus during the debate on issues of human wildlife conflict and how to handle the balance between the needs of humans and the need to protect wildlife. I would like to take this opportunity to assure all members and the public at large that finding amicable and practical solutions to tackling the root causes of human wildlife conflict is a top priority of this Ministry, but must take place within the confines of our domestic policies and legislations and the public International law and international agreements we are party to. Conventions such as Convention on International Trade in Endangered Species (CITES) for example regulate how we can trade in endangered plants and animals.

Competition for resources such as water and space for grazing as well as drought are among the key drivers of human wildlife conflict. With climate change, we are anticipating that droughts will become more severe and frequent. This will bring wildlife and humans into even closer contact in the future, with this in mind, the Ministry is currently developing a project proposal for innovative solutions to Human Wildlife Conflict that will soon be submitted to the Green Climate Fund for funding consideration.

We also continue to do our utmost to come up with theoretical and practical solutions to address the challenge. I would like to highlight that we have most recently finalised the revised Human Wildlife Conflict Management Policy. In May, the Ministry hosted a three day conference with environmental education institutions under the theme *"Innovative Strategies to Develop Peaceful Co-existence with the Endangered Wildlife."* Just last month, we also inaugurated three predator proof kraals and an early warning system at Bergsig, in the Kunene Region. This early warning system warns communities.

It is a tower that we put up and it has got some devices to sense those animals that have chips implanted, whenever they approach within a kilometer when they approach the communities, so a warning system, there will be a siren to warn the people about the incoming animals, a

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kilometer, one kilometer, before the animal approaches. The animals will be detected. We have tested that (*Interjections*) so it is a very interesting device system, and we know for instance the predators that are in the area, we put chips in different herds, and for instance the prides of lions and we know we put devices on some of them, and whenever they come closer to the area, the sirens will warn people, the light will go on pointing where they are, a kilometer before they approach, and off course, we have people that are there that will be able to encounter them.

We need to step up these efforts and I would like to call on all Members to engage with us so that we tackle this problem collectively for the benefit of both our people and wildlife. We are equally committed to working with our SADC neighbours in addressing these challenges.

Honourable Members,

Again the whole issue of sand mining were prominent in our address during the Debate. As I stated in my response, sand mining is one of the listed activities and therefore requires Environmental Clearing Certificate before it can commence. A permit from a local headman or traditional authority is not sufficient to allow companies and contractors to proceed with sand mining. An Environmental Impact Assessment Is first needed as well as the identification of mitigating measures to see how the degradation of human and environmental health from sand mining can be avoided, minimised, restored or offset.

We have developed procedures on the undertaking of sand mining activities and are busy now with the nationwide awareness campaign to ensure that all stakeholders comply with these procedures.

Honourable Members,

The whole issue of sand mining draws attention to the importance of the Environmental Impact Assessment process, which was also raised during the Debate.

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The need for proponents and organs of State to abide by the law guided by the principles and procedures of the *Environmental Management Act*, 2007 (Act.7 of 2007) cannot be overemphasised. If these had been followed in the past, we would not be sitting with many of the current problems we are facing today, such as leftover burrow pits which are endangering the humans and animals today. Many people died in these burrow pits from sand mining. Un-rehabilitated mining sites and green scheme sites which are in migratory roads for elephants.

The challenge of finances was also mentioned in the Debate and particularly the cost of the Etosha National Park fence, and which I agree that it is true that this is a large amount of money that the Government would really need to consider how we can best reinvest some of the income earned through for example park entrance fees and environmental levies back into our environmental protection.

I have also made assessment on the determination of cost used for Etosha National Park and I came to a conclusion, that lately contractors, can you just listen? Kudumo (*Interjection*) wait, just listen. I have also made assessment on the determination of costs used for Etosha National Park and I concluded lately that contractors really submit quotations with costs that are questionable in my view. Inflated quotations submitted by contractors have become a challenge when it comes to Government tenders. We have to deal with this in order to save the public funds.

I have directed that after the completion of the current contractors on site (*Interjections*) any further procurements for the fencing of Etosha National Park or any other park should properly be scrutinised in comparison with similar private elephants through fences in the country which I personally investigated and I found it far more cheaper than Government fencing activities.

Tourism Honourable Members, is one of the fastest growing sectors of the economy that brings in a wide variety of benefits to many people and companies and myriad of different ways. We need to maximise these benefits while reducing the risks to our communities from issues such

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as human wildlife conflict. If we do not reimburse we will not grow and develop our economy further.

Honourable Speaker,

I hope I have done justice in responding to the many questions and issues that arose during the Debate, but I stand ready to engage further with Members bilaterally on any important matters that may have been omitted in my speech.

I would again like to reassure Honourable Members that the Ministry is hard at work addressing almost all of these critical issues contained in the protocol in partnership with other Government Offices, Ministries and Agencies as well as our society at large and the neighbours and also our developing partners, private sectors, institutions of learning, our civil society organizations.

I am therefore confident that we are in a position to domesticate the provisions of this Protocol and undertake what is required of us as per Article 13 of this Protocol once the Protocol has been ratified by the majority of Member States.

With these few words Honourable Speaker, Honourable Members I hereby thank you for the opportunity and I also thank you for your support to the ratification of this SADC Protocol Environment Management for Sustainable Development which was adopted in this august House yesterday.

Thank you once again. (*Applause*)

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**HON SPEAKER:** Thank you very much. Next is the Honourable Errki Nghimtina.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON NGHIMTINA**

**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you Comrade Speaker. Comrade Speaker, I am supporting what the Minister of Environment and Tourism has said mostly on the commercial purposes of sand mining, but we need to know where we came from and where we are because you may find mother, she wants to have her sand for her, what do you call it, *(Interjection)* or even preparing for mahangu field does it means that now how small it is I have to go and ask for permission, or are we talking about commercially something, because we have to let our people understand properly *(Interjection)*

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** Point of Order.

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**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Otherwise somebody cannot touch anything which is very important for our people for their livelihood?

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**HON SPEAKER:** There is a Point of Order. Honourable Kavetuna.

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** Comrade Speaker, the Honourable Minister just responded on the questions and there is no way that you can open the Floor for additional questions, it is not procedural?

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HON DR ANKAMA / HON MUHARUKUA**

**HON SPEAKER:** Well I was actually (*Intervention*). No I agree with you we do not want to open up a Debate on this. Yes Honourable Dr Ankama. I am going by your lights.

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**HON DEPUTY MINISTER IN THE OFFICE OF THE PRIME MINISTER:** Okay maybe since the Chairperson has already made a ruling maybe I cannot ask.

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**HON SPEAKER:** Okay thank you very much. Yes Honourable Muharukua.

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**HON MUHARUKUA:** Comrade Speaker, I thought he did not respond and said he will come with a Ministerial Statement, but be that as it may, I will just briefly touch on one aspect Honourable Speaker. I think and it is the aspect of procurement. I really want to thank the Minister and really clap hands for him.

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**HON MEMBER:** Clap hands?

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**HON MUHARUKUA:** Yes maybe I should. The fact that he says he gave a directive that any further purchases on the Etosha fence should be comparable to what a purchase of that kind in the private sector would cost. I think that is really a step that Government must follow.



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HON MUHARUKUA**

**HON MEMBER:** The SWAPO Government?

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**HON MUHARUKUA:** Yes the SWAPO Government you can put it that way, must follow to ensure that the Government is not a cash cow. I really want to thank you for that (*Interjection*) and I do think that all the Ministries should really look at how that example would work and follow suit because it will save us a lot.

Thank you Honourable.

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**HON SPEAKER:** Thank you very much. Good thank you well done. We move on.

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**HON SPEAKER:** The Notice of a Motion is the one of the Honourable Minister of Land Reform. Does the Honourable Minister Move the Motion?

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**HON MINISTER OF LAND REFORM:** Honourable Speaker, yes I Move the Motion.

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**HON SPEAKER:** Who seconds? Any objection? Agreed to. Honourable Minister you have the Floor.

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**RATIFICATION OF THE AFRICAN  
UNION ON BORDER COOPERATION  
HON NUJOMA**

**RATIFICATION OF THE AFRICAN  
UNION ON BORDER COOPERATION**

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**HON MINISTER OF LAND REFORM:** Honourable Speaker, Honourable Members I rise to seek approval of the National Assembly for Namibia to ratify or accede to the African Union Convention on Cross Border cooperation popularly known as the (Niamey Convention)

**Background**

Honourable Speaker, Honourable Members, at is Ordinary Session held in **Kampala, Uganda, from the 19<sup>th</sup> to 23<sup>rd</sup> of July 2010**. The Executive Council adopted the **Decision EX.CL/December.563 (XVIII)** on the Report of the Commission on the Second Conference of Ministers in charge of border issues. Further at the 18<sup>th</sup> Ordinary Session of the Assembly of the Union, held in Addis Ababa on the 29<sup>th</sup> to 30<sup>th</sup> January 2012, the Heads of States made the following solemn declaration **Assembly/AU/December.408(XVIII):**

Where they “**REITERATES** the importance it attaches to the implementation of the AU Border Programme (AUBP), **welcomes** the significant results achieved so far and also **ENCOURAGES** the Commission to pursue and intensify the efforts being deployed. In this respect **CALLS FOR** the speedy familiarisation of the draft Convention on Cross Border Cooperation and **REQUESTS** Member States to facilitate this process by attending at the appropriate level the Ministerial Conference being planned by the Commission to this end”.

The third Conference of Ministers adopted the Revised Draft of the AU Convention on Cross Border Cooperation.

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HON NUJOMA**

The Convention was adopted by the 23<sup>rd</sup> Ordinary Session of the Assembly held in Malabo, Equatorial Guinea on the 27<sup>th</sup> of June 2014. It is expected to enter into force thirty (30) days after the date of receipt of 15 Instruments of Ratification by the Chairperson of the African Commission of the African Union.

Cabinet by its **Decision, 10<sup>th</sup> /19.06.12/007** approved that Namibia signs and ratifies the AU Convention on Cross Border Cooperation in line with the AU Assembly Decision - Assembly/AU/December.408 (XVIII) **His Excellency the President Dr Hage Geingob** signed the AU Convention on Cross Border Cooperation on the 17<sup>th</sup> of July 2016, during the Summit held in Kigali, Rwanda in July 2016. Thirteen (13) countries have signed the convention so far.

Honourable Speaker, Honourable Members the objectives of the Convention are as follows.

- Facilitate the promotion of cross border cooperation, at local and sub regional and regional levels;
- Seize the opportunities arising from share borders and address the related challenges;
- Facilitate the delimitation demarcation and reaffirmation of interstate borders, in conformity with mechanisms agreed upon by the parties concerned;
- Facilitate the peaceful resolution of border disputes;
- Ensure efficient and effective integrated border management;
- Transform border areas into catalysts for growth as well as for the socio-economical and political integration of the continent; and

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HON NUJOMA**

- To promote peace and stability through the prevention of conflicts, the integration of the continent and the deepening of its unity.

Honourable Speaker, allow me to briefly inform the House of some of the significant provisions of the Convention as per the Articles of the convention.

**Article 1** deals with definitions of terminologies of the Convention for example Cross Border Cooperation which means, I quote *“Means any act or policy aimed at promoting and strengthening good neighbourly relations between border populations, territorial communities and administrations or other stakeholders within the jurisdiction of two or more States including the conclusion of agreements and arrangements useful for this purpose”*.

**Article 2** provides mechanisms to:

- Facilitate the promotion of Cross Border Cooperation at local and sub regional and regional levels;
- Facilitate the delimitation, demarcation and reaffirmation of interstate borders, inconformity with mechanisms agreed upon by the parties concerned; and
- Facilitate the peaceful resolution of border disputes.

**Article 3** promotes Cross Border Cooperation in the following areas:

- Socio-economic development, including transportation, communication, trade, agro pastoral activities, handicrafts, energy resources, industry, health, sanitation, drinking water, education, environmental protection;

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- De-mining of border areas;
- Security including combating of cross border crime, terrorism, piracy and other forms of crimes.

**Article 4** makes provision for the facilitation of cross border cooperation.

**Article 5** provides means of sharing information and intelligence.

**Article 6** deals with communication to the AU Commission of Competent Authorities responsible for border matters under its domestic law which shall then serve as a focal point.

**Article 7** provides for the harmonisation of domestic laws pertaining to border issues.

**Article 8** deals with mechanisms for the implementation of Cross Border Cooperation at the level of State parties and includes the requirement of submitting Annual Reports on the measures taken for the implementation of the Convention.

**Article 9** provides for mechanisms for the implementation of Cross Border Cooperation at the level of the Regional Economic Communities. This includes encouraging each Regional Economic Community to establish original Border Consultative Committee. This Committee will then be expected to among other things:

- Assist in the formulation of policies and activities for the promotion of cross border cooperation in administrative, cultural, socio-economic and security areas in their respective Regions;
- Coordinate all the activities, as well as the mobilisation of the required means for the attainment of the objectives stipulated in this Convention;

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- To recommend the adoption of best practices for effective management and administration of border areas;
- Examine the problems faced by border populations and suggest solution thereto, when requested by the State parties concerned.

**Article 10** states the composition of the Continental Border Consultative Committee and set out mechanisms for the implementation of Cross Border Cooperation at the continental level. It also provides for the:

- Support of State parties in implementing this Convention;
- Support of the efforts of State Parties for an effective sharing of information and intelligence;
- Identification of priority actions and resources needed for the implementation of these guidelines; and
- Examination of problems faced by border population and proposing recommendation in coordination and approval of, State parties concerned.

**Article 11** establishes the Border Programme Fund.

**Article 12** deals with safeguard provisions. It specifically states that none of the provisions of this Convention shall affect more favourable provisions relating to Cross Border Cooperation contained in the domestic law of State Parties or other regional, continental and international agreement applicable in this State Parties.

**Article 13** sets out the dispute resolution mechanisms, particularly recommending amicable resolution through direct negotiations between State Parties concerned and making use of the procedures and mechanisms for the resolution of disputes established within the framework of the African Union.

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**Article 14** deals with Signature, Ratification and Accession, and states that the Convention shall be open to all Member States of the Union for signature ratification and accessions in conformity with their respective constitutional procedures.

**Article 15** states that the Convention shall enter into force thirty (30) days after the date of receipt of the fifteenth (15<sup>th</sup>) Instrument of Ratification of accession by the Chairperson of the Commission of the African Union.

**Article 16** provides for means of amending the Convention.

**Article 17** provides for depository mechanisms and withdrawal requirements. State parties are expected to deposit the instrument of accession with the Chairperson of the African Union Commission. Any State Party may withdraw from this Convention by giving a written notice of one (1) year in advance to the Chairperson of the Commission of the African Union. Upon entry into force of this Convention, the Chairperson of the Commission shall register it with the Secretary General of the United Nations in accordance with Article 102 of the Charter of the United Nations.

Honourable Speaker, it should be noted that this is important for Member States of the AU to give utmost priority to the decisions of the Assembly of the AU in order not to turn the Assembly as a mere talking shop. The request for ratification of this Convention is in consonants with this thinking. Having signed the Convention it is important that the National Assembly approves the ratification of the Convention to enable Namibia to conclude the process.

Honourable Speaker, Honourable Members it is my pleasure that this Honourable House approves Namibia is accession to the African Union Convention on Border Cooperation popularly known as the Niamey Convention.

I thank you sincerely.

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HON VAN DEN HEEVER**

**HON SPEAKER:** Thank you. There you have it. Any further discussions? Well Honourable Minister I think they are responding to your prayer.

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**HON MINISTER OF LAND REFORM:** Thank you very much Honourable Speaker, and I would like to thank Honourable Members sincerely and also for their support as well as the *(Intervention)*.

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**HON SPEAKER:** Okay, I obviously assumed that it was a d/accord. Honourable Minister just permit me to give the Floor to Honourable Van Den Heever. You have an issue? Question? Yes please.

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**HON VAN DEN HEEVER:** Yes I am sorry Honourable Speaker to interrupt the Minister. In principle we do not have a problem with the Convention itself and the ratification of it, but I would just like us to check on our quorum, the voting quorum I do not believe we do have.

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**HON SPEAKER:** Well we will do that as quickly as possible. In other words we ring the bell, is there anyone outside? Can you get them? *(Interjections)* Yes we are almost there but we need three more Members they should be coming any time now. Can we continue while we are waiting for?

Yes, while we are doing that I want to go back to the Ministerial Statement by the Honourable Shifeta but he is not in the Chamber. There were some questions back and forth when the Honourable Errki Nghimtina asked a simple question which was quite pertinent in a way and



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HON KAVEKOTORA / HON NUJOMA**

so I just want to confirm that. Yours was a very simple question it was not a discussion and I am sorry that we skipped that aspect, but I will ask the Honourable Minister to give an answer to your question. I hope that will be in order. Thank you very much as soon as he is back and we have a bit of time we will squeeze that in. I think we only have two more then we should be fine. So we are proposing that we go to the next item and once, yes? Yes please?

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**HON KAVEKOTORA:** Thank you very much Honourable Speaker. I do not have a problem with the proposal. I remembered one thing that Honourable Minister has said that I just want to get clarity on. Honourable Minister Nujoma spoke about there were only 13 countries that signed the convention.

I just want perhaps if the Minister can tell us which countries are those and out of how many countries, because I think cross border means basically that a country will have to have a border with a particular country to effect the Convention. So if the Minister can just share with us while we are waiting, the countries that have signed the convention.

Thank you.

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**HON SPEAKER:** Fine. If the Honourable Minister, if you have got that information kindly share with the House.

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**HON MINISTER OF LAND REFORM:** Honourable Speaker, I will gladly share this information once we get the information on which countries, but I know in order for the Convention to enter into force, only fifteen (15) countries are required. So far thirteen (13), so if we sign by

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HON NUJOMA**

now since that time I think probably we have already satisfied the requirement of the quorum. So this is significant if Namibia ratifies now then if we are still behind only one country will still be needed. That is why the urgency and speed needed to ratify.

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**HON KAVEKOTORA:** You do not have that information now?

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**HON MINISTER OF LAND REFORM:** No I do not have that information now. I will provide it even by tomorrow it is just a question of verifying and getting the facts right.

Thank you.

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**HON SPEAKER:** Very good, thank you very much. Now we are proposing that we need one more person then we will be done or two or three, but in the meantime may I propose that we continue to the next item. Thank you very much. Yes, in fact the issue, Honourable Minister actually you should reply but then the question of putting the question will be done later when we have the number. For now formally I will give you the Floor to reply.

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**HON MINISTER OF LAND REFORM:** Thank you very much I would like to thank the Honourable Members for the great understanding and support they have given the Ministry to speedily implement this very important Convention. If you look at Africa, all its problems they are coming from border disputes and conflicts and wars. Now we have this

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opportunity to try and set up this mechanism to help us solve our regional problems, continental problems in a peaceful manner.

Thank you very much for the support.

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**HON SPEAKER:** Thank you. Again we put the question when we have the required number in the House. For now we are almost getting there. *(Interjections) (Laughter)* Honourable Jennifer Van Den Heever, thank you for drawing our attention to that now we are legal and we can act on the matter.

I now put the question that the ratification be agreed to. Are there any objections? Then it is agreed to. *(Applause)* Thank you very much we move on.

Honourable Minister of Environment and Tourism a little while ago your neighbour raised a very pertinent question in terms of the guidelines that you outlined and he wanted to know whether a very simple access to a *(Interjection)*

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**HON MEMBER:** Personal.

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**HON SPEAKER:** Personal whether that will also be subjected to the rules that you outlined and he just wanted a quick response to that. I hope you obliged to comment briefly and this is the question put to us by the Honourable Errki Nghimtina.

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**RESPONSE TO MINISTERIAL STATEMENT  
HON SHIFETA**

**RESPONSE TO MINISTERIAL STATEMENT**

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Thank you very much Honourable Speaker.

Honourable Speaker, this excludes when someone in his/her field wants to use sand for domestic activities but for commercial, you have to do that and again if you have a farm for instance what we have also observed is that farmers, try to make dams in their farms whether it is your private dam or earth dam you must have a licence or clearance, because there must be some scientific investigations to be done whether your earth dam will interfere with some ecological systems especially the water flow because why the rivers have become you find some rivers today are no longer flowing although we really have a problem with rain but some is not because of the rain, it is because some farmers just put up earth dams and blocked the river beds to take water to the main rivers. That you need to have some clearance certificate because you are interfering with ecological process, and what we normally do is we do not say do not have an earth dam but we say here you cannot do because you are damaging the environment you can rather do it here, you can tap water from there, minimum as you can so that you can still allow water to flow.

Imagine if five farmers having to have an earth dam tapping from one river and the other, the fifth one will block that river that means that river will not reach where it is supposed to reach. So it is a practical thing that we try to do early and currently we have that problem that we are faced with now as Namibia. Especially you will see it if you have an arial view, how these dams are manned in those farms and other farmers cannot tap from those rivers any longer.

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HON NGHIMTINA / HON MURORUA**

**HON SPEAKER:** Thank you very much. I am not sure whether Honourable Errki Nghimtina got the answer. I just want if you could confirm. Is that sufficient?

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**HON MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** It is sufficient Honourable Speaker. I understand, because most of the time we have to consider the community we come from.

Thank you very much.

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**HON SPEAKER:** Thank you very much I know I might have alerted the Honourable Murorua because he is also coming along. A quick one.

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**HON MURORUA:** Thank you very much Honourable Speaker. I am very grateful to the Honourable Minister of Environment and Tourism for the explanation but I am specifically on the issue of earth dams. Do you mean that a farmer when he/she wants to build an earth dam should first get a clearance certificate from the Ministry, or is it not in the old rule that as long as the cubic capacity of the dam is not beyond 20,000 cubic then the farmer can build that dam, but in most cases the Ministry does not check up on these dams and it so happened that I can give an example of which this House might be aware.

The Omaruru Town simply because upstream farmers had built dams which are larger than what is prescribed by law they jammed up the water and the aquiver of the town itself went dry, and I think five or six years back the Omaruru Town was sitting with a water shortage simply because of that but no action has been taken by the Ministry. I say no action, because I know also personally the Hoab River, is one of the rivers where

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**RESPONSE TO MINISTERIAL STATEMENT  
HON SHIFETA**

such a dam is built and this dam is not built with sand only it is built with concrete on Ohorongo Ranch for your information. That dam is much bigger than the 20,000 cubic and that has created a situation where the flow of the water and the trees that were growing and were providing enough food for the farmers and specifically the wildlife like elephants died, because they were used to the higher flow of water and now they had to immediately go deeper but seeing that the roots were already old they could not grow deeper and that created a situation where the animals and mostly the elephants moved out of the catchment area into the other areas, and from that I know that nothing has been done by the Ministry.

So the clarity that I am seeking is, is it now a rule that anybody intending to build a dam should first seek a clearance certificate before he/she starts? Or should we still continue or assume that the old rule of the 20,000 cubic metres will be applied?

Thank you.

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**HON SPEAKER:** Thank you very much. Honourable Minister, I did not want to reopen the discussion but this is obviously very important to many people. Just a quick one.

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** Very briefly, yes according to the current *Environmental Management Act* you will need to do that. That is exactly to prevent things like that, and we have observed that Omaruru is one. We have observed not only Omaruru but many other towns, farmers on the other side they just blocked water and the water does not flow and the aquafer just dries up. Many things and that has serious ecological interference in the whole process. So we are trying to make sure that all the farmers abide by the rules that they should just apply. There is no one who will say do not do, but it is a question of investigation.

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HON SHIFETA**

Do some scientific investigation and establish where you can now put your earth dam. You can put it in your farm, but you must have a clearance certificate. So it does not matter how many cubic you are going to have, how deep it is, it is just essential that you do that because sometimes they also damage some other endangered things like plants or trees that are not supposed to be cut or they are not supposed to be uprooted so there are many other things that is why the investigation has to be done first before you do that, and a clearance certificate is easy to get you do not need and people sometimes tell lies.

I would step out here that somebody is calling me talking about, no I applied and many of them are saying I applied for a clearance certificate for sand mining. That is not true. I said no give me the proof that you have applied because when you apply you get proof that you have applied and normally it does not take time. Now that people some of the sand mining have been shut down people are now flocking to go and apply, but the law came into force in 2012 and people have already been informed. Traditional Authorities have been informed. Local Authorities have been informed. Regional Councils have been informed. Everywhere people know exactly that they have to abide by the rules.

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**HON SPEAKER:** So in other words the old rule does not apply anymore so that is out of question?

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**HON MINISTER OF ENVIRONMENT AND TOURISM:** No there are new rules now. *The Environmental management Act* (EMA) is the overall.

Yes thank you.

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**QUESTIONS AND COMMENTS  
ON MINISTERIAL STATEMENT  
HON NAMBAHU**

**HON SPEAKER:** Thank you very much. I think we all (*Interjection*).

**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL  
RELATIONS AND EMPLOYMENT CREATION:** Honourable  
Speaker I wanted a quick one?

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**HON SPEAKER:** I really want to conclude but a quick one please.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL  
RELATIONS AND EMPLOYMENT CREATION:** Thank you very  
much Honourable Speaker. Let me just maybe advice because the issue  
that Honourable Murorua is talking about is regulated mainly by the  
*Water Management Act* of the Ministry of Agriculture, and yours truly we  
were instrumental in drafting that law. I think that what needs now to be  
done is the harmonisation between these two Acts and the people to get  
together so that what is stipulated in the Water Bill is actually  
synchronised, because there is what you call the downstream users that  
must be respected by the activities that are taking us, being carried out by  
upper stream and that the river rim habitat is not just the flow of the river  
physically but the catchment the water course all these people that are  
dependant there is something that is serious. It was already identified that  
time.

I think it is time now that it is harmonised and these new rules are  
imposed so that our people that are downstream rivers should be flowing  
there is not just international but even on the international because those  
that are upstream should also take into account the interests and livelihood  
of those that are downstream so it is the issue that I wanted to  
(*Intervention*).



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ON MINISTERIAL STATEMENT  
HON NAUYOMA**

**HON SPEAKER:** I do not want to prolong the discussion but we have issues what happened to the town like Omaruru where some of these dams were constructed many years ago.

What do you do? Can you undo that or what do you do? So those are some of the challenges that we have to face up to. (Interjections) Can we ask? (*Interjection*).

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**HON NAUYOMA:** Honourable Speaker, now you know Honourable Tommy Nambahu provoked something in me that has to do with both management of the water that is running. Now it came to the question of “*efundja*” (flood). You know *efundja* also (*Intervention*).

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**HON SPEAKER:** All the way from Angola.

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**HON NAUYOMA:** All the way from Angola they bring fish, but those who are closer say in Ohangwena Region on the far end they put nets there, so that those who are beyond Oshakati will not benefit from the resources. So how do we deal with that one, because it is also part of the (*Interjections*) Yes they must also get something (*Intervention*).

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**HON SPEAKER:** We need to find time to deal with that one. Thank you very much. The Secretary will read the First Order of the Day.

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**RATIFICATION OF THE BOUNDARY  
TREATY BETWEEN NAMIBIA AND BOTSWANA  
HON SHIXWAMENI**

**RESUMPTION OF DEBATE – ON THE RATIFICATION OF THE  
BOUNDARY TREATY BETWEEN NAMIBIA AND BOTSWANA**

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**SECRETARY:** Resumption of Debate – On the Ratification of the Boundary Treaty between Namibia and Botswana

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**HON SPEAKER:** When this Assembly adjourned yesterday, the 12<sup>th</sup> of June 2018, the question before the Assembly was a Motion by the Honourable Deputy Minister of Land Reform that the Treaty be adopted. The Honourable Nauyoma adjourned the Debate, and I now give him the Floor. (*Interjection*) Oh okay.

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**HON SHIXWAMENI:** Thank you Honourable Speaker, the Convention that we have just ratified (*Interjection*)

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**HON DEPUTY MINISTER OF HEALTH AND SOCIAL SERVICES:** The Microphone.

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**HON SHIXWAMENI:** Thank you Honourable Speaker. The Convention that we have just ratified that is the Naimey Convention, has actually answered most of the questions and concerns that I had. It is just that it came late, but when I read it yesterday it answered most of the questions.

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HON SHIXWAMENI**

So I have just a few footnotes that I want to add to the Botswana/Namibia Treaty and that is in the name of good neighbourliness we truly support the Treaty between Namibia and Botswana and that we hope the shooting of citizens alongside the common border will be something of the past when this Treaty is ratified. That we will have good cooperation with our Botswana counters and that the citizens alongside the border would really be educated about the whole aspect of living alongside the common border.

The second thing that I wanted to add on is that apart from State actors who will be involved in the implementation of the Treaty, I look forward towards the involvement of all the Chiefs alongside the common border from Bukalo, Tjinjimani, Linyanti and Kongola, that they would be actively involved in this sensitisation process to make our citizens aware of the existence of the border, and the respect that must be there between our two countries.

The third aspect is the involvement of the Parliamentary Committees who deal with border issues and security issues. We hope that the Ministry of Lands would be able to involve us. We need to see exactly the physical features of the border particularly on the river lines of Kwando, Linyanti and Chobe.

The last aspect that I want to raise is the issue of the ratification of and the negotiations around the Orange River border. I do not know whether the Minister can be able to update this House on how far we are and why it is taking so long to negotiate with the South Africans around the Orange River boundary otherwise we fully support the Treaty.

Thank you.

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**HON SPEAKER:** Thank you. Honourable Dr Kawana.

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HON DR KAWANA**

**HON ATTORNEY GENERAL:** Thank you very much Honourable Speaker. I rise to add my voice to the Honourable Members who have contributed to this very important item.

I believe Namibia and Botswana Governments and people deserve praise, because boundary disputes as it is attested to in history sometimes takes hundreds of years before they are resolved. In some instances they even result into wars between or among countries and therefore I am really very happy and commend our leaders, the President of the Republic of Namibia and the former President of the Republic of Botswana and the entire leadership of the two countries.

Honourable Shixwameni I do not know whether it is cybercrime whatever he took everything that I wanted to say (*Laughter*) but just to buttress what he said except maybe to correct him on one aspect regarding physical boundary. You see Honourable Speaker, in the modern world the beacons that are put is just for purposes of what we call to provide the aeroplanes which flies along the rivers for purposes of preparing what we call auto photo maps, but I agree with Honourable Shixwameni who said there is a need really to educate our people especially those along the border, because some of them confuse those beacons with boundaries because now I was in fact involved in the physical demarcation of that boundary, I was the Chairperson on the side of Namibia (*Interjections*). Now Honourable Shixwameni you see, we used modern technology called Global Positioning System (GPS).

Global Positioning System means now you log to satellites up there to give you exact coordinates in the middle of the river where the boundary is and so forth. When you go there, you will not see physically the boundary because of that technology. In addition to that you may also see the tracing maybe on the maps only maybe particularly the better ones will be to the margin of 250,000 in terms of size. You might see the line clearly, but I also agree with you that you see Members of Parliament especially the Parliamentary Committee which also are involved in those issues of boundaries and so forth could even engage their counterparts on

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HON DR KAWANA**

the other side so that there is that mutual agreement to cement also harmony between the citizens of the two countries to maintain peace and stability in those areas and that is really very important.

Also I am aware that during the 40s, there was also a joint survey demarcation of the boundary between the then Northern Rhodesia and South West Africa as it was called that time with regards to the Zambezi River. There were about 44/45 island but the problem with river boundaries is this, there is one island there along the Zambezi, during the 40s the main river was to the north, now the main river is to the South which means literally the people from Zambia can just cross on foot to come to the island but luckily enough that island is inhabited by our people, but these are some of the problems of river boundaries particularly when it comes to islands, sometimes those channels do shift.

I also just want to say as per the judgment of the International Court of Justice in relation to Kasikili Sedudu Island, that notwithstanding the physical demarcation as to where the boundary lies, but when it comes to natural resources of the area they must be shared equitably and I think that really is the spirit. I wanted to say this, and also to commend my dear friend and Comrade the Honourable Minister of Land Reform for bringing this item so that the people of the two countries can continue to maintain peace and stability, and we heard here the role of Botswana prior to our independence, during the genocide period of the history of Namibia how they accommodated our people during the liberation struggle.

Most of our leaders used Botswana as exit to go to the outside world to seek support for the liberation of our country, so that history must be maintained, and I am really very happy that after independence we had also concluded the Maritime boundary with Angola and that was amicably concluded now with Botswana, and I agree with you Honourable Shixwameni I think once we do that with South Africa both along the Orange River and also Maritime boundary, I think then we are done.

I so submit.

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HON SHANGHALA**

**HON SPEAKER:** Thank you very much. Honourable Sackeus Shanghala.

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**HON MINISTER OF JUSTICE:** Honourable Speaker, I am glad that Dr Kawana has taken the floor before me because he has literally uttered much of what I wanted to say to assist my former NANSO leader here, but perhaps while I am on the Floor just to thank my then counterpart the Attorney General of Botswana who availed staff who were able to come here two times and to with me, the African Union Boundary Commission as we were drafting this document.

The unsung heroes really are those people who took the time to draft, there were many issues that could have thrown us off but they did well. Also the ongoing work that has to be done. I think this is a means to an end. We need to keep the boundary area clean and accessible where it is land based, and where it is water, the water moves obviously so the issues sometimes with high not tide, but high areas of water then it is low sometimes, and it moves which also confuse the communities. Those areas I really agree that those communities need to be advised.

When we were on the ground we were about to find that not even the two, our two militaries could not agree where is it actually (indistinct) so it is very difficult GPS came to solve the problem as Dr Kawana is indicating. I think this is a good example for Africa, if you go back to the maps and drawings issues which were fighting about in the Kasikili matter are no longer, because the agreement has covered these issues. It is a good example of good neighbourliness and if it can be emulated the Berlin Conference would be an issue of the past and we would own our own borders. Thank you and much has already been said by Dr Kawana.

Thank you.

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HON KAVEKOTORA**

**HON SPEAKER:** Thank you very much. The Honourable Kavekatora.

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**HON KAVEKOTORA:** Thank you very much Honourable Speaker mine will also be very brief. First of all I think that relates to the previous discussions that we had about the African Union Convention on Border Cooperation I think there is a link between the two. So based on that I just wanted to ask the question as to:

1. The status of Botswana in ratifying the African Union Convention.
2. There is a question of this Treaty between Botswana and our Republic. Does it also conform or is it in line with the African Union Convention, because when I perused through it I did not see any mention of the other convention in this Treaty.
3. And lastly on a lighter note. I am glad that if you look at the last page, it was signed by our President and then it was also signed by our lead-man General Dr Seretse Khama, Ian Khama. Just to demonstrate because some of the colleagues here were asking about my rank in Otjiserandu, I am a lead-man General. I mean I am PS to the former President of Botswana.

Thank you.

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**HON SPEAKER:** Thank you very much. I am going to ask my sincere apology to Members because my system has just gone out, and I am going to improvise by keeping my eyes. Any further discussions on this? None.

Does Honourable Deputy Minister of Land Reform wish to reply?  
(*Interjection*) Oh, Minister, well I am going on paper here, Minister, yes.

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HON NUJOMA**

**HON MINISTER OF LAND REFORM:** I would like to thank the Honourable Members really for their contributions in enriching this Debate.

I rise this afternoon to respond to questions raised by Honourable Members on the 7<sup>th</sup> of June 2018 following the motivation statement pertaining to the Ratification of the Boundary Treaty between the Republic of Namibia and the Republic of Botswana. Honourable Speaker, I would like to inform the House that the boundary Treaty between the Republic of Namibia and the Republic of Botswana that is before us, was drafted by the Legal and technical experts for both countries. It was scrutinised by the Surveyor Generals of both Namibia and Botswana, and finally approved by the Attorney Generals. By that time our Attorney General was Honourable Sacky Shanghala the man who (*Interjection*).

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**HON MEMBER:** Sakeus?

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**HON MINISTER OF LAND REFORM:** Sakeus Shanghala “*Ngu avalua nena*” (who was born today) so Happy Birthday and all the other colleagues. Yes the twins, there is one twin sister and one twin brother neh born the same day?

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**HON MEMBER:** They are triplets.

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**HON MINISTER OF LAND REFORM:** Triplets, ha? Yes triplets, congratulations to the triplets.



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HON NUJOMA**

The correctness of the Treaty of descriptive text of the boundary and wording of the preamble was verified and deemed to be in order by both countries. That also answers *Honourable Kavekatora*. This legal texts were finalised and verified and found to be in order. Having said that allow me to respond to questions that were raised by the Honourable Members as follows:

- 1. To what extend are the local people around the border especially our people, educated about the existence of the Boundary Treaty and the border in general?**

Yes the response to the question is that the local communities are generally aware of the existence of the border and the Treaty. However, the Ministry of Land Reform plans to undertake various border sensitisation campaigns to educate communities living along the border and especially the river run communities. The awareness campaigns include but are not limited to radio broadcasting in local languages, drafting of layman's boundary maps, map presentation and reading skills, skills training and erection of sign posts along the border etcetera.

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**HON MEMBER:** Erection?

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**HON MINISTER OF LAND REFORM:** No it is not what I said. There are people who are notoriously known for pronouncing that word (*Laughter*).

- 2. Have the authorities involved registered all structure that might have encroached on the buffer zone?**

The response to question 2. Honourable Members I am informed that any encroachment onto the buffer zone by any means or through erection of

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HON NUJOMA**

structure is easily monitored and controlled using technological means such as satellite images and aerial photography. Government will therefore not be extorted by enterprising claimants and you will also be told by Honourable Dr Kawana about the GPS (Global Positioning Systems) that are now in use, so when we determine the border or when we reaffirm the border we use the GPS.

**3. Clarification is required on what is the description of the other half of the upper part of the Chobe River?**

This is now to the Honourable Minister of Finance and the response to the question is that the Honourable Minister of Finance partly responded to this question when he gave a narrative on the interesting hydrological features that are particular to the Cuando-Linyanti-Chobe River, which is the reverse flow of the river in times of floods in the Zambezi. Dr Kawana also alluded to that in some areas you will find that the villages that was on the southern border is now the eastern border. That is the natural course of the rivers. This informative literature can be found in many annexures to the Treaty which are part and parcel of this document. This will be availed through the national archives once ratified by both countries. The National Assembly is a descriptive document deposited to the various organisations as per the provisions of the Treaty.

**4. What process is required for the coordinates to be put in GPS?**

The response is that, plans are underway in Namibia to commission the development of mobile applications known as APPS for incorporating international boundary coordinates and voice prompts were used with SMART Devices such as tapes, mobile phones among others? However, this technological advancement requires substantial financial backing from Government. We thus hope that the Honourable Minister of Finance will heed our plea for financial support in this respect.

Honourable Speaker, Honourable Members I would like to reiterate to the House that the sooner the Treaty is ratified the sooner it can be

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HON NUJOMA**

implemented for the benefit of our communities especially those living along the borders and also for use by our law enforcement officers. As a country we can thereafter turn our attention to the affirmation of other borders who are neighbours such as Angola, Zambia and South Africa. The Maritime orderly has already been finalised between us and Angola and we are also now having a Committee established, a specialised Committee has been established by the Ministry of International Relations and Cooperation and our South African counterparts that are again working on the issue of the Orange River Boundary. So I once again humbly request the House to ratify the Boundary Treaty between the Republic of Namibia and the Republic of Botswana.

Now there were further questions. *Honourable Dr Kawana*, thank you for your comments. What you said is really what we are asking for and I would also like to thank *Honourable Shanghala* and also *Honourable Mike Kavekatora* for the support. As I explained really our two Heads of States have signed already and the question you asked, Botswana does not need to ratify once the Head of State has signed. It does not need another process that is my understanding. (*Interjection*)

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**HON MINISTER OF GENDER EQUALITY AND CHILD WELFARE:** Another one signed already.

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**HON MINISTER OF LAND REFORM:** Yes once the Head of State has put his signature there, we have this process here in Namibia, but in Botswana they do not do that, it becomes immediately law.

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**HON KAVEKOTORA:** So have they ratified the Niamey Convention?

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HON NUJOMA**

**HON MINISTER OF LAND REFORM:** The Niamey?

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**HON KAVEKOTORA:** Yes.

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**HON MINISTER OF LAND REFORM:** Yes that one we will have to check because we do not have the records here. International Relations and Cooperation will assist us to determine whether they ratified that or maybe my colleagues Honourable Dr Kawana and Honourable Shanghala maybe they know that. So far we need to determine that.

Thank you very much for that.

\_\_\_\_\_

**HON SPEAKER:** Thank you very much Honourable Minister. That is more or less concluded by the reply. I now put the question that the Treaty be agreed to. Any objection? Agreed to. Thank you.

Let us move on. The Secretary will read the Second Order of the Day.

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**RESUMPTION OF DEBATE ON CONDITIONS  
UNDER WHICH A LIQUID IS BREWED AND  
SOLD FOR HUMAN CONSUMPTION IN OUR SHANTY  
TOWNSHIPS AND WHICH IS POISONING OUR PEOPLE**

\_\_\_\_\_

**SECRETARY:** Resumption of Debate on Conditions under Which a Liquid is Brewed and sold for Human Consumption in Our Shanty

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**CONSUMPTION OF POISONOUS BREWED  
LIQUID IN OUR SHANTY TOWNS  
HON NEKUNDI**

Townships and which is poisoning our People

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**HON SPEAKER:** When this Assembly adjourned yesterday, the 12<sup>th</sup> of June 2018, the question before the Assembly was a Motion by the Honourable Murorua that the Motion be adopted. The Honourable Deputy Minister of Public Enterprises adjourned the Debate and I now offer him the Floor.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Thank you very much Comrade Speaker for giving me the Floor to make my little contribution on the subject matter that I wholeheartedly support the production of our traditional liquor I support that, and I will come to that.

First and foremost Comrade Speaker, the content of the Motion is possibly from my own analysis and understanding. It is misplaced with facts or factually misplaced.

In terms of the Motion presented paragraph 3, it states that, first and foremost Honourable Speaker, the Motion indicated I think in context of the many other traditional liquor, he indicated the pauka or in Oshiwambo, he said in Oshiwambo *ombike*.

He went ahead again to say that in terms of paragraph 3 were he indicated that in the very same method is now being used and brewed with the same clarity as water is produced, from steaming old clothes, boots, shoes, whatever dirt materials that are available.

The next paragraph Honourable Speaker, Honourable Members indicated that there are people who are collecting these dirty materials and selling them to those brewing or steaming.

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LIQUID IN OUR SHANTY TOWNS  
HON NEKUNDI**

First of all as I said yesterday, I wanted to make it categorically clear again that a House of this nature, the august House cannot be permitted to be the channel or the tunnel of authenticating rumours. It cannot be. Some of us and including the Honourable Members and many others here and out there have come of age in terms of knowledge and understanding of these commodities how they are brewed, and the reality says that *(Interjection)*.

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**HON MEMBER:** Have you drunk them?

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Yes myself I drink them and I will continue to drink it. Nobody will take me away from that. It is just as you enjoy the whisky from Scotland.

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**HON MUHARUKWA:** You are conflicted.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** That is a matter of principle.

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**HON MUHARUKUA:** You are drinking *tombo* and *(Interjection)*.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** No problem I drank *tombo* before, and I will drink it if I want to drink it and

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LIQUID IN OUR SHANTY TOWNS  
HON NEKUNDI**

nothing wrong about it. The issue is that are you abusing it or not abusing it, nothing wrong about it.

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**HON MUHARUKUA:** You are abusing it, stop abusing it.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** You are happy to drink whisky from the United Kingdom and others, and I will drink, we must drink ours too nothing wrong about it. I want to make it categorically clear that Comrade Speaker, that it should be of paramount, that a Motion of this nature should be tested first and foremost, and Honourable Speaker it is speaking with a kind of co-knowledge and if one asks Honourable Member, can you take us to the person whom he knows is brewing this particular product from those things can he take us there? Can he take the authorities to that particular person or household? In Namibia we know each other. We know the villages. Can he? Nobody can do that. These are rumours which say that the more you replicate it the more it becomes a reality it cannot be.

So Honourable Speaker, in the context of what Honourable Member presented, I want to run you through and others the traditional beer of the liquors. We have what is called *omalodu* that is brewed from sorghum, millet flour and water. *Tombo*, sorghum grains, brown sugar and water, *epwakaengwafu* is brewed from bran which is *ushutu* or *onghundu*, water and brown sugar. Then we have *okatokele*, which is brewed from millet flour, sugar and water. Then we have *shafuluka* which is from sorghum malt, water and sugar. We have *owagoasi* from //Karas which is made from brown wheat flour, the rubber glass, brown sugar, coffee roots, water and you can also add raisins for flavour. We have *ombike* or as he stated *kashipembe* that is brewed from a variety of wild fruits including jackal berries, baby plums, *makalani* fruits, *mangeti* and many others and water, a bit of water. *Omaghongo* which there is also *oshinwa* which is the juice

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HON NEKUNDI**

for kids it is made purely from *marula* fruits. We have *omalunga* which is made from the cut of a tree which is called the palm tree nip or sap so those are the ones. Under all those there is none which has clothes or boots. Possibly the misunderstanding sometimes, people misunderstood, is when somebody if for example are taking like if I am drinking now *ombike* and a young person, and I am a young person and my dad comes and let us say I am behind the cows or domestic animals, when I see my parents coming what kids do or other people do or a cattle herder they will take that nippie and say *okapapi* they either put it in the socks to hide it or put it on their heads and put a hat over it then people attribute that as the clothes because you are hiding it in the socks or you are putting it on a hat on your head, a proper head now on top of that the ka nippie or the *kapapi* you put it here and cover it or quietly here. Ordinarily we are aware that when you are at the cattle post normally you have the clothes or jacket (*Interjection*).

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**HON MUHARUKUA:** Sorry Honourable Speaker, you have never gone out to a cattle post, you never did it.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** This young man, Honourable young men must behave now. What normally happens and that is a reality when you are at a cattle post you hardly have time to clean your clothes regularly, that is a reality and when you put them here when somebody your dad or the owner comes they say "*owatulike otjike, owuli ashike kohambo no ka nippie, niikutu waningilwa*" (you are just at the cattle post with alcohol on your clothing). So you put the nippie here with your dirty clothes. So those are the attributes that people attribute the production to such an element. Honourable Speaker, (*Interjection*) Honourable Speaker, I do not know why the colleague is so angry with me speaking.



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LIQUID IN OUR SHANTY TOWNS  
HON NEKUNDI**

**HON MEMBER:** It is our own drink, no (*Indistinct*) the European one?

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:**

Honourable Speaker, the reality here is we need to understand sometimes the context of neo colonialism in reality. We cannot come here as true Namibians and patriots for that matter, and think that only cognac from France or the Scottish whisky, the Russian vodka, the Amstel Lagers, the Stellenbosch wines are the only ones that have no damage to the people.

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**HON MUHARUKUA:** What about Windhoek Lager?

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Why the interest so much, why the interest? Honourable Speaker, it is documented. It is globally documented (*Interjection*).

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**HON MUHARUKUA:** Honourable Speaker is it relevant to the Motion?

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**HON SPEAKER:** Is that a Point of Order?

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**HON MUHARUKUA:** Yes.

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HON NEKUNDI**

**HON SPEAKER:** Yes.

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**HON MUHARUKUA:** Honourable Speaker, sorry I really do not want to interrupt my brother. As a young man and noticing what young people are doing in the villages, I want to advise Honourable Member that he is barking in the right bush, but at the wrong tree. mMaybe he must speak to the Motion.

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**HON SPEAKER:** Honourable Nekundi.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Honourable Speaker, I am not here to entertain linguistic gymnastics behaviour I am not for that (*Laughter*). Honourable Speaker (*Interjection*).

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**HON MUHARUKUA:** I am trying to help man. Linguistic what? You are the gymnast here.

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** Honourable Speaker, the reality is that and it is scientifically proven, that if you take these ones that are so called “the must drink” and “it is a luxury to drink the imported ones”, the reality is proven that they cause visual impairment they do that. They cause a number of diseases and illnesses, and we, some of us also have buried people who died as a result of abusing those particular alcohols which we think are the right ones to be consumed, we have buried them.

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We have people as we speak now even in prisons who have committed evil acts including rapes of women, who have killed people under the influence of alcohol because of poor judgment from these things that we think is right. So what I am saying is that there is no good alcohol and when it is consumed or it is abused,

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**HON MUHARUKUA:** Now you are talking

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**HON DEPUTY MINISTER OF PUBLIC ENTERPRISES:** When it is abused, but we cannot say the traditional ones must be carried away and we have hallelujah with the westerners whatever alcohol it cannot be. *(Interjections)*

Honourable Speaker the reality is that I would have very much appreciated a Motion of this nature if we, this Honourable House, responsible to develop and enhance the well beings of our society including the development of our economy, is able to discuss a Motion that is talking about how do we do research and creating innovative mechanisms to standardise the quality output. This I would appreciate, in order to understand the micro biological and bio chemicals and the nutritional properties of our traditional products that could be of importance to us. It is more important. *(Interjections)* If we are able to assist our people to have a hygienic process when they are producing this, if we are here to discuss that it is important.

It is important also if we are able to discuss how we are able to reduce the current drudgery process, that difficult process, that will be of importance but to attribute the negativities in terms of the inputs which is unfounded it cannot be accepted.

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So if the Motion is changed to what I have just recommended in principle it is important. In the absence of that I will object to that Motion, and I appeal to the House to reject a Motion that puts such a notion to our local products.

Thank you very much Comrade Speaker.

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**HON SPEAKER:** Okay thank you very much. Honourable Nambahu.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Thank you very much Comrade Speaker. I want to make a contribution to this *(Intervention)*.

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**HON SPEAKER:** Let us hear him please.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** To this Motion and I am departing from the premise that the brewers are our people, the users are our people, and the leaders of those people are us. From that perspective I would want to see that the health of our people is protected and in that context it is public health that we are talking about here. I know there are those saying that if you like sausage do not watch its making process. *(Interjection)* If what we are talking about there is an aspect of us needing to formalise and put into the formal mainstream the products that are indigenous, in that context I think efforts should be found to graduate our people and make them actually formal and bring

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these things into the formal market and maybe find place for them in the shelves. I was once a leader for a certain, when I was working for the Brigade at a certain area and people were selling milk, and my staff buying that milk or containers ended up being sick and we found out that the people were putting something like yeast and you know how interesting it was the more you drank from that container the fuller it became. (*Interjection*) yes you drink from it and you ask yourself what kind of milk is this. The more you take from the more the volume goes up. This, I do not want really my people to be affected by that kind of commercialisation of the products and they make us depart from the traditional ethics of brewing these things.

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**HON MEMBER:** Milk?

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**HON SPEAKER:** A Point of Order? Point of Information?

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**HON NAUYOMA:** Okay no thank you very much Honourable Speaker. Honourable Nambahu, do you not think that is the concoction that the Motion is talking about when it comes to liquor, because that is another concoction and we know about that one also that people are playing with things like that and this is the same concoction I think the Motion is talking about or what is the difference between the two?

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**HON SPEAKER:** Thank you *ethikua* continue please.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Yes I am very serious with these things when I am talking about them and those of us who mix, who like going down there, down streams you really mix with people you hear these kinds of things and as a leader you get concerned. You hear people putting batteries in these containers where these things are brewed and you cannot just simply dismiss them. The normal ethical, traditional brewer does not do those things, and we would want people to come back to those ethical ways of doing things, and we must find a way of regulating and speaking to these kinds of issues.

We cannot just be told but there is another problem here of labouring. When you are travelling from here passing through Otjiwarongo you want to eat this biltong you are simply told, is it a kudu this one is an eland or these other ones and there is no verification. I know that it might be something and it is not only limited to our people, the kangaroo things that are happening, that we are eating in the shelves that are mislabelled are also falling within the same category. Therefore there is a need in the country for us to really step up these things and look seriously into what should be done. I also would want to one day when I am drinking *ombike* or whoever drinks it, I want to find out that these people can be assisted and be told. I want to be told what the percentage of alcohol is in this bottle.

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**HON SPEAKER:** Okay.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** We must assist our people to get to that level and therefore these things must not fall between the cracks it must be within the Ministry which one is going to regulate it

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and it comes to another point of people actually using rituals and putting things on there. When we were in the Ministry of Justice we were looking into these kinds of things what can be done to use and prevent those people that are poisoning others through these kinds of things.

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**HON SPEAKER:** Okay

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION:** Therefore we must find a way and probably apportion it to a certain Ministry or a certain sector so that these things do not fall within cracks and that a law should be found to protect because it is public health and because maybe us as elites as we are called do not consume these things we cannot neglect it because it affects our people, and it is our people that brew them, it is our people that consume it and it is our people that must be respected. Who is it that should be doing that, it is us who are leaders of these people that must be concerned? I thank you (*Intervention*).

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**HON SPEAKER:** Thank you I think you made the point. Let us go and make specific points rather than repeating over and over. Honourable Deputy Speaker.

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**HON DEPUTY SPEAKER:** Thank you for the Floor Honourable Speaker. I am going to make a short intervention. Very short intervention concerning this Motion and allow me to quote just the previous speaker Honourable Tommy Nambahu when he said this issue has to do with public health to protect our people. I agree with it.

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Yes traditional drinks, traditional food is very good there is no doubt about it. We have been drinking these things, we have been using this but the unhygienic way of producing these things I should think is our responsibility to ensure that our people are assisted, and here we also to a lesser extent failed those students who are following this area to look at the old methods, research on it and to come up with old methods of for example producing *ombike*. I am talking, I am a person from tradition and also not so traditional.

My parents are the graduates of the first missionaries, but my elder sisters of my mother were one of those people who produced *ombike*, and at that time she was good and mind you while my own mother was visiting the hospital she never went to the hospital when she felt a headache she just took that *ombike* (*Laughter*) whether, I am not a scientific or a doctor to say whether it healed, but what I am trying to saying is we are supposed to research, the concerned Ministry, to come up with a strategy to research on these things so that we come up with a modern way of producing these things. Just like the way we were traditionally pounding the *omahangu* meal. The *omahangu* meal the traditional old method is (*Indistinct*) and it is full of sand, but right now there are machines that produce these things.

It is not only us or the mover who recognised or us who recognised that there is something wrong with that. I do remember late 70s I used to come to my father's homestead. My father used to drink not *tombo* but whisky or brandy I asked him "Dad these things they put the water in "*ongoma*" (barrel) at 08:00am and at 10:00am people have already started drinking?" My father responded to say Ngwaashuuya, he used to call me Ngwaashuuya, "The thing is rotten under". It is rotten. Rotten, the *ongoma* is rotten and that is why it takes such a short time for the people to drink so quickly, meaning (*Interjection*) whatever, meaning there are people who already recognised the need really to put these things on the hygienic way, henceforth as the previous speaker has stated we must just think in terms of probably refer this, not refer (*Intervention*).



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**HON SPEAKER:** On a Point of Order?

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**HON DEPUTY MINISTER OF FINANCE:** Honourable Deputy Speaker, I only have a small question. The Europeans, the ones that brew wines, they normally say the best wine is the one that has been standing for many years even 20 years, but we have never condemned that one but our own that has stayed maybe a day or two we are busy condemning it, which one is which now?

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**HON DEPUTY SPEAKER:** No, we are not condemning that one which would stand there without putting foreign objects. My Honourable Deputy Minister of Finance it is true that there are some people who are putting foreign objects in these *tombos*, there are. There are, foreign objects, it depends where you are. Of course I have not heard of the old clothes, but the area where I come from they put foreign objects there, some of them. (*Interjections*) I do not know but the others they do not, what I am saying, ha, (*Interjections*) another person can take the floor and proceed where I ended. So

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**HON SPEAKER:** Can we have order?

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**HON DEPUTY SPEAKER:** We are do not want really to take the business from our people like this lady who was crying on the Television. She was having *ombike*, and she said please, maybe she was panicking and had heard that the Parliament are discussing these things and she said no we are making money out of this. We must really just help these people to brew these things on a hygienic way.

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HON NANDI-NDAITWAH**

So the Motion as it is should, as the other previous speaker has stated, you should refer to the relevant Ministry to see how they can regulate it. That is my comments, Honourable Speaker.

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**HON SPEAKER:** Thank you very much. Yes I think we still have a bit of time the Honourable Nandi-Ndaitwah.

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**HON DEPUTY PRIME MINISTER AND MINISTER OF INTERNATIONAL RELATIONS AND COOPERATION:** Thank you Honourable Speaker, Honourable Members the Debate we are engaging now is taking me back to a Debate in 1998 in this House when we were discussing the Liquor Bill for the first time, and during that process as we were discussing somebody, one Honourable Member brought up an idea of *ombike* and then was so straight forward to say we should ban *ombike*. Of course I have made my contribution some of it, I will repeat it today, but coming to the specific Motion. When I listened to the motivation I am telling you I did not understand whether you are talking about the *ombike* I know, because really the reference was on something completely different from what I know.

I think the Honourable Member is concern is not the *ombike*, the concern is those individuals who are allegedly using the worst of the worst even, dangerous material to produce this. Honourable Members who contributed said and I agree with them, if there are really those that are doing that that is a police case, because they are endangering other people's lives.

If I recall well one Honourable Member even said those who perpetually consume what has been brewed with those dangerous materials, they do not live beyond three months. I think I heard something like that that

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those who persistently drink it do not live beyond three months. Therefore the issue here is not the *ombike* which some of us know because the one, some of us including me who defended in 1998, is the traditional way of producing *ombike* and that *ombike* has been drunk from day immemorial and it is even controlled psychologically, practically *ombike* which we know is controlled in terms of drinking it. For whatever reasons, you hardly find a person up to now abusing *ombike*, it is just difficult I do not know why. They can abuse beer, they can abuse whisky, they can abuse *Otombo*, *punyapunya* you can name all the alcohol but *ombike* is not abused.

Again I agree that we should be concerned about public health in whatever we are doing, but if you go to the traditional way of making *ombike* you will find it is one of the most hygienic ways of brewing. There is nothing you touch. You simply have your pot which you make sure is clean because they do not want it to be mixed with anything. you put the water and if you say you want it with “*enyandi*” (wild berries) or you want *embe*, you will simply just add that and then make sure you cover it for whatever those two or three days and after that you put in the pot, you make sure that the pot is sealed, no air going in and no air coming out, nothing gets in. Then you take that wire pipe which you make sure is also sealed, copper pipe (*Interjection*).

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**HON MEMBER:** So you can actually brew it?

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**HON DEPUTY PRIME MINISTER AND MINISTER OF  
INTERNATIONAL RELATIONS AND COOPERATION:** Yes and now (*Laughter*). Yes I can brew it. I can brew it. I am a traditional person. And then you can now go, this is high fire, advanced fires because as you boil, the water becomes steam and then it goes into that iron pipe then you have cold water that you must change all the time,

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when the cold water and the steam contacts then water comes. You do not touch it, it goes straight into the container, so it is very hygienic it is not even like the traditional way of making wine. Ha, have you seen the traditional way of making wine which is not yet abandoned? There when people want to make boutique wine they do it at home. They take the grapes, they stamp on it with the feet, *tswap tswap*, and then the process. *(Laughter)* So really the whole issue here is, I have no problem if we can help our people to determine the content for commercial purposes but the way it is done now, the one I know is hygienic. But if really as Comrade Kapofi once has said if there are those using those things, those deserve to be arrested because they are endangering other people's lives and that should not be allowed. So this is, somebody is saying *kashikorototo* that is another dimension, no, no, *(Interjection)* *kashikorototo* is not this one. No, let me tell you I am here now to educate. *Kashikorototo* is different because I said that *ombike* is made with fruits. Traditionally there were people who were trying to make *ombike* with mahangu but then the tradition says this is going to create a food shortage so making *ombike* with omahangu has been banned and is still banned *(Interjections)*.

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**HON MEMBER:** Mahangu.

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**HON DEPUTY PRIME MINISTER AND MINISTER OF  
INTERNATIONAL RELATIONS AND COOPERATION:** Mahangu for porridge, and in order to give it a name that is disgusting, then it was if you make your *ombike* with omahangu it is no more *ombike* it is *kashikorototo* *(Laughter)*. You see so it is to make it unacceptable. So therefore *(Intervention)*.

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**HON SPEAKER:** Before you conclude, does it make you warm particularly in winter does it? (Laughter).

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**HON DR ATTORNEY GENERAL:** When you drink it like vodka? Does it wake you up?

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**HON DEPUTY PRIME MINISTER AND MINISTER OF  
INTERNATIONAL RELATITONS AND COOPERATION:** Yes Comrade Speaker, I am telling you if you drink *ombike*, it all depends on which quantity. As the Deputy Speaker has mentioned, sometimes when you have a headache you can be given that small drop and then it helps you, but if and that is why they made sure that taking it is controlled, because if you take over it can make you warm and it is not good, but they have learnt how to drink it.

Therefore Comrade Speaker, I want us to look into this Motion the way it was treated by others to say, those who are using those materials they deserve to be arrested and they should be reported. But for the traditional *ombike* that one, the only way we could go in if we can is just to help them to know the content, but the way they are brewing it is so healthy and is really controlled.

Thank you very much.

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**HON SPEAKER:** Thank you. I have got someone who is burning to reinforce the point just before I move on. Honourable Nambahu.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL  
RELATIONS AND EMPLOYMENT CREATION:** Honourable  
Speaker, it is just really to enforce the point of my leader there that do you  
know that vodka and (*Intervention*).

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**HON SPEAKER:** No it is too late.

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**HON DEPUTY MINISTER OF LABOUR, INDUSTRIAL  
RELATIONS AND EMPLOYMENTT CREATION:** And what is this,  
the finish invention of sauna those were the things that were helping the  
soldiers in those cold winds like the Russians, vodka keeping people warm  
when they were fighting the Germans, and Sauna when the Finnish were  
fighting the colonialism of the Swedish it really keeps you warm and just  
to substantiate the point.

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**HON SPEAKER:** Noted, noted I want to move on to the Honourable  
Sacky Shanghala.

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**HON MINISTER OF JUSTICE:** Mr Speaker, the Motion as it is coined  
I have a problem with and I would like to support Honourable Nekundi is  
Amendment of it. The Motion itself is problematic. The beautiful thing  
about it, is that it allowed us to talk about these issues, but I think the  
difficulty with the Motion is that we do not really know. Look if there is  
an event or something, somebody is doing, brewing concoctions which are  
dangerous simply should be reported to the police and they will deal with  
that. Officer Fonsecka will be more than happy to deal with those types of  
people.

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HON SHANGHALA**

Speaker on a lighter note, they say that when you go to the European neighbourhoods you dig and find the wires for communication, if you go to the African neighbourhood an African will tell you, “Can you see there?” and you see nothing they say, we were wireless before and so we were advanced. I think the *ombike* is an example, that shows that our African processes were also advanced because it is science, distillation sometimes even triple distillation is what the Irish are doing with their whisky when they are distilling their whisky, and for those people who are coming from a community where alcohol is brewed, a gene a phenotype is passed on from generation to generation. That is how you could find that the European could conquer parts of Africa easily with alcohol to communities that had never brewed alcohol before, but those that had brewed alcohol they would drink and tomorrow they would be at work but those that have not really a week goes the person is recuperating it is a shock to the system (*Laughter*) because you do not have the phenotype. (*Interjection*)

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**HON DEPUTY SPEAKER:** Do not have the what?

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**HON MINISTER OF JUSTICE:** Science now, phenotype, just Google it, look at it and you will find that Africans are more inclined to tolerate the sun more than our colleagues who have less melanin because of the phenotype, of the gene that we have. Yes those people. Now we have that and we can deal with it, and if you listen to how omahangu and it ferments naturally and even if you did not want to drink alcohol *oshikundu* after three days can be potent, kids will start singing when they should not sing. *Omalovu, kasipembe*, all those issues

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**HON MEMBER:** Omaghongo

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**HON MINISTER OF JUSTICE:** some of these things are so potent that and I am looking to Honourable Kavetuna there, that if we can hurry up with amending and updating the food and disinfectants Ordinance of 1979, and covering those definitions of those drinks in there, would do us a great favour so that we can regulate, because some of these issues whether it is the sugar, by the way sugar if we had wanted to talk about things that are killing society, sugar is the number one killer. We never had a discussion about sugar here. In fact we go to the shop and buy sweets and come and talk here, sugar is the number one killer, salt is number two killer, so those are the issues. Maybe we should put tags, Honourable Ithete on sugar and sweets because they are killing. (Interjection) No, colleague, Comrade the problem that we have, and I am talking to the Motion is that the intention is good but the way it is couched I think maybe.

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**HON MUHARUKUA:** Nothing wrong with the intention.

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**HON MINISTER OF JUSTICE:** Yes the intention is good. The way it is couched maybe is not going to achieve what he wants to. Therefore I am saying there are other issues we can talk about in the same vein such as sugar, salt, cooking oil and drinking cold water, those things.

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**HON MEMBER:** Air conditioners?

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HON DR NDJOZE-OJO**

**HON MINISTER OF JUSTICE:** Air conditioners saturated fats, processed meats, because if we go back to our old way of drying meat eating, our diet as it was, yes maybe we were dying of diseases we did not know, but these modern diseases that we have were not there. Lifestyle diseases were not there, and you know today to walk is seen as if you are impoverished, just to walk. I want to walk and every time I want to walk to town and back I am being told you know you cannot walk, but it is exercise. People used to exercise walking to school, today the kids are obese by the time they are nine, because they are driven to school, at school you cannot make them run anymore because the teachers are afraid to even punish them to walk around the school. Then they are given sweets. Pacification is also, Television games so those are issues that we can also talk about.

But in the manner you have couched Honourable Member the Motion maybe it would help us if we would say, it was not a discussion about traditional drinks per se or whether they are good or bad, but it was about something which was being done which is bad which can be dealt with by the cops, but in the addition of the discussion to say let us modernise and keep it clean that can help. So on that note I have made my contribution and I would therefore encourage nobody should even think of banning our traditional brews because *omaghongo* time is a very serious event for us.

Thank you very much.

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**HON SPEAKER:** Thank you. I will call on Honourable Dr Ndjoze-Ojo just to get her input.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** I know time is up but unfortunately tomorrow I

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will not be here I just want to comment Honourable Speaker  
(*Intervention*).

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**HON SPEAKER:** Can I just hear your voice and we adjourn the House.

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**HON DEPUTY MINISTER OF HIGHER EDUCATION, TRAINING  
AND INNOVATION:** I will not be here tomorrow I just want to put in  
one sentence and it is to redirect the Debate to what it should be. When  
Honourable Murorua moved this Motion we all were in consonants with it  
because of the way he put it. I remember even Honourable Kapofi saying  
that it is illegal. So I just do not want the Debate to continue contrasting  
western liquids with traditional liquids that is not what it was all about. It  
is and through the process of debating those issues we will hide, we will  
let the illegality of what has been inferred by the Motion being hidden. So  
let us go back.

If we are not quite clear what the Motion was, the Motion was there is an  
illegal brew, that is not traditional, that is not western it is an allegation  
that could be investigated and be found to be true or not true, and then we  
Debate but to contrast traditional brews with western brews that was not  
the intention so as from tomorrow when you Debate you can go back,  
maybe clarification from the mover and then we move onto the right track.  
I think we are (Indistinct)

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**HON SPEAKER:** Thank you. It is very helpful thank you very much  
indeed. Honourable Muharukua can I just have your voice so that we can  
adjourn the House.

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**ADJOURNMENT  
HON PROF KATJAVIVI**

**HON MUHARUKUA:** Honourable Speaker I think I am amenable.

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**HON SPEAKER:** You continue tomorrow?

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**HON MUHARUKUA:** Yes.

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**HON SPEAKER:** Thank you very much. With that note I think we have come to the end of a long day, productive day. We adjourn the House until tomorrow the usual time.

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**HOUSE ADJOURNS AT 17:46 UNTIL 2018.06.14 AT 14:30**

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